TOWN OF SOUTHAMPTON
STORMWATER MANAGEMENT PROGRAM PLAN
Municipal Separate Storm Sewer Systems (MS4s)
Permit No. GP-0-15-003

January 2012
Town of Southampton
Engineering Division
Revised 2015

TOWN OF SOUTHAMPTON

MS4 STORMWATER MANAGEMENT PROGRAM PLAN

PURSUANT TO:

NEW YORK STATE SPDES GENERAL PERMIT

FOR STORMWATER DISCHARGES
FROM

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

PERMIT NO. GP-0-15-003

January 2012
(REVISED 2015)

Prepared by

TOWN OF SOUTHAMPTON
ENGINEERING DIVISION

TOWN OF SOUTHAMPTON STORMWATER MANAGEMENT PROGRAM

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1. THE TOWN OF SOUTHAMPTON SWMPP: INTRODUCTION

The Town of Southampton (TOS) has developed a Stormwater Management Program Plan (TOS SWMPP) as required for coverage under the New York State Pollution Discharge Elimination System (SPDES) General Permit No. GP-0-15-003, (Town of Southampton: NYR-20A454.)

The aim of this program is to control stormwater runoff and prevent the discharge of pollutants from the Town's storm sewer system to the waters of the United States in accordance with the requirements of federal Phase II stormwater regulations under the Clean Water Act. The aim of the Clean Water Act, the federal Phase II stormwater regulations and the program proposed in this document is to reduce to the "maximum extent practicable" pollutants in stormwater discharges. The concern for controlling stormwater discharges can be traced to the 1972 Clean Water Act's Section 208 provisions for evaluating the impacts of and recommending controls for point and nonpoint source discharges in conjunction with the development of hundreds of area-wide water quality management plans known as "208 plans". Some of the stormwater pollutants identified in these studies include suspended solids, sediments, bacteria, nutrients, pesticides, herbicides, toxics, floatables, oil, grease, heavy metals, synthetic organics, petroleum hydrocarbons and oxygen demanding substances. The adverse impact of these pollutants in stormwater discharges include closed beaches, closed shellfish areas and toxic contamination causing fish consumption bans, beach and shoreline litter, and floatables, siltation of marina and shipping channels, habitat/wetland degradation, and stream bank erosion.

The TOS SWMPP includes a listing of Best Management Practices (BMP's) that will be implemented by the Town in order to achieve the regulatory standard of reducing pollutants in the Town's stormwater discharges to the maximum extent practicable. Existing Town stormwater programs and activities designed to protect the Town's water quality will be supplemented with new BMP activities. Initial measurable goals and an implementation schedule were developed for each of the BMP's in the TOS SWMP.

1.1. PROGRAM DEVELOPMENT

The Town of Southampton has developed a Stormwater Management Program Plan (TOS SWMPP) in accordance with the New York State Pollutant Discharge Elimination System (SPDES) requirements for obtaining authorization for stormwater discharges and certain non-stormwater discharges. This TOS SWMPP has been developed in accordance with guidelines published by the New York State Department of Environmental Conservation (NYSDEC) for coverage under SPDES General Permit No. GP-0-15-003. The TOS SWMPP has been developed to facilitate the Town's efforts in reducing stormwater pollutants from the Town's municipal separate storm sewer system (MS4) to the maximum extent practicable as required by the SPDES General Permit.

The TOS SWMPP describes specific actions that will be taken over a five year period to reduce pollutants and protect the Town's surface waters. The specific activities to be implemented are referred to as "Best Management Practices" (BMP's). Various BMP's have been developed for each of the six "Minimum Control Measures" (MCM's) required by the General Permit. The TOS SWMPP also sets measurable goals for the implementation of the BMP's. Implementation of the selected BMP's is expected to result in reductions of pollutants discharged into the Town's streams, ponds, tidal estuaries, embayments and the Atlantic Ocean.

1.2. BEST MANAGEMENT PRACTICE SELECTION

The Town of Southampton implemented various stormwater BMP's intended to protect the Town's stormwater quality for a number of years prior to the Phase II MS4 regulations.. An important aspect of developing an effective, compliant and cost effective SPDES Phase II SWMP is to utilize and build upon these on-going programs. Details of the Town's stormwater related programs have been collected, summarized and categorized into each of the six MCM's required by the General Permit. Some of these long-standing programs meet specific General Permit requirements, while others contribute toward fulfilling the General Permit mandate of reducing pollutant discharges to the Maximum Extent Practicable (MEP). Alternative or additional BMP's will be evaluated on a yearly basis as the TOS SWMP is reviewed and modified.

MINIMUM CONTROL MEASURES

In accordance with SPDES General Permit requirements, the TOS SWMP includes an implementation plan for BMP's in each of six Minimum Control Measures. The six minimum control measures are:

1. Public Participation and Outreach on Stormwater Impacts
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post Construction Runoff Control and,
6. Pollution Prevention and Good Housekeeping.

Specific requirements of each MCM are provided in the following sections.

1.3. TOWN OF SOUTHAMPTON MUNICIPALITY BACKGROUND

The Town of Southampton, located in the eastern end of Long Island in Suffolk County, encompasses an area 8.3 miles wide at the widest and extends approximately 25 miles from west to east, and covers approximately 139 square miles (88,960 acres). Located 85 miles from NYC, Southampton lies between the Peconic River, Great Peconic Bay and Noyac Bay on the north, and Shinnecock Bay East and the Atlantic Ocean to the south as shown in Figures 1-1 and 1-2.

Figure 1-1 Regional Plan

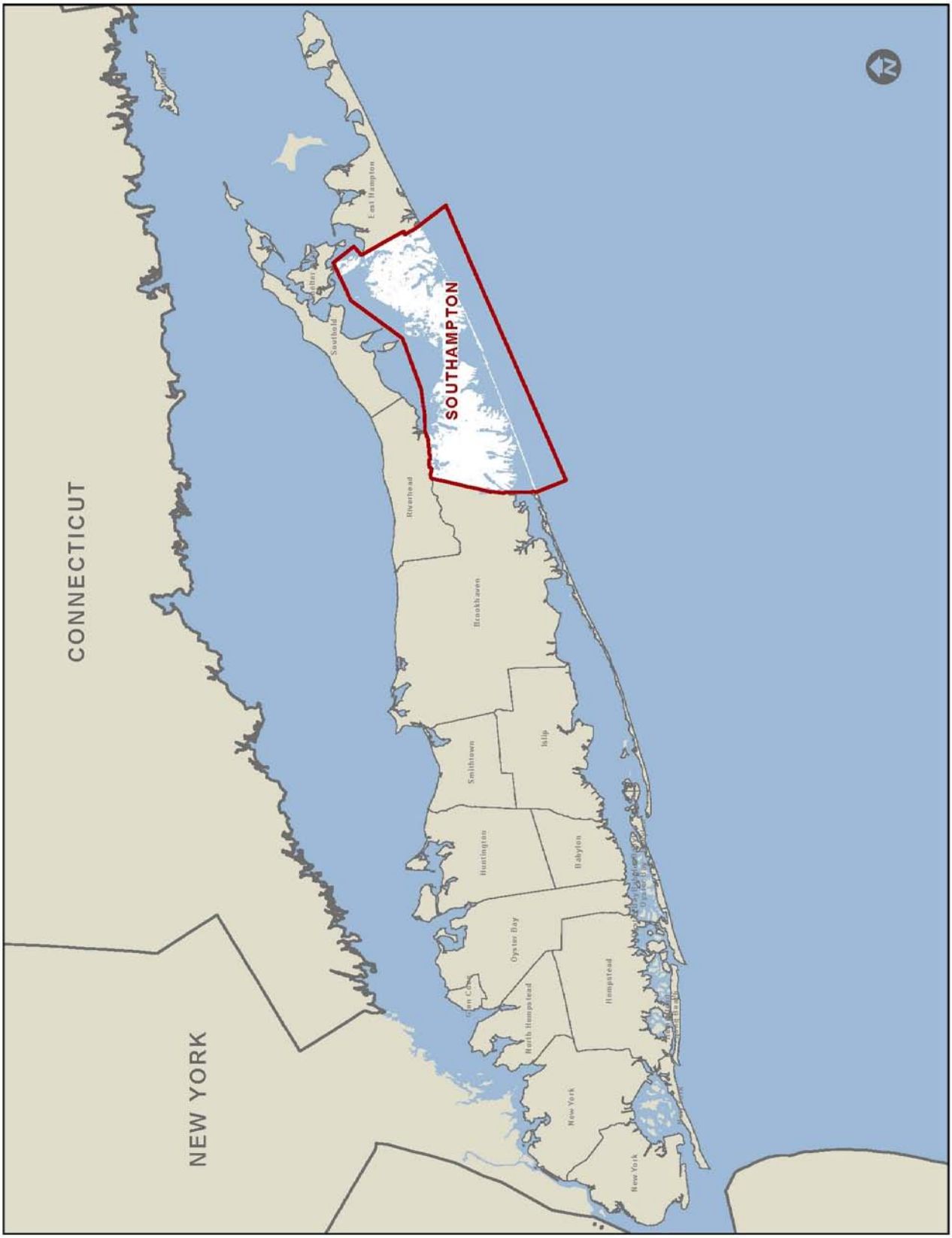
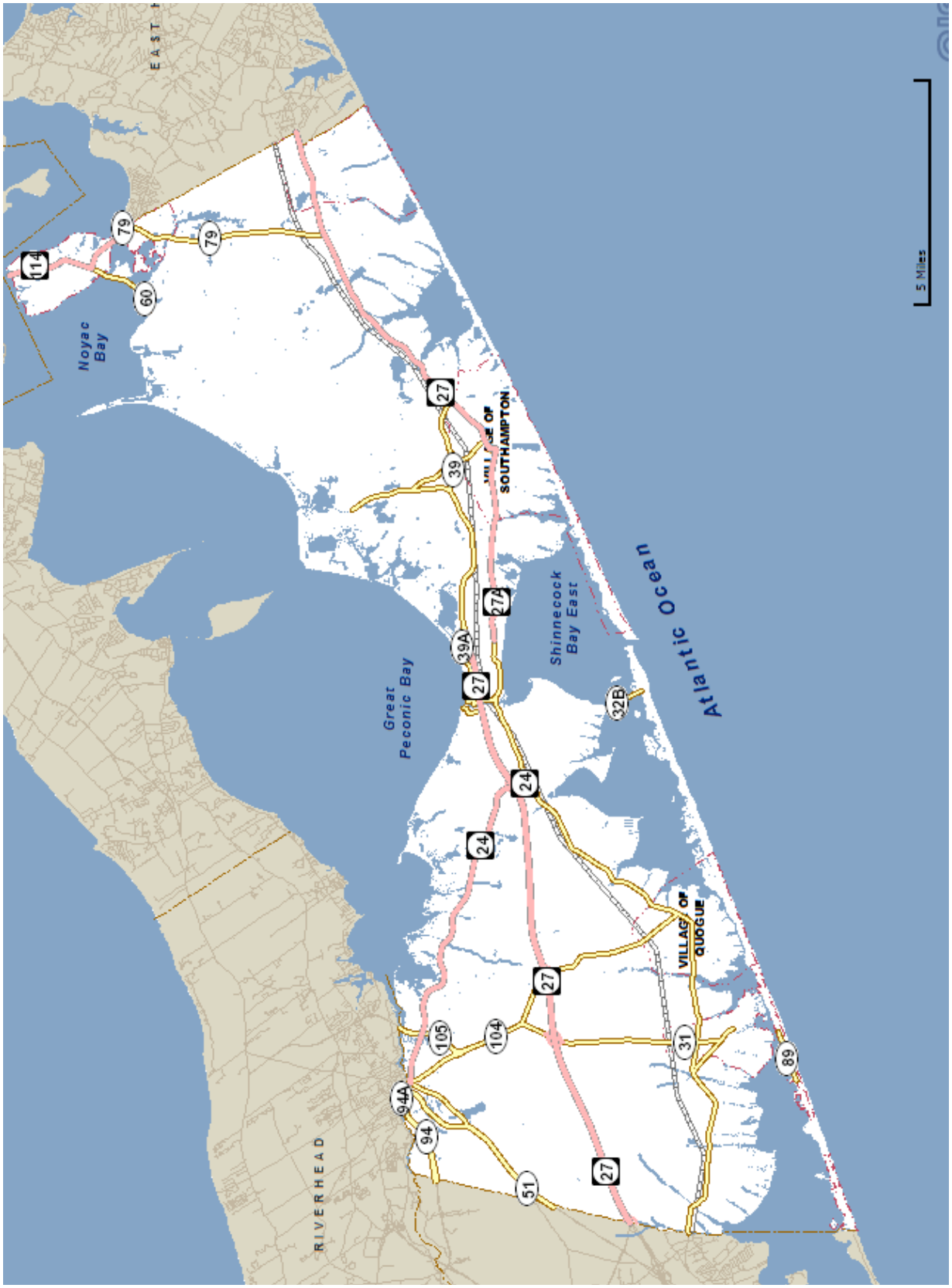


Figure 1-2 Town of Southampton



According to the 2005 - 2009 U.S. Census, the full time population of the Town was 60,567, with a seasonal increase to 180,000 in the summer months. The Town of Southampton includes the following incorporated Villages which are not considered as part of this TOS SWMPP.

- Village of Westhampton Beach

- Village of Quogue
- Village of Southampton
- Village of Sag Harbor
- Village of Sagaponack
- Village of North Haven
- Village of Westhampton Dunes

The Town of Southampton is governed by the Town Supervisor and four Town Council People. There are several departments tasked with running the public service offices of the Town including but not limited to:

Assessor's Office	Town Attorney	Finance (Comptroller)
Municipal Works	Business Management	Community Prsve. Fund
Hampton Bays Water District	Parks & Recreation	Highway/Public Works
Police Dept.	Human Services	Fire Prevention
Housing Authority	Town Clerk	Information Technology
Justice Court	Land Management	Tax Receiver's Office

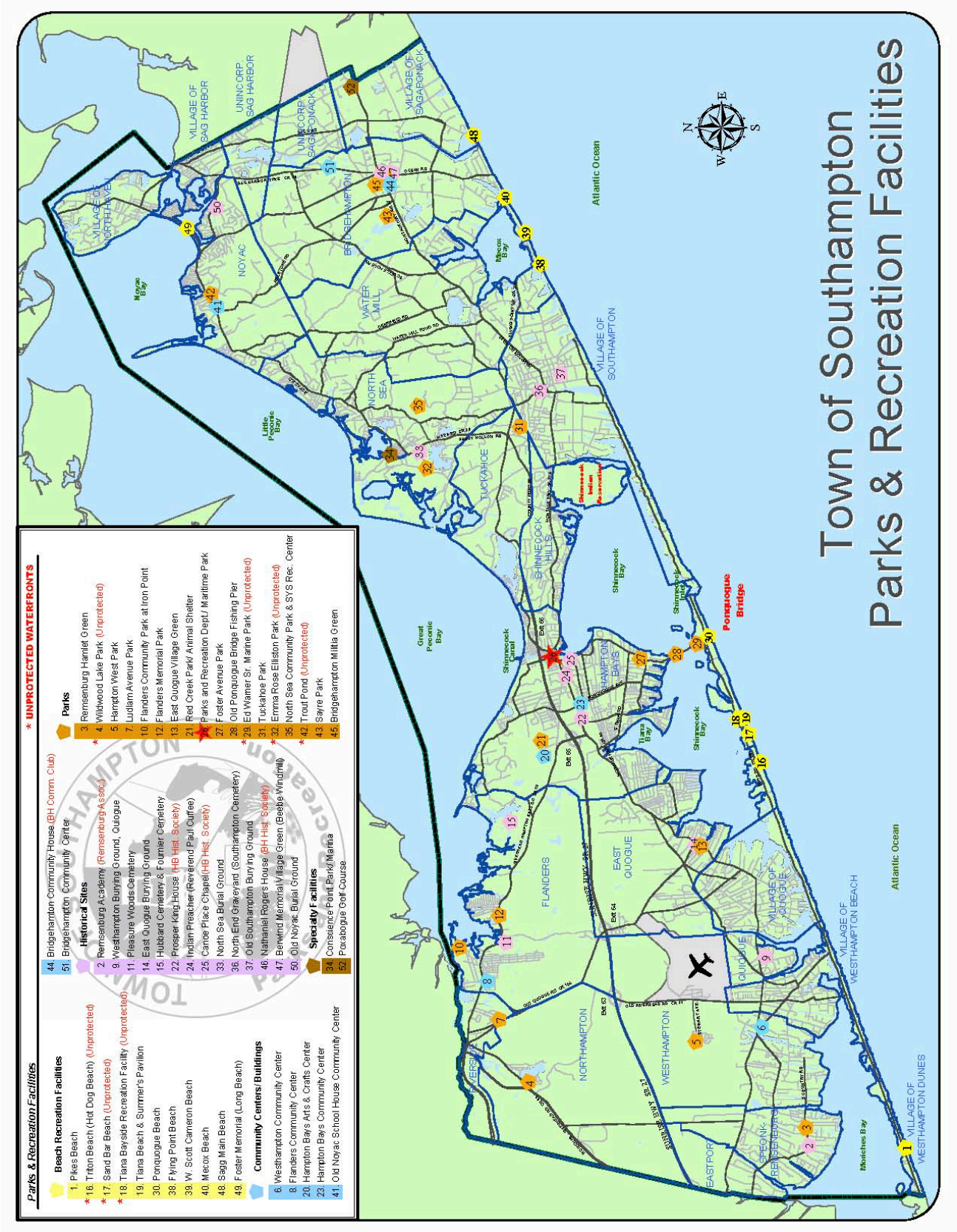
1.3.1. COMMUNITY RESOURCES

For purpose of stormwater management and planning, key community resources within the planning area consist of parks, schools and libraries. These facilities are important elements in the public education, outreach and participation aspects of the stormwater management plan.

1.3.1.1.PARKS

Parks and recreation resources in the Town include State, County and Town parks; State conservation areas; private camps and clubs; public golf courses; public school sites; and the Pine Barrens Core Preservation Area (see Fig. 1-3).

Figure 1-3 Town Directory of Recreational Locations and Facilities



1.4. NATURAL RESOURCES

The east end of Long Island has many natural resources which make it optimal for farming, living, and recreating. These natural resources are a precious commodity and must be protected through preservation, conservation and smart land development planning.

1.4.1. TOPOGRAPHY AND SOILS

The topography of the Town ranges from flat along the coasts to rolling hills in the interior portions.

According to the General Soils Map in the U.S. Department of Agriculture Soil Conservation Service Soil Survey of Suffolk County, NY,:
55.1% of the soils in the Town of Southampton are excessively drained
76.2% of the soils in the Peconic Estuary are excessively drained
43.4% of the soils in the South Shore/Atlantic Watersheds are excessively drained

1.4.2. WATER BODIES

Key surface water resources in the Town include the Atlantic Ocean and the Peconic Estuary. Other important water bodies include named and unnamed streams, creeks and small lakes/ponds. Surface water bodies in the Town are listed below and shown on Figure 1-4.

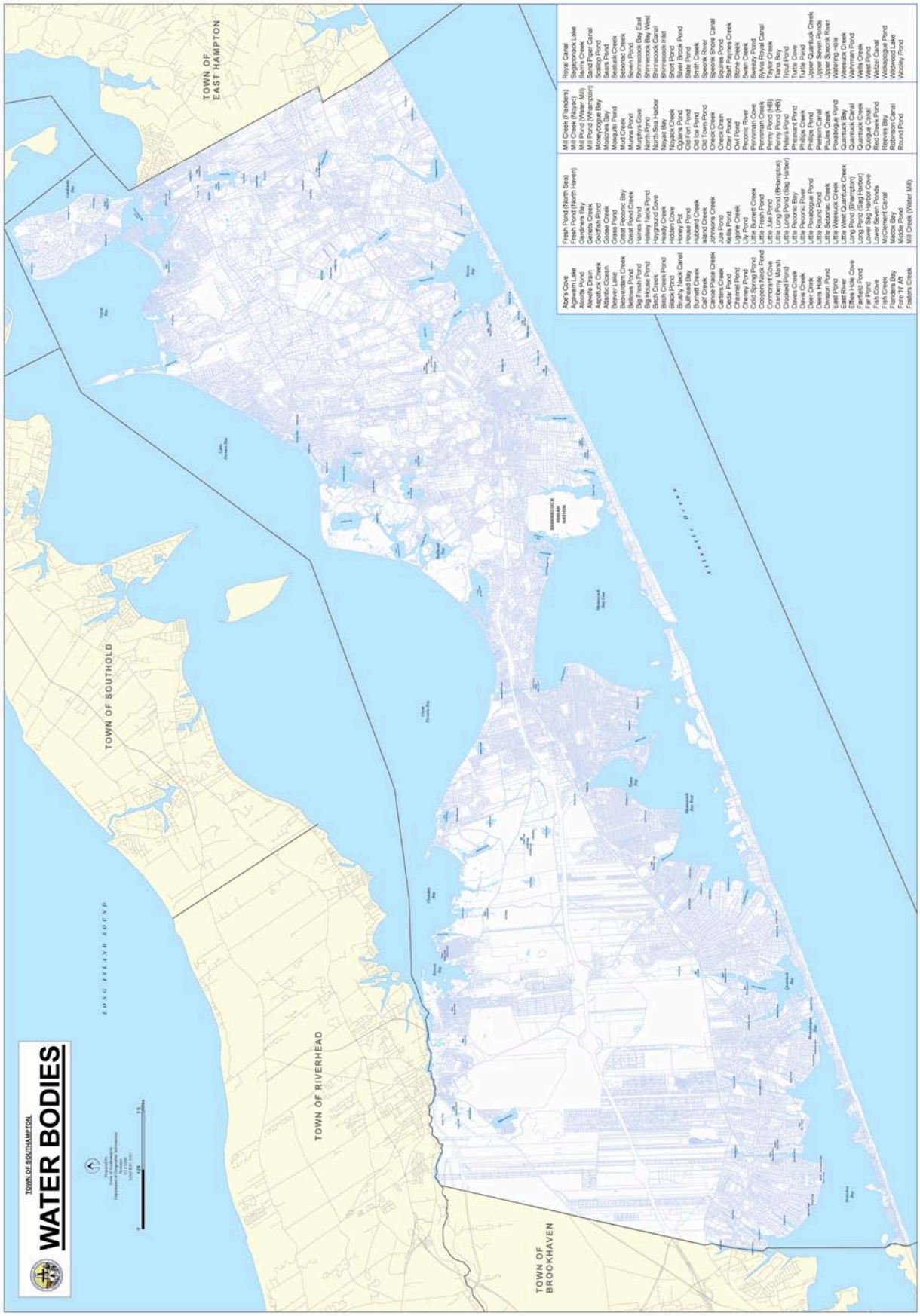
Tidal

East River/East Pond	Beaver Dam Creek	Middle Pond	Old Fort Pond
Seatuck Creek	Oneck Creek	Shinnecock Bay East	Heady Creek
West Pond	Robinson Canal	Taylor Creek	Burnett Creek
Fish Creek	Moriches Bay	Meyers Creek	Mill Creek
Speonk River	Moneybogue Bay	Hayground Cove	Calf Creek
Quantuck Bay/Creek	Aspatuck Creek	Swan Creek	Sams Creek
Ogdens Pond	Quogue Canal	Sagaponack Lake	Morris Cove
Penniman Creek/Cove	Effee Hole Cove	Ligonee Creek	Fresh Pond
Strong Creek	Phillips Creek	Lower Sag Harbor	Noyac Creek
Weesuck Creek	Tiana Bay	Upper Sag Harbor	Genets Creek
Hidden Cove	Smith Creek	Great Pond Creek	Wooley Pond
Wells Creek	Penny Pond	Shelter Island Sound	Fish Cove
Cormorant Cove	Shinnecock Canal	North Sea Harbor	Scallop Pond
Canoe Place Creek	Far Pond	Little Peconic Bay	Sebonic Creek
Bullhead Bay	Cold Spring Pond	Squires Pond	Birch Creek
Red Creek Pond	Hubbard Creek	Reeve's Bay	Flander's Bay
Mecox Bay			

Freshwater

Wildwood Lake	Peconic River	Halsey Neck Pond	Agawam Lake
Coopers Neck Pond	Old Town Pond	Wickapogue Pond	Phillips Pond
Jule Pond	Channel Pond	Seven Pond	Channel Pond
Mill Pond/Creek	Fairfield Pond	Poxague Pond	Crooke's Pond
Deer Drink	Long Pond	Little Long Pond	Lily Pond
Round Pond	Otter Pond	Little/Bid Fresh Pond	Bellows Pond

Figure 1-4 Town of Southampton Waterbodies (inclusive of Villages)



1.4.3 GROUNDWATER

In 1978, the Long Island Regional Planning Board (LIRPB) published the Long Island Comprehensive Waste Treatment Management Plan (commonly known as the 208 Plan). The plan introduced the concept of hydrogeologic zones based on differences in underlying groundwater flow patterns and water quality. There are two types of zones. The first are land areas that contribute recharge to the deep aquifers; the second are land areas that contribute recharge to the shallow aquifers and are considered discharge zones. The plan identified eight hydrogeologic zones. Zones I, II and III are the major deep recharge zones. Zones IV through VIII are the shallow discharge zones.

Most of the area in the Town is in Zone III or IV. Zone III contains groundwater of excellent quality in the upper glacial, Magothy and Lloyd aquifers. Zone IV is characterized by shallow flow systems that discharge to streams and marine waters. There has been some contamination from agricultural activities in parts of Zone IV.

Special Groundwater Protection Areas (SGPAs) were identified in the Groundwater Management Program for Long Island, NYSDEC, 1983, and in the 208 Nonpoint Source Management Handbook, LIRPB, 1984. These areas are defined as significant, largely undeveloped or sparsely developed geographic areas of Long Island that provide recharge to portions of the deep flow aquifer system. The southwestern portion of the Town is partially within the Central Suffolk Pine Barrens SGPA. This area, like all other SGPAs, requires sound management in order to be maintained as a source of good quality recharge to the aquifer system. Figure 1-5 shows the hydrogeologic zones and the SGPA in the Town.

1.4.4 LAND USE

The Town of Southampton has been developed with three main roadways, County Road 80 (CR 80), New York State Rt. 27 (NYS 27), County Road 39 (CR 39). There are distinguished urbanized downtown areas along CR 80 within Eastport, Quogue, Hampton Bays, East Quogue, Westhampton. There are distinguished urbanized downtown areas along NYS27 along Bridgehampton, and Watermill in the Town of Southampton . Between Noyack Road and CR 39 and NYS 27, there are many rural areas developed with residential subdivisions and agricultural lands. See the Figure 1-4 for Land Use within the Town.

2. EXISTING MUNICIPAL STORM SEWER

During the developing years of Southampton in the 1600s through to the 1970s, engineers believed one of the best resources that we had were water bodies to discharge stormwater, sanitary wastes, and other pollutants into. “The solution to pollution is dilution”. Although there are no known sewage outfalls remaining, there are still many stormwater outfalls that discharge to water bodies, such as streams, ponds, rivers and the Ocean. The Town’s stormwater infrastructure includes drainage systems that discharge stormwater to recharge basins or infiltration basins (leaching pools), direct discharges to surface water bodies, and/or infiltration into adjacent areas. The onsite storage of stormwater is typically achieved by the installation of drywells, recharge basins, or drainage reserve areas. In many cases, these facilities also include overflow structures that direct stormwater resulting from extreme rainfall events to either other recharge basins or to drainage facilities that ultimately discharge to the surface waters of the United States.

The current inventory of stormwater facilities within the Town is maintained on the Town’s GIS system.

2.1. HIGHWAY DEPARTMENT:STORM SEWER SYSTEM MAINTENANCE

The Southampton Highway Department is charged with maintaining municipal roads, and the Town's MS4 stormwater system which includes swales, catch basins, leaching pools, recharge basins, and all interconnecting pipes within public roadway systems.

2.2. BEST MANAGEMENT PLAN COMMITTEE

The Town of Southampton recognizes that Stormwater Management within the Town conveyance system and within Town owned and operated facilities as an important task. To that end, the success of the program will be contingent on the input of many of the Town Departments as stakeholders. The Town has therefore adopted a committee of stakeholders for the purposes of revising and participating in the program plan and implementing the six minimum control measures. The Stormwater Best Management Committee (SWBMC) is comprised of Town Departmental staff and Town Council liaisons. The Committee shares responsibility for all phases of Stormwater Management Program Plan development, implementation, oversight, and evaluation.

The SWBMC has been developed to assist the Town in managing all aspects of the SWMP plan. The committee functions to conduct activities and shoulder the responsibilities of all elements discussed in the SWMP.

The Engineering Division works directly with: The Highway Department, Town Trustees, Building Facilities Division, Land Management Department, Parks and Recreation, Business Management, Community Preservation, Hampton Bays Water District, Police Department, Code Enforcement, Fire Marshals, GIS and the Town Attorney's Office.

The Engineering Division oversees the implementation of the Stormwater Management Program and has responsibility for reviewing SWPPP's for new developments, developing programs and policies regarding IDDE, Good Housekeeping, Public Education and Participation and Capital Improvement Projects to improve stormwater quality discharging to impaired water bodies, and all other surface water bodies.

To be most effective, the committee must perform tasks efficiently and smoothly. In large part, the personnel selected to act as committee members will determine the committee's success. Committee Members are comprised from the following Divisions:

- A lead committee member must be determined –
  - The Engineering Division is charged with drafting policies based on documented BMPs for review by the SWBMC.
- Committee members must include persons knowledgeable of the areas involved with the stormwater processes. Committee member responsibilities are as follows:
  - Engineering Division – Receives and reviews new SWPPP applications. Works with Capital Improvement Projects, assists the Parks and Recreation Department and Buildings Facilities Management. Works to implement Town's Good Housekeeping Training, Public Awareness Programs.
  - Hwy Dept.- develops new recharge basins, drainage installations, cleans and rehabilitates Town's MS4 system. First line of detection of Illicit Discharges.
  - Land Management- receives new Site Plan applications for commercial developments, and subdivision applications- Land disturbing activities. Building

Dept. – Receives applications for building permits, demolition and excavation permits – land disturbing activities.

- Town Attorney's Office-Drafts code amendments to enhance the Town's enforcement of the Federal Clean Water Act and the SPDES General Permit for Stormwater Discharges. Interprets legal issues with the Engineering Division.
- Town Trustees – Receive wetland applications for docks, beach driving permits, operates boater pump outs and shellfishing.
- Community Preservation – Directly involved in land preservation activities within the Town.
- Parks and Recreation – Operates and maintains existing Town recreational facilities, and maintenance of the exterior areas of Town Facilities.
- Facilities Management – Maintenance of the interior of existing Facilities.
- Town Board Representative- Provides constituent concerns to the committee members, acts as a liaison to the remaining board members and the Town Supervisor on Stormwater Issues.
- Public Safety – Consisting of Police, Fire, Code, and Building Inspectors, the first line of detection for Illicit Discharges.

- Committee members shall be able to make decisions affecting BMP development and implementation. Committee members can also act as liaisons to other active organizations such as the agricultural community that can work cooperatively at problem solving as it pertains to stormwater issues.
- The size of the committee must be appropriate to the function
- The committee must represent affected areas of Town infrastructure.

2.3. IMPAIRED WATERBODIES AND POLLUTANTS OF CONCERN

In stormwater management, it is important to identify any waters in the planning area that are on the New York State Section 303(d) list of impaired waters, or for which Total Maximum Daily Loads (TMDLs) have been adopted. The Federal Clean Water Act requires states to periodically assess and report on the quality of waters in their state. Section 303(d) of the Act also requires states to identify Impaired Waters, where specific designated uses are not fully supported. For these Impaired Waters, states must consider the development of a Total Maximum Daily Load (TMDL) or other strategies to reduce the input of the specific pollutant(s) that impair the water body, in order restore and protect such uses. Additionally, states are required to provide an assessment and listing methodology that explains their approach to water quality monitoring, data evaluation and listing.

The MS4 General Permit (Appendix 2) identifies the 303(d) listed waterbodies that are impaired by stormwater runoff within the Town. Those include:

1.	Flanders Bay, East/Center , and tribs	pathogens
2.	Flanders Bay, West/Lower Sawmill Crk	nitrogen/pathogens
3.	Peconic River, Lower, and tidal tribs	nitrogens/pathogens
4.	Scallop Pond	pathogens
5.	Phillips Creek	pathogens
6.	Quogue Canal	pathogens
7.	West Moriches Bay	nitrogen /pathogens

The MS4 General Permit (Part IX) identifies TMDL waterbodies within the Town. Those include:

1. Peconic Bay	nitrogen

2. Quantuck Bay/Canal*	pathogens
3. Ogden Pond*	pathogens
4. Penniman Creek*	pathogens
5. Weesuck Creek	pathogens
6. Moneybogue Bay*	pathogens
7. Taylor Creek*	pathogens
8. Sag Harbor*	pathogens
9. North Sea Harbor ZSH-1	pathogens
10. Reeve's Bay	pathogens
11. Heady Creek*	pathogens
12. Noyac Creek	pathogens
13. Wooley Pond	pathogens
14. Flander's Bay	pathogens
15. Penny Pond	pathogens
16. Mecox Bay	pathogens
17. Sagaponack Pond*	pathogens
18. Harts Cove	pathogens
19. Seatuck Cove	pathogens

* No known Town outfalls

The Town of Southampton's stormwater program prioritizes attention to the pollutants causing impairment of the Town's waterbodies. In addition to nitrogen and pathogens, the stormwater program also addresses a host of other runoff pollutants including toxic chemicals, sediment, and debris. The Town's stormwater management program addresses the SPDES Permit Part IX Watershed Improvement Strategy requirements for each minimum control measure.

2.3.1. BACTERIA IN STORMWATER

Pathogens – Pathogens are viruses, bacteria, algae and protozoans that cause diseases in humans, animals and/or plants. Pathogenic or disease-causing bacteria are ubiquitous in nature and are normally associated with human and animal wastes. In many cases where human pollution is suspected on the basis of coliform test results, the actual pollution source may, in fact, be caused by animal wastes generated in the watershed's ponds, streams, streets, and yards. Stormwater discharges throughout the watershed typically contain these bacteria. Based on numerous studies throughout the country over the last 15 to 20 years, it is not uncommon to find total coliform, fecal coliform and fecal streptococci in stormwater runoff at very high concentrations, from hundreds of thousands to over a 100 million colonies per 100 ml (USEPA, 1992).

Bacteria levels in stormwater runoff (urban areas) routinely exceed public health standards for recreational water contact. Bacteria is a leading contaminant in many of New York's waters, and has led to shellfish bed closures in many areas of Long Island.

Pathogens may cause gastroenteritis, salmonellosis, and hepatitis A. Pathogens can enter the waterways through untreated or partially treated human sewage and wild/domestic animal waste. Two protozoa of major concern as waterborne pathogens are Giardia lamblia and Cryptosporidium parvum. Sources of pathogens in surface waters can be attributed to failing Sanitary Septic Systems and animal waste that is conveyed through the stormwater sewer systems. Livestock wastes and recreational boaters that dump untreated sewage are also likely contributors of pathogens to Southampton's waterbodies.

High concentrations of pathogens can cause bathing beach closures, and shellfish closures. The Town will implement the Part IX pathogens Watershed Improvement Strategy requirements as required for MCMs 1,3,5, and 6 within the Town's pathogens TMDL storm sewershed drainage areas.

2.3.2. NUTRIENTS (NITROGEN)

Nitrogen (Nutrients) – Although essential for sustaining marine ecosystems, excessive nutrient levels will result in eutrophication; an increase in plant growth and decay, that can be harmful to an estuary. Nitrogen, is considered a nutrient, and when the balance concentration is exceeded, it stimulates aquatic plant growth including algae and "seaweed". Under certain conditions, these algal blooms are damaging to fish and other aquatic animals by consuming the dissolved oxygen (DO) in the water that they need to breathe. This condition, referred to as hypoxia can cause fish death. Excessive algae growth can cloud water, blocking sunlight from eelgrass which provides a nursery and spawning habitat for juvenile finfish and shellfish.

Nitrogen sources include agricultural and residential fertilizers, on-site disposal systems (sanitary systems). The Town of Southampton has a large quantity of farm land. Runoff from both developed land, and farmed land has elevated concentrations of both phosphorus and nitrogen, which can enrich streams, lakes, reservoirs and estuaries. Enrichment of waterbodies by nitrogen and phosphorus is known as eutrophication. Sources of these pollutants include fertilizer, atmospheric deposition, animal waste, organic matter, and stream bank erosion. Another source of nitrogen is fossil fuel combustion from automobiles, power plants and industry.

Nutrients of particular concern in estuaries and are a source of degradation in many of New York's Water. Nitrogen has contributed to hypoxia in the Long Island Sound, and is a key pollutant of concern in the Peconic Estuary. The Town will implement the Part IX nitrogen Watershed Improvement Strategy requirements as required for MCMs 1,3,5, and 6, within the Town's Peconic nitrogen TMDL storm sewershed drainage area.

2.3.3. SEDIMENTS AND OTHER DEBRIS

Sediments and other debris such as litter and floatables carried by stormwater typically originate from construction sites, eroding road banks where there are no curbs, farm fields, lawns and yards that are sloped, eroded stream banks, damaged or eroded driveways, parking lots, walks and sidewalks, and roadway sanding for ice and snow.

Because urban/rural runoff is really rainfall washing an urban/rural area, whatever materials or substances are on the impervious and pervious land, roof or parking surfaces, or which have been deposited into a street gutter or directly into a catch basin or drop inlet, will be carried to the storm sewer discharge. Examples of these items could include organic materials such as discarded food; crop cuttings, animal droppings; garbage from overfilled or toppled trash cans; the contents from discarded containers, bottles and cans; flyers and garage sale posters placed on utility poles; and eroded soils, leaves, branches and twigs.

Organic materials are trapped or retained in the catch basin sump, frequently causing standing water to develop in the bottom of the catch basin. These materials tend to

discolor the standing water and decompose and, at times, produce odors. This is particularly noticeable when catch basin contents are disturbed or washed out during a storm, by dry-weather flows, or when the system is being cleaned. In some cases, the odors could be similar to sanitary waste odors, since the nature of the materials is similar.

Both suspended and deposited sediments can have adverse effects on aquatic life in streams, lakes and estuaries. Turbidity resulting from sediment can reduce light penetration for submerged aquatic vegetation critical to estuary health. Reflected energy from light reflecting off the suspended sediment can increase water temperatures (Kundell and Rasmussen, 1995). Sediment transports many other pollutants to the water resources be it surface waters and /or groundwater.

2.4. TYPICAL FLOWS TO STORM SEWERS

The majority of flow to storm sewers is stormwater runoff. Stormwater runoff is surface flow water from precipitation that accumulates in and flows through natural and/or manmade storage and conveyance systems during and immediately following a storm event. As stormwater travels through a conveyance system, it carries pollutants to rivers, wetlands, coastal waters and groundwater, thereby impairing water quality. The quality of runoff is affected by a variety of factors and depends on the season, local meteorology, geography and upon activities which lie in the path of runoff.

As development occurs, impervious surfaces, such as streets, parking lots and buildings, replace natural ground cover, preventing infiltration of rainfall. This results in an increase in surface runoff. The runoff carries whatever pollutants are in its path to our water bodies. The quality of stormwater is important because stormwater conveys to rivers, creeks, streams, estuaries, and bays. Stormwater can also seep into the aquifers which are utilized as the sole source of potable water supply for Long Island. These resources are inherently valuable, but they also provide many communities with sources of economic viability.

2.4.1. WET WEATHER SOURCES

The most common, and often the largest source of wet-weather flow is runoff generated by rainfall and snowfall. The majority of this runoff is from impervious surfaces and is directed to catch basins by drains or laterals that receive runoff from roofs, parking lots, basements, exterior stairways, roadside channels and ditches, retaining walls, park lawns, patios, shopping and pedestrian plazas and sidewalks. The catch basins are connected to the storm sewer system for subsequent discharge to leaching structures, retention or detention structure, or directly to a receiving water body, such as a stream, a pond or large receiving waters.

2.4.2. DRY WEATHER SOURCES

Dry-weather flow occurs during dry weather in the form of delayed drainage that was started by the storm event. One common example of a dry-weather flow is basement drainage. This drainage occurs when sump pumps remove groundwater around building foundations. Frequently, the pumping of drainage of groundwater around a building or other structure may need to continue for a number of days or weeks after a rain event has stopped. Sometimes it is seasonal or continuous. In the Town of Southampton , there are many small communities that are at a low elevation, and in close proximity to a water body that requires the use of sump pumps to avoid basement flooding.

A second example of dry weather flow is groundwater seepage into structures below the groundwater level which are not perfectly tight. This could include storm sewers and manholes

that are below the level of groundwater in the surrounding area. Besides dry weather flow induced by previous precipitation, storm sewers receive a third type of dry weather flow. This includes non-stormwater discharges from:

- Water line flushing
- Diverted stream flows
- Rising groundwaters
- Groundwater infiltration
- Discharges from potable water sources
- Foundation drains
- Water from crawl space pumps
- Footing drains
- Lawn Watering
- Flows from riparian habitats and wetlands
- Dechlorinated swimming pool water discharges
- Street wash waters related to cleaning and maintenance.

Storm sewers could also receive dry-weather flow and other materials from illicit discharges. Some examples of illicit discharges to storm sewers are: radiator flushing on sidewalks, driveways or streets; improper motor oil disposal in street gutters or directly into catch basins; throwing litter and garbage in the gutter or a catch basin; roadway accidents that result in fuel spills or spills of truck contents; washing of ready-mix concrete trucks; overturned trash cans that spill their contents, including various household liquids, into the street; and disposal of household hazardous substances such as solvents, cleaning fluids, paints, empty or partially empty containers that still contain dangerous chemicals or liquids; and illicit connections to storm sewers from sanitary or industrial discharges.

2.5. CHARACTERISTICS OF STORM SEWER DISCHARGES

Storm sewer discharges in most urban areas have been found to contain a host of pollutants that are part of the precipitation itself (acid rain or snow), atmospheric deposition, or result from the rain or snow coming into contact with roofs, sidewalks, streets, parking lots and other areas. These pollutants and parameters can be part of runoff during wet-weather periods or dry – weather discharges after the precipitation event. In addition, some pollutants and parameters can also be found in the other dry-weather discharges described earlier and which are not related to precipitation. Typical pollutants found in runoff in rural and urban areas originate on lawns, farm lands, golf courses, sidewalks, streets, parking lots, and park spaces and can include suspended solids, bacteria, nitrogen, pathogens, phosphorus, heavy metals, and a variety of organic compounds such as polychlorinated biphenyls, petroleum hydrocarbons and polyaromatic hydrocarbons. Based on historical and recent water quality assessment reports, NYSDEC has concluded that storm sewers cause impairments to many of the State's rivers, lakes, bays, and estuaries. Table 3.3.1-1 presents a list of pollutants of concern from various sources in urban areas. Table 3.3.1-2 presents a summary of possible sources and potential effects of runoff.

TABLE 2.1
SOURCES OF RURAL /URBAN RUNOFF POLLUTANTS

Source	Pollutant of Concern
Erosion	Sediment and attached soil nutrients, organic matter and other absorbed pollutants

Atmospheric Deposition	Hydrocarbons emitted from automobiles, dust, aromatic hydrocarbons, metals and other chemicals released from industrial and commercial activities
Construction Materials	Metals from flashing and shingles, gutters and downspouts galvanized pipes and metal plating, paint and wood preservatives.
Manufactured Products	Heavy metals, halogenated aliphatics, phthalate esters, PAHs, other volatiles, phenols and oil from automobile use, zinc and cadmium from tire wear, and pesticides and phenols from other uses including industrial.
Landscape Maintenance	Fertilizer and pesticides. Generally as impervious area increases, nutrients build up on surfaces and runoff transport capacities also rise resulting in high loads. Exceptions include intensively landscaped areas (e.g., golf courses, cemeteries).
Plants and Animals	Plant debris, animal excrement
Farmland	Fertilizer and pesticides
Septic Tanks	Coliform bacteria, nitrogen/NO3
Non-Stormwater Connections	Inadvertent or deliberate discharges of sanitary sewage and industrial wastewater to storm drainage systems including illicit connections, leaking sanitary collection systems, spills, industrial and commercial activities, construction activities, infiltration or contaminated groundwater and improper disposal
Accidental Spills	Pollutants of concern depend on the nature of the spill.

TABLE 2.2
SUMMARY OF POSSIBLE SOURCES AND
POTENTIAL EFFECTS OF RUNOFF POLLUTANTS

Category	Parameters	Possible Sources	Effects
Sediments	Organic and Inorganic	Construction sites	Turbidity

	Total Suspended Solids (TSS) Turbidity Dissolved Solids	Urban/agricultural runoff CSOs Landfills, septic fields	Habitat alteration Recreational and aesthetic loss Contaminant transport Navigation/hydrology Bank erosion
Nutrients	Nitrate Nitrite Ammonia Organic Nitrogen Phosphate Total Phosphorus	Urban/agricultural runoff Landfill, septic fields Atmospheric deposition Erosion	Surface waters Algal blooms Ammonia toxicity Groundwater Nitrate toxicity
Pathogens	Total Coliforms Fecal Coliforms Fecal Streptococci Viruses E. Coli Enterococcus	Urban/agricultural runoff Septic systems Illicit sanitary connections CSOs Boat discharges Domestic/wild animals	Ear/intestinal infections Shellfish bed closure Recreational / aesthetic loss
Organic Enrichment	Biochemical Oxygen Demand (BOD) Chemical Oxygen Demand (COD) Total Organic Carbon (TOC) Dissolved Oxygen	Urban/agricultural runoff CSO's Landfills, septic systems	Dissolved oxygen depletion Odors Fish Kills
Toxic Pollutants	Toxic Trace Metals Toxic Organics	Urban/agricultural runoff Pesticides/herbicides Underground storage tanks Hazardous waste sites Landfills Illegal oil disposal Industrial discharges	Bioaccumulation in food chain organisms and potential toxicity to humans and other organisms
Salts	Sodium Chloride	Urban runoff Snowmelt	Vehicular corrosion Contamination of drinking water Harmful to salt-intolerant plants

2.6. DIMINISHING GROUNDWATER RECHARGE AND QUALITY

Suffolk County lies over a sole source aquifer system that provides potable water to the residents and businesses located within the County. The aquifer system is comprised of three separate aquifers. The Glacial is the shallowest aquifer, the Magothy Aquifer underlies the Glacial Aquifer, followed by the Lloyd Aquifer. In the more urbanized areas of Long Island, many of the municipal wells in western Suffolk and Nassau Counties that are within the Glacial Aquifer are no longer utilized due to high concentrations of pollutants.

The slow infiltration of rainfall throughout the soil is essential for replenishing groundwater. Both human health and aquatic systems are dependent on its steady discharge. Urbanization of an area results in the net decrease of pervious land, this coupled with the fact that increased population density increases potable well drawdown, natural recharge of stormwater is decreased or concentrated in certain areas. During prolonged periods of dry weather, stream flow sharply diminishes.

2.7 PARTNERSHIP: PECONIC INTERMUNICIPAL AGREEMENT

The Peconic Estuary Program has initiated the development of an inter-municipal agreement among the municipal governments within the Peconic Estuary Watershed. The goal of the coalition will be to work together toward improved water quality by sharing information and technical resources, coordinating regulation and enforcement activities, jointly conducting outreach and education

initiatives, and involvement with planning and infrastructure programs. Recognizing the success of similar coalitions on Long Island and elsewhere, the Peconic Estuary Program (PEP) funded the development of a draft agreement, outreach and coordination with municipalities, an assessment of stormwater management needs, development of draft workplan elements, and implementation of a few high-priority tasks to initiate the effort. Once this coalition is formed, it will operate by committee, with representatives from each participating municipality, developing a workplan and setting dues annually. Municipal dues will fund a coordinator who will facilitate information and resource sharing, communication among member municipalities, and joint initiatives, ensuring that the annual workplan is carried out. Once the municipalities have signed the agreement, they will have the ability to opt in or out each year, committing a share of the dues when opting in. So far, the towns of Brookhaven, Southold, East Hampton, **Southampton**, Shelter Island, Riverhead, and Greenport Village have passed resolutions committing to sign onto the agreement. It is anticipated that all 12 Peconic watershed municipalities will participate. Those are: COUNTY OF SUFFOLK,TOWN OF BROOKHAVEN,TOWN OF EAST HAMPTON,TOWN OF RIVERHEAD,TOWN OF SHELTER ISLAND,TOWN OF SOUTHAMPTON,TOWN OF SOUTHOLD,VILLAGE OF DERING HARBOR,VILLAGE OF GREENPORT,VILLAGE OF NORTH HAVEN,VILLAGE OF SAG HARBOR, ANDNEW YORK STATE DEPARTMENT OF TRANSPORTATION.

2015 UPDATE: A PEP IMA Coordinator has been hired. Most Peconic municipalities have adopted resolutions committing to sign the Agreement. The Town of Southampton has assumed responsibility for the fiscal functions of the IMA Committee and is an active participant in regular monthly meetings. The Town of Southampton's SWMPP includes educational materials, training programs and technical resources and initiatives that are, or will be, implemented by the Peconic Estuary Program and/or the Peconic IMA. (The Peconic IMA is included as Appendix M)

3.0 MINIMUM CONTROL MEASURE 1 – PUBLIC EDUCATION AND OUTREACH

As described above,the Town of Southampton's stormwater program is designed to address impaired waterbodies and pollutants of concern. The Public Education and Outreach control measure is directed at educating the public, specific groups, i.e., construction trades, municipal officials, and homeowners about the impact stormwater runoff has on the environment. In addition, this education involves teaching targeted groups steps that can be taken to reduce certain pollutants associated with runoff.

Important components of this plan include partnerships with other government entities primarily through existing programs and resources; the utilization of educational materials to promote the program, and reaching diverse audiences such as targeted communities and children. Targeted communities include property owners, local academic/college groups, youth organizations, yacht clubs and marinas, conservation/environmental groups, and sportsman/fishing clubs. Nitrogen and pathogens mitigation are MCM 1 priorities. Town residents receive many educational materials through the Peconic Estuary Program.

3.1 DISTRIBUTED INFORMATION

The Town has been actively distributing stormwater brochures, and displaying posters at Town Hall. The Town will continue this process. These pamphlets address the impaired water bodies, the pollutants of concern (POCs), sources of the POC's, and alternative practices to reduce concentrations of POCs.

The Engineering Division is working to further Minimum Control Measure 1 (MCM 1) by implementing pollution prevention and education programs to reduce nonpoint source pollutants. The following activities are among the Town's MCM 1 priorities:

- Improper disposal of pet wastes;
- Boater sanitary disposal activities;
- The improper storage, use, and disposal of household chemicals, including automobile fluids, pesticides, paints, solvents, etc.;
- Activities that generate trash;

Sediment and erosion control is an important aspect in reducing impairment of the Town's water bodies. In that regard, the Engineering Division has developed educational pamphlets geared to construction companies. They are distributed by the Land Management Offices. The Town ensures the implementation of stormwater BMPs during construction activity. In addition, construction site operators must ensure they have received erosion and sediment control training before working in the Town of Southampton . The Engineering Division regularly promotes attendance by local construction contractors at erosion and sediment control trainings. The Town hopes to work with the Peconic Estuary Protection Committee to participate in a training program for the east end townships.

In addition, informational brochures regarding boater pump-out services are provided at both Southampton Town Hall and Southampton's Recreation Department. The brochures include the radio frequency (Marine Ch. 73), the boaters must utilize to contact the pump-out boat to arrange disposal.

3.2 TOWN FACILITY INFORMATION

The goal of public education is to prevent or reduce nonpoint source pollutant loadings generated from a variety of activities within the Town with special emphasis given to the activities which contribute to Nitrogen and Pathogen loadings. In addition to the pamphlets, posters, and other information currently available to Town residents, in the next three years the Town will begin implementing education within the school districts and local Community Advisory Committees.

3.3 TOWN OF SOUTHAMPTON WEBSITE

The Town of Southampton maintains a website (www.southamptontownny.gov), with a link to Stormwater Management. The Town of Southampton periodically updates its website to include additional information and educational opportunities for constituents. Stormwater Management is located within the Department of Municipal Works web page. This link includes the Stormwater Management Program Plan, MS4 annual reports, educational pamphlets, posters, and links to the local and national program information for non-point source pollution issues.

3.4 CLEAN WATER COALITION

The Clean Water Coalition was a working group of governmental and non-governmental participants that was initiated in 2011. The initial focus of improving water quality for this coalition was on sanitary wastewater reform. The Coalition was effective in bringing attention to the need for new technologies that can reduce nitrogen loading from on-site septic systems. Suffolk County Department of Health Services is evaluating and testing new technologies that claim to reduce nitrogen concentrations in effluent.

3.5 EVALUATING AND MEASURING PROGRESS

The Town will track distribution of educational materials and keep records of educational meetings.

3.6 ANNUAL REPORTING

The annual reporting period begins on March 10 and ends on March 9 of the following year. The annual report must be sent to the DEC by June 1 of each reporting year. For MCM 1, the Town will supply the DEC with the following information:

- Who the targeted audiences are and what topics were included.
- What strategies the Town used to achieve the education and outreach goals.
- Web Pages that the information is posted on.
- How the Town evaluates and measures the progress.

4. MINIMUM CONTROL MEASURE 2 – PUBLIC INVOLVEMENT/PARTICIPATION

4.1 INTRODUCTION

Engagement of the public in the Town's stormwater program is vital to its success. The Town provides a number of programs and activities whereby community members can participate in water quality protection initiatives and reduce stormwater runoff and pollutants.

4.2 LOCAL STORMWATER PUBLIC CONTACT

The public is encouraged to contact the Engineering Department to report illicit discharges, with questions, etc. The Town has an active website page devoted to informing the public on initiatives the Town is taking to improve water quality. This website provides all contact information necessary to contact the Engineering Department. In addition, the contact information is shown on all informational brochures and posters.

4.3 COMMUNITY PRESERVATION

The Town administers a Community Preservation Fund (CPF) Program whereby a seven (7) member advisory board meets, reviews and recommends parcels for preservation. The advisory board is comprised of seven volunteers that provide demonstrated experience in land preservation. The CPF Project Plan is a comprehensive plan that designates parcels eligible for preservation. When approved, the Town Board adopts a resolution approving the purchase and authorizes the Supervisor to execute a contract to purchase said parcel. The Board ranks parcels based upon natural features and significant environmental concerns, including but not limited to wetlands parcels which perform flood protection and pollution control functions.

4.4 CLEAN WATER COALITION – The mission of this organization was to unite Suffolk County's governments, non-governmental organizations, and homeowners in achieving aquifer, ground and surface water quality improvement- starting with addressing the impacts of wastewater. When Suffolk County Department of Health Services began investigating new technologies, this organization became much less active.

4.5 LITTER PICK UP EVENTS

The Town also sponsors waste removal for an event called the Great East End Cleanup. This event occurs once per year, generally in May. Participants from local communities and organizations can register with the Town for the area of Town they wish to clean up. They then organize into small groups and over a two day period bring litter and debris to one of the four Town Transfer Stations. The event is advertised through local papers, radio stations and on Sea TV local television.

4.6 WASTE MANAGEMENT – The Town has been in the process of updated the Solid Waste Management Program Plan since 2011. This comprehensive document describes current and future planned operations to further reduce and track waste within the Town. The full document is located in Appendix I.

4.6.1 PAY AS YOU THROW PROGRAM – The Town operates four Transfer Stations for residential self haulers. Residents, visitors can purchase green Town bags at local hardware stores and/or supermarkets. Patrons use the bags for non recyclable wastes, and recycle at the transfer station for free. It is a financial incentive to recycle and reduce wastes.

4.6.2 STOP DAY - The Town has a household hazardous waste drop-off program that involves four collections each year. In 2012, the Town offered battery and styrofoam, recycling drops at the four transfer stations. Although household chemicals make up only a small percentage of the residential waste stream, in order to protect the environment, it is important that they be disposed of properly. The Town's program accepts chemicals that include, but are not limited to, pesticides, aerosol cans, household cleaners, waste motor oil, batteries, electronics and fluorescent bulbs. With respect to used motor oil, New York State law requires every gasoline station that sells more than 500 gallons of motor oil to accept used motor oil at no charge. Waste motor oil is also collected at each of the Town's four Transfer Facilities.

4.7 SCHOOL DISTRICTS AND CITIZEN ADVISORY COMMITTEES (CACs)

The Engineering Division, Waste Management and Sustainability Division will be working integrally with the school districts and the Citizen Advisory Committees in the next 3 years to provide education regarding Stormwater Runoff and Illicit Discharges to both the Earth Science Classes and the Marine Rehabilitation classes. A measurable goal on the effectiveness of the education program will include a small quiz provided to Earth Science Students, and a questionnaire for residents.

4.8 PET WASTE BAG PROGRAM

The Town provides pet waste bags to promote proper disposal of pet waste at several locations around Town. In addition, the Town in 2014 began a Pet Waste survey to residents. During meetings of various Community Advisory Committee (CACs) meetings, surveys were distributed to gauge public views on Pet Waste, and its effect on the environment. Discussions ensued about the negative effect of pathogens on the water bodies, as well as being a good neighbor, and residents were urged to continue and/or begin picking up pet wastes. Town Code Chapter 150-5 prohibits pet wastes on Town owned sites.

4.9 CONSERVATION AND RECYCLING

The Town's stormwater management program promotes good housekeeping, conservation, recycling, and efficiency. The Town has amended its purchasing policies to reduce paper quantities and purchase Green Seal cleaning and paper products for the Town. In addition, we are utilizing more efficient indoor and outdoor lighting products, that use less energy and have a longer estimated life span. In addition, the Town will identify a number of comprehensive water resource protection goals through the development of the Draft Southampton Water Protection Plan. That Plan will potentially address land use, flooding, erosion, sea level rise, water quality, ecosystem and natural resources and solid waste management.

Residents are now encouraged to implement water conservation measures such as retrofitting plumbing fixtures with flow restrictors, modifying automatic lawn sprinklers to include rain sensors, repairing leaks in the home, installing water conservation fixtures/appliances and maintaining a daily awareness of water conservation in their personal lives. BMPs will be recommended to reduce land clearing, encourage use of native drought tolerant plant species, and water conservation initiatives.

The Town of Southampton Highway Department offers residents a bagged leaf curbside pick up program. Residents can also self haul leaves and yardwaste to three Town Registered Yardwaste locations. Leaves are accepted year round at no cost, and there are two amnesty periods for brush disposal. The Town operates four Transfer Stations for residential self haulers to bring both Municipal Solid Waste and recyclables.

4.10 EVALUATING AND MEASURING PROGRESS

The Town will keep a record of all public involvement programs and attendance will be taken. The Town anticipates that as the information gets disseminated, more residents will participate in the hosted programs. In addition, records will be kept of attendance at all public meetings where information regarding stormwater awareness is distributed.

4.11ANNUAL REPORTING

The annual reporting period begins on March 10 and ends on March 9 of the following year. The annual report must be sent to the DEC by June 1 of each reporting year. For MCM 2, the Town will supply the DEC with the following information:

- What opportunities were provided for public participation in implementation, development, evaluation and improvement of the Stormwater Management Program Plan.
- How public notice regarding the annual report was provided.
- Where the Town's annual reports are made available for public review.
- What comments were received during the reporting period.

5 MINIMUM CONTROL MEASURE 3 – ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

5.1 INTRODUCTION

Illicit discharges are defined as discharges not entirely composed of stormwater into the small MS4, except those identified in Part I.A.2 of the SPDES General Permit. Examples of illicit discharges are non-permitted sanitary sewage, illegal connections to the storm sewer, garage drain effluent, and waste motor oil. However, an illicit discharge could be any other non-permitted discharge which the Town has determined to be a substantial contributor of pollutants to the small MS4.

The Town will work with the Suffolk County Department of Health Services to ensure that onsite wastewater treatment (septic) systems within pathogen TMDL storm sewersheds are inspected and maintained, or rehabilitated (when necessary) at a minimum frequency of once every three years, where necessary. The Town will address discharges to the storm sewer system from on-site sanitary treatment systems as required by Part IX Watershed Improvement Strategy requirements.

5.2 IDDE PROGRAM

In 2011, the Town's consultant, Dvirka and Bartilucci finalized Phase II Stormwater Management Program Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination. These written procedures are a component of this management plan and are provided in Appendix E of this document.

5.2.1 Land Uses of Concern – Since the Town has nitrogen and pathogen impaired waterbodies, land uses that contribute to nitrogen and pathogen pollutants have been identified for priority attention with respect to IDDE screenings. We have identified the following land uses within the Town, sorted by their proximity to either an MS4 structure

or an impaired surface water body, and will be mapping them through the GIS system for inspection tracking purposes. These land uses of concern are presented by location in Appendix C.

5.2.2 Animal care/kennel facilities
5.2.3 Auto repair and fuel filling stations
5.2.4 Bulk fuel storage
5.2.5 Golf courses
5.2.6 Fertilizer and pesticide distributors.
5.2.7 Funeral and crematorium locations
5.2.8 Older residential developments.

5.3 IDDE:Available Equipment

The Town of Southampton Highway Department currently has two vacuum trucks that it utilizes in the cleaning of drainage structures including but not limited to catch basins, leaching pools and storm drain pipes. The Town's GIS Division maintains a handheld GPS system that is utilized when mapping structural elements of the drainage system. Purchase of a camera for use in conveyance line maintenance and illicit discharge detection activities will be evaluated. The Town will map its storm sewer system and storm sewersheds as required by Part IX Watershed Improvement Strategy requirements.

5.4 Staff

Town Engineer – Oversees Municipal Works and Engineering Division. This individual reports directly to the Town of Southampton Town Board, who ultimately make decisions concerning the operations of the Town.

Assistant Town Engineer – Participates in the day to day functions of the Engineering Division. This individual works with other staff to compile annual information pertaining to the MS4 Annual Reporting requirements. The engineering office works in conjunction with the Town Attorney's Office in regards to the MS4 requirements, tracking, legal authorities, etc. Staff regularly attends Peconic Estuary MS4 meetings to participate in watershed MS4 opportunities.

Junior Civil Engineer – This individual assists with overseeing the operations of the MS4 requirements. This position works very closely with GIS and engineering in developing sub-watershed mapping, outfall reconnaissance and infrastructure mapping. Staff review the watershed management plans developed by Horsely and Whitten , sponsored by the Peconic Estuary Program (PEP) and recommend adjustments to develop a workable plan for implementation that do not require private property acquisition and/or easements over private property. Staff regularly attends Peconic Estuary MS4 Meetings to participate in watershed MS4 opportunities.

GIS Supervisor –Works diligently on developing the Town's GIS Mapping system. All employees with desktop access can access the Town's GIS system. GIS department staff are available for training opportunities to other town departments. GIS has been working on a naming convention so that all MS4 structures may be identified in the field by Hwy staff during cleaning operations so they may be better tracked. In the near future the Town will begin tracking the IDDE program and cleaning program on the GIS system.

Assistant Town Attorney –is the legal counsel for the Town's MS4 Program. This staff member works closely with the Engineering Division and Town Board on Town Code adoptions for Construction Site Stormwater Controls, Illicit Discharge Detection and Elimination and other MS4 local law requirements. The Town Attorney's office receives stormwater questions from the Engineering Division and provides legal opinions as warranted.

Southampton Highway Department Superintendent –the Superintendant is an elected Superintendent of the Town of Southampton Highway Department. The Superintendant has diligently dedicated staff to the maintenance of MS4 structures and all other MS4 program duties and responsibilities as noted elsewhere in this Plan.

Southampton Department of Land Management – (DLM) oversees the Land Management Department that consists of Building and Zoning, Licensing, Environment, and current and long range planning. This Department has considerable input into the future of the Program Plan in both current and long range development within the Town. This Department is responsible for such things as the Water Protection Plan (Local Waterfront Revitalization Program) and Sewer Studies within the Town and Sustainability Master Plans.

Parks and Recreation Superintendant – oversees the Parks and Recreation Program. This Department implements best management practices within the Town parks, and institutes programs in which Waste Management, Sustainability and Stormwater topics can be discussed during education programs.

5.5 Funding –

Operational Costs – The Town currently funds personnel from the Engineering Division and the Town Attorney's Office that work on MS4 Permit requirements through its operating budget.
Capital Improvement Costs – Large scale projects such as infrastructure replacement/retrofits are generally paid out of a Capital Improvement Project (CIPs) budget. Generally CIPs are funded through either bonding or town budgets coupled with grant monies (shared).
Grant Opportunities – The Town has had great success in securing grant funds for the implementation of MS4 projects. The Town purchased pump out boats through grant monies. The Town has also installed stormwater retrofits as the result of successful grant applications.

5.6 WATERSHED MAPPING

The size of a watershed is closely related to the network of streams contained within its borders. Streams with no upstream tributaries are designated as first-order streams down to their first confluence. A second-order stream is formed when two first-order streams meet.

Watershed – Generally, this is the largest management unit that falls within the local land use planning authority. A community might have one or more watersheds within its borders, depending on its size.

Sub-watershed – The scale encompassed by the watershed. Its boundaries include all land area draining to the point where two second-order streams come together to form a third-order stream. In most regions, sub watersheds are a few square miles in area and are drained by a stream several feet in width.

The Town will work on mapping out the watersheds and storm sewersheds that discharge to the impaired waterbodies as a first priority. Outfalls have been completely mapped. This will aid in determining where illicit discharges originate in the watershed. The Peconic Estuary Program sponsored the Reeve's Bay Watershed Management Plan, prepared by Horsley Witten Group in July 2006. This watershed delineation has been incorporated into the Town's GIS system.

5.7 ILLICIT DISCHARGE EDUCATION

The BMP committee is currently developing a program to educate the public on the dangers of Illicit Discharges. This would provide a partnership which would enhance their wildlife education program. The Town will incorporate information from the Peconic Estuary Program on non point source pollution.

School Districts – the BMP Committee will pursue a partnership with the school districts. This will allow the Town to interact with teachers of Elementary Science, and Earth Science to inform children of the measures that the Town is taking and how they can help the process by not littering, maintaining good housekeeping at home, becoming alert on what illicit discharges are, and saying something if they see something, as well as spreading the information on to their relatives.

5.8 POTENTIAL DETECTORS OF ILLICIT DISCHARGE

The BMP committee has determined that certain Town functions will be utilized to detect illicit discharges. These include the Highway Department, Parks and Recreation Department, and Emergency Services (Police, Ambulance, Fire Depts.). It is anticipated that illicit discharges are most likely to be found in older industrial areas and older residential communities.

HIGHWAY DEPARTMENT IDDE RESPONSIBILITIES

The Town Highway Department maintains the Town's MS4 system. Typical maintenance operations performed by the Hwy Dept include, but are not limited to:

STREET SWEEPING – During street sweeping operations, the operator is traveling at a slow rate of speed. The operator actively looks for non-MS4 pipes draining to the MS4, overland discharges draining to the MS4, etc. There is a running list maintained at the Hwy Dept. that describes any activities or events that are potential illicit discharges. If there are discharges of strong odor or color, the Hwy Dept. will investigate. If it has potential to be an immediate hazard, the Fire Marshal's office is contacted.

DRAINAGE STRUCTURE CLEANING - Highway Dept. actively cleans out drainage infrastructure. The Highway Dept. currently maintains two vacuum trucks that are utilized for removing debris that has accumulated in drainage catch basins, leaching pools, and manholes. During cleaning operations, if they observe dry weather flow, additional pipes in the structures, or foul odors, they maintain a list of the structure number, and location and follow-up with further investigation and corrective measures.

EMERGENCY SERVICES

The Town Emergency Services include the Police Department, Fire Marshal's Office, Fire Departments and Ambulance Departments. During motor vehicle accidents, they are

the first responders, and are able to assess the immediate effects of an accident. If there are any penetrations to vehicle fuel tanks they alert appropriate departments including the NYSDEC and the Highway Department, to protect the Town's MS4 system and the environment. If they observe dry weather flow, they will contact the Fire Marshal's Office or the Engineering Department depending on the severity of the issue.

5.9 EVALUATING AND MEASURING PROGRESS

The Town will keep a record of all illicit discharges detected and eliminated. They will be broken down into the quantity of illicit discharges identified and the number eliminated. The quantity of inspections will be utilized as a measuring progress tool.

5.10 ANNUAL REPORTING

The annual reporting period begins on March 10 and ends on March 9 of the following year. The annual report must be sent to the DEC by June 1 of each reporting year. For MCM 3, the Town will supply the DEC with the following information:

- Approximate percentage and numbers of outfalls mapped.
- Number of outfalls screened for dry weather discharges during reporting period.
- Types of generating sites/sewersheds targeted for inspection during this reporting period;
- Types of illicit discharges found during the reporting period.
- Quantity of illicit discharges/potential illegal connections that have been detected during this reporting period.
- Quantity of illicit discharges/illegal connections have been eliminated during this reporting period.
- If the storm sewershed mapping has been completed.
- If the information is available on GIS.
- What percent of staff in relevant positions and departments have received IDDE training.

6 MINIMUM CONTROL MEASURE 4 – CONSTRUCTION SITE STORMWATER RUNOFF CONTROL

6.1 INTRODUCTION

This minimum control measure is intended to reduce the amount of sediment generated from construction sites (erosion control) and reduce the off-site transport of sediment and construction – related chemicals (sediment and chemical control). This measure ensures that water quality protections are implemented during construction.

Several pollutants of concern are associated with construction activities, including the following: sediment; pesticides; fertilizers used for vegetative stabilization; petrochemicals (oils, gasoline, and asphalt degreasers); construction chemicals such as concrete products, sealers, and paints; wash water associated with these products; paper; wood; garbage; and sanitary waste (Washington State Department of Ecology, 1991). "Erosion rates from natural areas such as undisturbed forested lands are typically less than 1 ton/acre/year, whereas erosion from construction sites ranges from 7.2 to 500 tons/acre/year" (USEPA, 2005).

6.2 TOWN CODE AMENDMENTS

The Town of Southampton adopted "Chapter 285 – Stormwater Management and Erosion and Sediment Control Regulations" of the Southampton Town Code. Chapter 285 was modeled after the local law provided by the NYS DEC. The law provides for Town enforcement of NYS

erosion and sediment control standards and the requirements of the NYS SPDES General Permit for Stormwater Discharges from Construction Activity.

6.3 EDUCATION

Construction site operators, design engineers, municipal staff and other individuals will be trained in sediment and erosion control practices either through the Soil and Water Conservation District, NYSDEC, USEPA, or Geological Group. They will also be advised by the Town Engineering Department regarding compliance with the NYS SPDES General Permit for Stormwater Discharges from Construction Activity, SWPPP requirements, etc.

6.4 PROGRAM

The Town has prepared informational pamphlets for developers entering the Land Management Department for site plan and/or building applications. The pamphlets inform developers of the procedural requirements of SWPPP reporting, inspection, best management practices in the layout of site plan features, construction activities, and post-construction considerations.

6.5 WRITTEN PROCEDURES

In 2011 the Town finalized Written Procedures for Minimum Control Measures 4 and 5 Construction Site Stormwater Runoff Control and Post-Construction Management prepared by the Town's consultant, Dvirka and Bartilucci. The procedures outline the review process of a SWPPP, construction compliance inspections and enforcement actions. This document is included as part of the Management Program Plan (Appendix D) and will be used by Town employees reviewing applicant SWPPPs.

6.6 EVALUATING AND MEASURING PROGRESS

The Town will keep a record of all reviewed SWPPPs, how many revisions each one needed and when it was approved. Contractor training seminars will be tracked. The Town will also keep a record of MCM 4 & 5 Town enforcement activity and compliance by construction site operators and developers.

6.7 ANNUAL REPORTING

The annual reporting period begins on March 10 and ends on March 9 of the following year. The annual report must be sent to the DEC by June 1 of each reporting year.

For MCM 4, the Town will supply the DEC with the following information:

- If the Town has adopted a law that provides equal protection to the NYS SPDES General Permit.
- Does the Town have a SWPPP review procedure in place.
- How many SWPPPS have been reviewed in the reporting period.
- Does the Town have a mechanism for receipt and consideration of public comments related to construction SWPPPs.
- Does the Town provide education and training for contractors about the local SWPPP process.
- Identify the types of enforcement actions used during the reporting period for construction activities..
- How many projects have been authorized for disturbances of one acre or more.
- How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period.
- What percent of active construction sites were inspected during this reporting period.

- What percent of active construction sites were inspected more than once.
- Do all inspectors working for the Town use the NYS Construction Stormwater Inspection Manual.

7 MINIMUM CONTROL MEASURE 5 – POST-CONSTRUCTION STORMWATER MANAGEMENT

7.1 INTRODUCTION

This minimum control measure addresses post-construction water quality impact mitigation. The Town's stormwater program results in greater emphasis on water quality protection over stormwater volume management . The majority of the Town's stormwater is infiltrated into recharge basins with no need for pre-treatment.

7.2 NON STRUCTURAL BEST MANAGEMENT PRACTICES

Non structural BMPs are policies, programs and practices that communities may take to protect water quality. These often include land preservation and conservation programs. These can be implemented with volunteer groups working with Town Government, the enactment of Town Code amendments, zoning restrictions, and education.

LAND PRESERVATION IN IMPAIRED WATERSHEDS

The open space and farmland committees review the parcels, conduct site visits, rank or rate the parcels and vote to recommend to the Town Board the most attractive and viable parcels for acquisition or preservation. Thereafter, the Town via resolution, votes to hold a public hearing so the public may provide input regarding the preservation of a particular parcel. If approved, the Town Board will adopt a resolution approving the purchase and authorize the Supervisor to execute a contract to purchase the parcel.

WRITTEN PROCEDURES

In 2011 the Town finalized Written Procedures for Minimum Control Measures 4 and 5 Construction Site Stormwater Runoff Control and Post-Construction Management prepared by the Town's consultant, Dvirka and Bartilucci. The procedures outline the review process for SWPPPs, construction compliance inspections, and enforcement actions. This document is included as part of the Management Program Plan (Appendix D) and is used by Town employees reviewing applicant SWPPPs.

TOWN CODE AMENDMENTS

As noted above, the Town adopted a local law Chapter 285 entitled "Stormwater Management and Erosion and Sediment Control". As part of this code amendment, the Town requires the owner/operator of the permanent stormwater management practices installed, to ensure they are operated and maintained and require the owner / operator to prepare and maintain on-site a preventative/corrective maintenance program for all critical facilities and systems of treatment and control. In addition, the owner/operator shall enter into a formal maintenance agreement for stormwater management facilities (maintained by private entities) binding on all subsequent landowners and recorded in the office of the Suffolk County Clerk as a deed restriction on the property prior to the final plan approval.

Chapter 285 provides for Town enforcement of NYS DEC water quality and water quantity standards as per the NYS Design Manual and enforcement of the requirements of the NYS SPDES General Permit for Stormwater Discharges from Construction Activity.

PUBLIC EDUCATION

The Town will continue to distribute educational materials to contractors and developers and will promote their understanding and implementation of green infrastructure practices to protect water quality.

7.3 STRUCTURAL BEST MANAGEMENT PRACTICES

Structural BMPs are practices that can be implemented during design/construction to treat both stormwater quantity and quality. They are sized based upon the volume of water they can accommodate.

The Water Quality Volume (WQv), (a measure of the volume of most polluted stormwater, the first flush, that washes the road of pollutants) is based on an equation (WQv= (P*Rv*A)/12). It is designed to improve the water quality sizing to capture and treat 90% of the average annual stormwater runoff volume. The WQv is directly related to the amount of impervious cover created at a site. The 90% rainfall event number is supplied in Fig. 4.1 of the New York State Stormwater Management Design Manual (NYSSMDM 2015). In accordance with the NYSSMDM, practices that are acceptable for water quality treatment are listed below:

1. **Stormwater Ponds –** Practices that have either a permanent pool of water or a combination of permanent pool and extended detention capable of treating the Water Quality Volume (WQv).
2. **Stormwater Wetlands –** Practices that include significant shallow marsh areas, and may also incorporate small permanent pools and extended detention storage to achieve the full WQv.
3. **Infiltration Practices –** Practices that capture and temporarily store the WQv before allowing it to infiltrate into the soil.
4. **Filtering Practices –** Practices that capture and temporarily store the WQv and pass it through a filter bed of sand, organic matter, soil, or other acceptable treatment media.
5. **Open Channel Practices –** Practices explicitly designed to capture and treat the full WQv within dry or wet cells formed by check dams or other means.

DRY DETENTION PONDS

Dry detention ponds are vegetated basins designed to fill during storm events and slowly release the water over a number of hours.

OPERATION AND MAINTENANCE

All facility components, vegetation, and source controls shall be inspected for proper operations and structural stability. These inspections shall occur, at a minimum: quarterly for the first 2 years from the date of installation, and two times per year thereafter, and within 48 hours after each major storm event. The facility owner must keep a log, recording all inspection dates, observations, and maintenance activities. Components to be inspected include but are not limited to: pond inlet, forebay, embankment, dikes, berms, side slopes, control devices, overflow structure, sediment and debris management.

WET PONDS AND EXTENDED WET DETENTION PONDS

Wet ponds are constructed with a permanent pool of water (called pool storage or dead storage). Stormwater runoff enters the pond at one end and displaces water from the

permanent pool. Pollutants are removed from stormwater through gravitational settling and biologic processes.

OPERATION AND MAINTENANCE

All facility components, vegetation, and source controls shall be inspected for proper operations and structural stability. These inspections shall occur, at a minimum, quarterly for the first 2 years from the date of installation, and two times per year thereafter, and within 48 hours after each major storm event. The facility owner must keep a log, recording all inspection dates, observations, and maintenance activities. Components to be inspected include but are not limited to: pond inlet, forebay, embankment, dikes, berms, side slopes, control devices, overflow structure, sediment and debris management.

FILTRATION PRACTICES

Filtration practices are a low impact way of filtering stormwater into the groundwater. The concept is to slow the water velocity through use of a parallel conveyance of the stormwater. As the water flows across, it also infiltrates down. The slow release helps contaminants cling to soil particles, or become ingested by plants.

GRASS SWALES

Grass swales are long narrow grassy depressions used to collect and convey stormwater runoff, allowing pollutants to settle and filter out as the water infiltrates into the ground or flows through the facility. In addition to providing pollution reduction, flow rates and volumes can also be managed for small process (<15,000 square feet of impervious surface) with grass swales. Swales can be used to fulfill a site's required landscaping area requirement.

Operation and Maintenance – The swale should drain within 48 hours of a storm event. All facility components, including but not limited to vegetation, source controls, swale inlet, side slopes, swale media, and swale outlet shall be inspected for proper operations and structural stability, at a minimum, quarterly for the first 2 years from the date of installation, 2 times per year thereafter, and within 48 hours after each major storm event. The facility owner must keep a log, recording all inspection dates, observations, and maintenance activities. The facility owner must keep a log, recording all inspection dates, observations, and maintenance activities.

SAND FILTERS

There are two sand filter options. One is designed with an impervious bottom or is placed on an impervious surface. It can be used for all soil types. The other option, for native soils with a minimum infiltration rate of 2 inches per hour (NRCS soil types A and B), allows filtered water to infiltrate into the ground. For both options, pollutant reduction is achieved as the water filters through the sand; flow control is obtained by slowing the discharge rate as the water filters through the sand. Filters may be constructed in-ground or above grade. Because they include a waterproof lining, sand filters are extremely versatile and can be used next to foundation walls, adjacent to property lines or on slopes. An overflow to an approved conveyance and disposal method is required.

Operation and Maintenance – All facility components including but not limited to vegetation, filter inlet, reservoir, filter media, under-drain piping, and overflow or emergency spillway shall be inspected for proper operations and structural

stability. These inspections shall occur, at a minimum, quarterly for the first 2 years from the date of installation, and 2 times per year thereafter, and within 48 hours after each major storm event. The facility owner must keep a log, recording all inspection dates, observations, and maintenance activities.

INFILTRATION PLANTER

Infiltration planters are structural landscaped reservoirs used to collect, filter, and infiltrate stormwater runoff, allowing pollutants to settle and filter out as the water percolates through the planter soil and infiltrates into the ground. In addition to providing pollution reduction, flow rates and volumes can also be managed with infiltration planters. Planters can be used to help fulfill a site's required landscaping area requirement and should be integrated into the overall site design.

Operation and Maintenance – Water should drain through the planter within 3 - 4 hours after a storm event. All facility components including but not limited to downspout, splash blocks, planter reservoir, filter media, planter, overflow pipe, and vegetation shall be inspected for proper operations and structural stability. These inspections shall occur, at a minimum, quarterly for the first 2 years from the date of installation, 2 times per year thereafter, and within 48 hours after each major storm event. The facility owner must keep a log, recording all inspection dates, observations, and maintenance activities.

7.4 RETROFIT PROGRAM

The Town will implement a retrofit program in accordance with SPDES General Permit Part IX Watershed Improvement Strategy requirements within its nitrogen and pathogens TMDL waterbody storm sewersheds as feasible and appropriate.

7.5 EVAULATING AND MEASURING PROGRESS

The Town will keep an inventory of the stormwater management practices within its realm of responsibility and will track inspection and maintenance activities. The Town will keep a record of all reviewed SWPPPs, how many revisions each one needed and when it was approved. Contractor training seminars will be tracked. The Town will also keep a record of MCM 4 & 5 Town enforcement activity and compliance by construction site operators and developers.The Town will track new installations of green technologies such as rain gardens, and swales.

7.6 ANNUAL REPORTING

The annual reporting period begins on March 10 and ends on March 9 of the following year. The annual report must be sent to the DEC by June 1 of each reporting year. For MCM 5, the Town will supply the DEC with the following information:

- How many and what type of post-construction stormwater management practices has the Town inventoried, inspected, implemented in the period.
- Does the Town use GIS or spreadsheets to track post-construction BMPs, inspections and maintenance.
- What types of non-structural practices have been used to implement the Low Impact Development/Better Site Design/Green Infrastructure principles.

8 MINIMUM CONTROL MEASURE 6 – POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

8.1 INTRODUCTION

This minimum control measure is intended to prevent or reduce nonpoint source pollutant loadings to the municipal storm sewer system by municipal facilities and operations. Everyday activities by municipal employees have the potential to contribute to nonpoint source pollutant loadings. These activities include disposal of chemicals, use of fertilizers, winter de-icing operations, turf grass management, operation and maintenance of vehicles, and solid waste management. The Town will prioritize attention to its Peconic nitrogen TMDL waterbody storm sewersheds and will implement turf management, fertilizer management, and native plant programs.

8.2 OBJECTIVES

- To design and implement an operation and maintenance program to reduce and prevent discharge of pollutants to the maximum extent practicable from municipal operations and facilities.
- Include training in the program on pollution prevention and good housekeeping techniques in municipal operations;
- Select and implement management practices for pollution prevention and good housekeeping in municipal operations; and
- Develop measurable goals to ensure the reduction of all pollutants of concern in stormwater discharges to the maximum extent practicable.

8.3 TOWN FACILITIES AND OPERATIONS

The Town has many facilities which it operates. Information regarding these properties and facilities are located in Appendix G and are sorted by Department. The information contained within the database and detail sheets are updated on an annual basis.

8.4 BUILDING MAINTENANCE

The Town Division of Building Maintenance and Facility Management maintains all Town buildings in terms of maintenance and repairs with the exception of some recreational buildings. The Town utilizes green practices when purchasing paper and cleaning supplies used for building maintenance activities. As buildings require renovations, the Town attempts (to the maximum extent practicable) to comply with LEED requirements. We are employing LEED maintenance procedures with GS-37 labeled cleaning solvents, and only ordering enough to maintain buildings for a 6 month time frame. LIPA has conducted energy audits for all facilities. The Town is pursuing entering into an Energy Services Contract (ESCO) to improve building efficiency, health, and reduce operational costs. When existing mercury containing lighting is at the end of its useful life albeit fluorescent interior lighting or exterior street lights, the Town stores these materials for pick up by a registered / licensed recycling facility in accordance with the Federal legislation.

8.5 FLEET MANAGEMENT

The Town of Southampton began developing a comprehensive fleet management plan in 2012. The plan discusses and describes current operations, the locations and types of Town fueling stations, vehicles, and maintenance facilities. This plan is included as Appendix H in this program plan. The plan outlines the Town fueling facilities, maintenance facilities, and vehicle rotation program. The Town intends to steadily improve Fleet Management by improving existing fueling stations, tracking, and rotating vehicle stocks more efficiency and a more proactive maintenance program. The Town renovated the main fleet fueling station in 2013 to include a tank monitoring program and fuel management program. The Town will move

forward with major renovations to North Sea, Bridgehampton and Hampton Bays fueling sites in 2015 and 2016 with Capital Projects totaling $400,000.00.

8.6 GOOSE MANAGEMENT PLAN

The Town of Southampton has pathogen impaired water bodies, and is required by the MS4 regulations to develop a Goose Management Plan. This plan was drafted in 2014 and is intended to reduce the number of local nesting or resident Canada Geese within the Town of Southampton. The approach is to provide management tools to manipulate habitat, provide public education and implement best management practices. The management plan is located in Appendix K.

8.7 SUSTAINABILITY ELEMENT – ADDENDUM TO THE TOWN OF SOUTHAMPTON COMPREHENSIVE PLAN

In 2013, the Town of Southampton adopted the 400+ plan as an addendum to the Town Comprehensive Plan. The 400+ envisions the Town's 400th birthday in 2040 and sets forth a set of proposed goals and planning directions to improve the Town's sustainability. The plan includes elements of education, water, economics, land use, transportation and air quality, energy/carbon, waste, quality of life, green buildings and stewardship. The plan includes goals and potential strategies for the Town to consider as it advances toward its 400th anniversary.

8.8 TOWN PARKS

The Department of Parks and Recreation maintains all of the Town parks and facilities beyond the building envelope. The Town municipal operations abide by the Suffolk County legislation regarding the application of fertilizers to reduce potential overloading of nitrogen. The Department of Parks and Recreation do apply fertilizers to certain active facilities such as ball fields.

8.8.1 COMMERCIAL DOCKS

Suffolk County leases the Commercial Fishing Dock to the Town of Southampton. The Department of Parks and Recreation provides the Commercial Fishing Dock in Hampton Bays with a covered waste container to assist the fisherman in best management practices regarding waste management. The Town offers free boater pump out services to recreational boaters in the Peconic Estuary and South Shore Estuaries. The Town Trustees maintain six pump out boats within a number of areas within the Town.

8.8.2 RECREATIONAL FIELD FERTILIZATION

The Parks and Recreation Maintenance crew fertilize some recreational playing fields at Town facilities. The Town is striving to reduce its use of fertilizer. When it is applied, the Parks Maintenance Staff abide by all current NYSDEC and Suffolk County regulations.

8.8.3 DOCKING FACILITY BOATER PUMPOUTS

The Parks and Recreation Department maintains boater pump out stations located at the East Quogue Marina. This is a community asset to promote the zero tolerance of boater pump out in the estuary.

8.8.4 GOLF COURSE –

The Parks Dept. and Recreation oversees the use of the Town Golf Course. The oversight of the golf course is generally sub-contracted to another entity. During the next round of contract negotiations, the Town will require a phased in approach to converting the fertilization of the grounds to organic fertilizers.

8.8.5 GRASS MOWING

The Department of Parks and Recreation does not bag grass clippings, but allows them to stay on the lawn providing nutrients such as nitrogen to slowly dissolve into the turf. Mowers are maintained by the Parks Department, with regular inspections for leaks, and efficient operation.

8.9 ROADWAY MAINTENANCE

8.9.1 TREE TRIMMING

The Highway Department. maintains the trees within the Right of Ways (ROWs). Maintenance of the trees includes removing dead trees and removing damaged or deteriorated tree limbs which potentially could fall in the roadway causing damage and possible injury. Organic waste is brought to the Yard Waste area of the three regulated Transfer Facilities.

8.9.2 ROAD KILL REMOVAL

The Highway Department removes all dead animals that have been struck and killed by motor vehicles within the roadway. This operation is generally performed by 2 staff members. The carcasses are brought to the North Sea Transfer Station for organic composting.

8.9.3 STREET SWEEPING

The Highway Department performs the street sweeping operations. There are currently six street sweepers in the Town that are used to regularly maintain the streets in the Town. The equipment is regularly maintained by the Highway Garage. There are multiple staff members that run these sweepers in addition to other equipment. This staff actively maintains records on when and where they have swept and how much debris they have swept off the roadway.

8.9.4 WINTER ROAD MAINTENANCE

The Town Highway Department has used a mixture of pre-storm brine treatment and sand and sodium chloride to provide de-icing and friction to roadways as the temperature drops, and calcium chloride spray to the sand/salt mix for de-icing in lower temperature ranges of 20 degrees and below.

Alternatives: Alternatives to the use of sodium chloride and calcium chloride include magnesium chloride which is essentially equivalent to the two compounds the Town uses in terms of costs and corrosion, as well as calcium magnesium acetate (CMA) and urea. CMA is a biodegradable material made from limestone and acetic acid, and is considered a viable alternative to solid and liquid de-icers due to its low environmental impact. However, this compound melts at a slower rate than conventional salts and is on average 15 to 30 times the cost of conventional salts. Therefore, the Town does not use this material due to fiscal constraints, and vehicular safety concerns. Urea is utilized by airports for de-icing of planes and runways. Due to the high nutrient concentrations, the Town would not utilize this in and around wetlands

8.11 WASTE MANAGEMENT AND SOLID WASTE MANAGEMENT PLAN

The Town of Southampton, as a regulated planning unit of Suffolk County under the New York Department of Environmental Conservation, is required to maintain a Solid Waste Management Plan as a guidance document on proper waste management practices within the Town. The Plan focuses primarily on recycling, reduction of waste, education, and the actions the Town will implement to reduce the amount of landfilled wastes. The Town has also been working with other Suffolk County Townships since 2014 to develop a multi-jurisdictional Debris Management Plan that will be approved by FEMA in the future and help coordinate and assist municipalities in the clean up of natural disasters in the future. The Town adopted an amendment to Code Chapter 205 in 2015 which permits and tracks private carters working within the Town of Southampton. This code also mandates that carters utilize sound vehicles that do not contribute to releases of POCs to the MS4.

8.12 EVALUATING AND MEASURING PROGRESS

The Town will address Good Housekeeping evaluation in accordance with the NYS DEC Pollution Prevention and Good Housekeeping guidance document and the MCM 6 procedures prepared (as noted above) for the Town by its consultants, Dvirka & Bartilucci.

8.13 ANNUAL REPORT

The annual reporting period begins on March 10 and ends on March 9 of the following year. The annual report must be sent to the DEC by June 1 of each reporting year. For MCM 6, the Town will supply the DEC with the following information:

- List each municipal operation/facility that contributes or may potentially contribute POCs to the MS4 system.
- List of Municipal Operations good housekeeping programs.
- Acres of parking lots swept.
- Miles of street swept.
- Inspections of Post Construction Control Practices.
- Lbs of Phosphorus applied in chemical fertilizer.
- Lbs of nitrogen applied in chemical fertilizer.
- Lbs of pesticide/herbicide applied as pure product.
- Quantity of stormwater management trainings that have been provided to municipal employees.
- Date of last training(s).
- Quantity of municipal employees that have been trained in this reporting period.
- Percentage of municipal employees in relevant positions and departments receiving stormwater management training.

APPENDIX A

NYS DEC SPDES GENERAL PERMIT FOR STORMEWATER DISCHARGES FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4) PERMIT NO. GP-0-15-003

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

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

From

MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

Permit No. GP-0-15-003

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

Effective Date: May 1, 2015 | Expiration Date: April 30, 2017

John J. Ferguson
Chief Permit Administrator

Authorized Signature | Date 4·14·15

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

PREFACE

Pursuant to Section 402 of the Clean Water Act ("CWA"), operators of *small municipal separate storm sewer systems* ("small MS4s"), located in *urbanized areas* ("UA") and those *additionally designated* by New York State are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System* ("NPDES") permit or by a state permit program. New York's *State Pollutant Discharge Elimination System* ("SPDES") is an NPDES-approved program with permits issued in accordance with the *Environmental Conservation Law* ("ECL").

Only those *small MS4 operators* who *develop* and *implement* a *stormwater management program* (SWMP) and obtain permit coverage in accordance with Part II of this *SPDES general permit* are authorized to *discharge stormwater* from their *small MS4* under this *SPDES general permit*.

A *covered entity* authorized under GP-0-10-002 as of the effective date of GP-0-15-003, shall be permitted to discharge in accordance with the renewed permit, GP-0-15-003, upon the submission of their Annual Report, unless otherwise notified by the *Department*.

An *operator* not authorized under GP-0-15-003 may[1] obtain coverage under this *SPDES general permit* by submitting a Notice of Intent (NOI) to the address provided on the NOI form. For newly regulated MS4s, authorization under this *SPDES general permit* is effective upon written notification from the *Department* of the receipt of a complete NOI. Copies of this *SPDES general permit* and the NOI for New York are available by calling (518) 402 - 8109 or at any Department of Environmental Conservation (*Department*) regional office (Appendix A). They are also available on the *Department*'s website:

http://www.dec.ny.gov/permits/6045.html

Submitting an NOI is an affirmation that an initial *SWMP* has been *developed* and will be *implemented* in accordance with the terms of this *SPDES general permit*.

* **Note: all italicized words within this** *SPDES general permit* **are defined in Part X. Acronyms and Definitions.**

[1] The term "may is used to recognize that there are circumstances under which the *operator* is ineligible for coverage under this *g SPDES general permit* because of exclusionary provisions of this permit. *Operators* that are excluded from coverage under this *SPDES general permit* as provided for in Part I, for example, are not authorized to *discharge* under this permit. This clarification also applies to situations in which an NOI has been submitted; submission of an NOI by an entity excluded from *SPDES general permit* coverage does not authorize the *small MS4* to *discharge stormwater* runoff under the authority of this *SPDES general permit*

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR DISCHARGES FROM
SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

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Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

1. This *SPDES general permit* authorizes *discharges* of *stormwater* from *small municipal separate storm sewer system*s ("MS4"s) as defined in 40 CFR 122.26(b)(16), provided all of the eligibility provisions of this *SPDES general permit* are met.

2. Exempt Non-Stormwater Discharges. The following non-stormwater *discharges* are exempt from the need for *SPDES general permit* coverage unless the *Department* has determined them to be substantial contributors of pollutants to a particular *small MS4* applying for coverage under this *SPDES general permit*. If the *Department* determines that one or more of the *discharges* listed below is a substantial contributor of pollutants to a *small MS4*, the identified *discharges* will be considered *illicit*. In that event, the *covered entity* must eliminate such discharges by following the *illicit discharge* minimum control measure ("MCM") requirements (See Part VII.A.3 or VIII.A.3, and Part IX.A.3, B.3, C.3, and D.3 where applicable).

   a. water line flushing
   b. landscape irrigation
   c. diverted stream flows
   d. rising ground waters
   e. uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))
   f. uncontaminated ground water
   g. discharges from potable water sources
   h. foundation drains
   i. air conditioning condensate
   j. irrigation water
   k. springs
   l. water from crawl space and basement sump pumps
   m. footing drains
   n. lawn and landscape watering runoff provided that all pesticides and fertilizers have been applied in accordance with the manufacturer's product label;
   o. water from individual residential car washing
   p. flows from riparian habitats and wetlands
   q. dechlorinated swimming pool discharges
   r. residual street wash water
   s. discharges or flows from firefighting activities

(Part I.A.2.)

t. dechlorinated water reservoir discharges
u. any SPDES permitted discharge.

Even if the non-stormwater discharges are determined not to be substantial contributors of pollutants, the *Department* recommends that the *covered entity's stormwater management program* ("SWMP") include public education and outreach activities directed at reducing pollution from these discharges.

B. Limitations on Coverage

The following are not authorized by this *SPDES general permit*:

1. *Stormwater discharges* whose unmitigated, direct, indirect, interrelated, interconnected, or interdependent impacts would jeopardize a listed endangered or threatened species or adversely modify designated critical habitat;

2. *Stormwater discharges* or *implementation* of a *covered entity's SWMP*, which adversely affect properties listed or eligible for listing in the National Register of Historic Places, unless the covered entity is in compliance with requirements of the National Historic Preservation Act and has coordinated with the appropriate State Historic Preservation Office any activities necessary to avoid or minimize impacts;

3. *Stormwater discharges* to territorial seas not of the State of New York, the contiguous zone, and the oceans unless such *discharges* are in compliance with the ocean *discharge* criteria of 40 CFR 125 subpart M;

4. *Stormwater discharges*, the permitting of which is prohibited under 40 CFR 122.4 and/ or the *ECL*;

C. Exemption Criteria

For *stormwater discharges* from a designated *small MS4* that are mixed with non-*stormwater* or *stormwater* associated with *industrial activity*, the *Department* may determine them to be exempt from the requirements of this *SPDES general permit* if the *discharges* are:

1. Effectively addressed by and in compliance with a different *SPDES general permit* or an *individual SPDES permit*; or

2. Identified by and in compliance with Part I.A.2 of this *SPDES general permit*.

Part II. OBTAINING PERMIT COVERAGE

A. Permit coverage is obtained by submission of a complete and accurate Notice of Intent.

B. Permit coverage is public noticed by the Department.

NOIs will be public noticed and an opportunity for public comment provided on the contents of submitted NOIs.

a. NOIs and the location of the SWMPs and Annual Reports for existing MS4s will be posted in the Environmental Notice Bulletin (ENB).

b. A deadline of 28 calendar days from the posting in the ENB will be provided for receiving comments.

c. After the public comment period has expired, the *Department* may extend the public comment period, require submission of an application for an individual SPDES permit or alternative *SPDES general permit*, or accept the NOI or SWMP as complete.

C. Continuance of Permit Coverage for Covered Entities Authorized by GP-0-10-002 (Continuing Covered Entities)

As of May 1, 2015, entities with coverage under GP-0-10-002 will continue to have authorization to discharge on an interim basis for up to 180 days from the effective date of this *SPDES general permit*. Covered entities may gain coverage under this *SPDES general permit* by submission of their 2014 Annual Report due in June 2015. For public participation purposes, the updated Annual Report will be considered equivalent to submission of an NOI.

When the operator changes, a new operator is added, or the individual responsible for the SWMP changes, these changes must be indicated on the MCC form submitted in accordance with Part V.D. It is not necessary to submit a revised Notice of Intent (NOI).

D. Permit Coverage for Covered Entities Newly Designated Under GP-0-15-003 (Small MS4s not Previously Authorized by GP-0-10-002)

Certain *small MS4s* designated by 40CFR Section 122.32(a)(1) were not authorized by GP-0-10-002, but are now required to gain coverage under this *SPDES general permit*. The *small MS4s* were not previously authorized because they were either:

- required to gain coverage under GP-0-10-002, but were granted a waiver from that requirement;

- were not required to gain coverage under GP-0-10-002 based on the designation criteria, but they are now within an *Additionally Designated Area*; or

(Part II.D.)

- were otherwise not permitted under GP-0-10-002.

1. In order for *stormwater discharges* from *small MS4s* to be newly authorized under this *SPDES general permit*, an *operator* must:

   a. within 180 days of receiving written notification from the *Department* that a permit for discharges from MS4s is required, prepare an NOI using the form provided by the *Department* (or a photocopy thereof); and

   b. submit the NOI, signed in accordance with Part VI.J of this *SPDES general permit*, to:

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

2. *Operators* who submit a complete NOI in accordance with the requirements of this *SPDES general permit* are authorized to *discharge stormwater* from *small MS4s,* under the terms and conditions of this *SPDES general permit,* upon written notification from the Department that a complete NOI has been received.

E Small MS4s Not Required to Gain Coverage

Operators of unregulated *small MS4s* may apply for coverage under this *SPDES general permit* at any time, per Part II.B.

F. Extension of Permit Coverage to Covered Entity's Full Jurisdiction

Operators of traditional land use control MS4s must extend the implementation of minimum control measures (MCMs) 4 and 5 in accordance with *Criterion 3* of the Designation Criteria or apply for a waiver, if eligible.

Operators of all regulated *small MS4*s may also extend the implementation of any of the six MCMs to areas under their control, but outside of the existing area covered by this *SPDES general permit*. This may be done by describing the program components (MCMs) being extended and the geographic extent to which they are being extended in the annual report (Part V.C.) and indicating in the Municipal Compliance Certification (MCC) form (Part V.D.) that the program was extended to the *covered entity's* full jurisdiction.

(Part II.)

G. Single Entity to Cover the MS4

A single entity may gain coverage for, and on behalf of, one or more regulated MS4s to implement a part of an MCM, one, or all the MCMs. A single entity shall be defined by watershed, municipal boundaries, special district boundaries, or other specifically defined boundaries. The single entity must demonstrate to the *Department* that it was formed in accordance with applicable state and/or local legislation, and that it has the legal authority and capacity (financial, resources, etc.) to meet the requirements of this *SPDES general permit*. Depending on the MCM(s) implemented, the single entity shall demonstrate that it has the following capacities, as applicable for each MCM that the single entity is seeking coverage under this SPDES general permit:

1. Initiate and administer appropriate enforcement procedures,
2. Collect, finance, bond or otherwise borrow money for capital projects,
3. Control the management and operation of the storm sewer system,
4. Implement best management practices at all municipal facilities discharging to the MS4, and
5. Obtain access to property that may be necessary for siting stormwater management facilities and/or practices.

The single entity must submit a complete NOI form to the *Department*, detailing which of the regulated MS4s it will gain coverage for and which of the MCMs, or parts of MCMs, it will implement for each particular regulated MS4. A copy of the document forming the single entity, and detailing the legal authority and capacity of the single entity, must be attached to the NOI. Prior to the single entity gaining coverage under this SPDES general permit, each regulated MS4, for which the single entity will implementing one or more MCM must submit a complete notice of termination (NOT). This notice shall specify which of the minimum control measures the single entity will implement for the MS4 and which of the minimum control measures the MS4 will implement.

Part III. SPECIAL CONDITIONS

A. Discharge Compliance with Water Quality Standards

Where a *discharge* is already authorized under this *SPDES general permit* and is later determined to directly or indirectly cause or have the reasonable potential to cause or contribute to the violation of an applicable *water quality standard*, the *Department* will notify the *covered entity* of such violation(s) and may take enforcement actions for such violations. The *covered entity* must take all necessary actions to ensure future *discharges* do not directly or indirectly cause or contribute to the violation of a *water quality standard*, and the *covered entity* must document these actions in the *SWMP*.

(Part III.A.)

Compliance with this requirement does not preclude, limit, or eliminate any enforcement activity as provided by the Federal and / or State law for the underlying violation. Additionally, if violations of applicable water quality standards occur, then coverage under this *SPDES general permit* may be terminated by the *Department* in accordance with 750-1.21(e), and the Department may require an application for an alternative *SPDES general permit* or *individual SPDES permit* may be issued.

B. Impaired Waters

1. Impaired Waters Without Watershed Improvement Strategies or Future TMDLs

If a *small MS4 discharges* a stormwater pollutant of concern (POC) to an *impaired* water listed in Appendix 2, the covered entity must ensure no net increase in its *discharge* of the listed *POC* to that water.

By January 8, 2013, *covered entities* must assess potential sources of discharge of stormwater *POC*(s), identify potential stormwater pollutant reduction measures, and evaluate their progress in addressing the POC(S). Newly authorized covered entities must perform the above tasks within 5 years after gaining coverage under this SPDES general permit. Covered entities must evaluate their *SWMP* with respect to the MS4's effectiveness in ensuring there is no net increase discharge of stormwater *POC*(s) to the impaired waters for *storm sewersheds* that have undergone non-negligible changes such as changes to land use and impervious cover greater than one acre, or stormwater management practices during the time the MS4 has been covered by this *SPDES general permit*. This assessment shall be conducted for the portions of the *small MS4 storm sewershed* that *discharge* to the listed waters (see Appendix 2). The assessment shall be done using *Department* supported modeling of pollutant loading.

If the modeling shows increases in loading of the POC, the SWMP must be modified to reduce the loading to meet the no net increase requirement. The subsequent annual reports must contain an assessment of priority stormwater problems, potential management practices that are effective for reduction of stormwater POC(s), and document a gross estimate of the extent and cost of the potential improvements.

2. Watershed Improvement Strategies

The *SWMP*s for *covered entities* in the watersheds listed below must be modified to comply with the following requirements and the watershed improvement strategies. *Covered entities* implementing the pollutant-specific BMPs in addition to the BMPs required of all *covered entities* will be taking satisfactory steps towards achieving compliance with TMDL requirements. *Covered entities* under the MS4 *SPDES general*

(Part III.B.2.)

permit are required to make best efforts to participate in locally based watershed planning efforts that involve the NYSDEC, other covered entities, stakeholders and other interested parties for implementation of load reduction BMPs. Covered entities may form a Regional Stormwater Entity (RSE) to implement stormwater retrofits collectively. The *covered entities* must ensure that discharges of the *POC* to the *TMDL* waterbody are reduced through these or additional changes to the *SWMP* so that the waste load allocation is met.

MS4s are required to meet the reduction of the POC defined by the TMDL program defined in Part IX of this *SPDES general permit*. By the deadlines defined in Part IX of the general permit, *covered entities* must assess their progress and evaluate their *SWMP* to determine the *MS4's* effectiveness in reducing their discharges of *TMDL POC*(s) to *TMDL* water bodies. Newly designated watershed improvement strategy areas must perform the assessment within 5 years from authorization under this SPDES general permit. This assessment shall be conducted for the portions of the *small MS4 storm sewershed* that are within the *TMDL* watershed. The assessment shall be done using *Department* supported modeling of pollutant loading from the *storm sewershed*. The *covered entities* or an RSE must prepare and implement, participate in or utilize the results of existing or ongoing ambient water quality monitoring programs to validate the accuracy of models and evaluate the effectiveness of the additional BMPS for watershed improvement strategies.

If the modeling shows that loading of the POC is not being reduced to meet the waste load allocation, the SWMP must be modified to reduce the pollutant loading to meet the waste load allocation.

Each regulated MS4 is responsible for an individual load reduction, which is a fraction of the total required load reduction in the TMDL. If MS4s form an RSE and stormwater retrofits are approached collectively, the *Department* would allow compliance with this condition of the SPDES general permit to be achieved on a regional basis.

In this case the load reduction requirement for each participating MS4 will be aggregated, to create an RSE load reduction, to allow design and installation of retrofits where they are most feasible, without restricting MS4s to site retrofit projects within their municipal boundaries.

Each member of an RSE is in compliance if the aggregate reduction number associated with the retrofit plans is met. If the aggregate number is not met, each of the participating MS4s would be deemed non-compliant until such time as they had met their individual load reduction requirements.

(Part III.B.2.)

a. **New York City Watershed East of the Hudson River**
Covered entities shall modify their *SWMP* to meet the additional requirements as set forth in Part IX.A to address phosphorus as the *POC* for the portion of their *storm sewershed* in the watershed. A map of the watershed is shown in Appendix 3.

b. **Other Phosphorus Watersheds**
Covered entities shall modify their *SWMP* to meet the additional requirements as set forth in Part IX.B to address phosphorus as the *POC* for the portion of their *storm sewershed* in the watershed. Maps of the watersheds are shown in Appendices 4, 5, and 10.

c. **Pathogen Watersheds**
Covered entities shall modify their SWMP to meet the additional requirements as set forth in Part IX.C to address pathogens as the *POC* for the portion of their *storm sewershed* in any of the watersheds. Maps of the watersheds are shown in Appendices 6, 7, and 9.

d. **Nitrogen Watersheds**
Covered entities shall modify their *SWMP* to meet the additional requirements as set forth in Part IX.D to address nitrogen as the *POC* for the portion of their *storm sewershed* in the watershed. Maps of the watersheds are shown in Appendix 8.

3. **Future TMDL Areas**
If a *TMDL* is approved in the future by EPA for any waterbody or watershed into which a *small MS4 discharges*, the *covered entity* must review the applicable *TMDL* to see if it includes requirements for control of *stormwater discharges*. If a *covered entity* is not meeting the *TMDL* wasteload allocations, it must, within 180 days of written notification from the *Department*, modify its *SWMP* to ensure that the reduction of the *POC* specified in the *TMDL* is achieved. It will be the MS4's obligation to meet the waste load allocations specified in the TMDL through modification of its *SWMP plan* according to the schedule of Part IX of this *SPDES general permit.*

Modifications must be considered for each of the six MCMs. Refer to assistance documents or enhanced requirements for specific pollutants in documents on the *Department*'s website for modifications specific to the *TMDL*. Revised *SWMPs* must include updated schedules for implementation.

(Part III.B.3.)

Within three years of having modified its SWMP to ensure that reduction of the POC specified in the TMDL is achieved, covered entities in future TMDL areas must assess their progress and evaluate their *SWMP* to determine the *MS4's* effectiveness in reducing their discharges of *TMDL POC*(s) to *TMDL* water bodies. This assessment shall be conducted for the portions of the *small MS4 storm sewershed* that are within the *TMDL* watershed. The assessment shall be done using *Department* supported modeling of pollutant loading from the *storm sewershed*.

Part IV. Stormwater Management Program (SWMP) Requirements

A. SWMP Background

Covered entities must *develop (for newly authorized MS4s, implement)*, and enforce a *SWMP* designed to reduce the *discharge* of pollutants from *small MS4s* to the *maximum extent practicable* ("MEP") in order to protect water quality and to satisfy the appropriate water quality requirements of the *ECL* and the CWA. The objective of the permit is for MS4s to assure achievement of the applicable water quality standards. *Covered entities* under GP-0-10-002 must have prepared a *SWMP plan* documenting modifications to their *SWMP*. See Part X.B. (Definitions) for more information about the *SWMP* and *SWMP plan*.

The *SWMP* and *SWMP plan* may be created by an individual *covered entity,* by a shared effort through a group or coalition of individual *covered entities,* or by a third party entity. The *SWMP plan* shall be made readily available to covered entity's staff, to the public and to *Department* and EPA staff.

B. Cooperation Between Covered Entities Encouraged

The *Department* encourages *covered entities* to cooperate when *developing* and *implementing* their *SWMP*[2]. However, each *covered entity* is responsible for obtaining its own permit coverage and for filing its own NOI. Irrespective of any agreements between *covered entities*, each individual *covered entity* remains legally responsible for satisfying all GP-0-15-003 requirements and for its own *discharges*. If one *covered entity* is relying on another *covered entity* to satisfy one or more of its permit obligations, that

[2] For example, villages are encouraged to cooperate with towns, towns with counties, and adjacent counties with each other. In addition, municipal governments are encouraged to coordinate and cooperate with *non-traditional MS4s* such as DOT, school and fire districts, Federal and State facilities located within and adjacent to their jurisdictions. Sewer boards, water boards, or other non-traditional entities are encouraged to partner with the municipality (municipalities) that they serve.

fact must be noted on the *covered entity's* MCC form. The other entity must, in fact, *implement*

(Part IV.B.)

the MCM(s) and must agree to *implement* the MCM(s) on the first *covered entity's* behalf. This agreement between the two or more parties must be documented in writing and signed by both (all) parties. Part IV.G. below may apply if such an agreement is not already in place. The agreement must be included in the *SWMP plan*, and be retained by the *covered entity* for the duration of this *SPDES general permit*, including any administrative extensions of the permit term.

Covered entities that are working together to *develop (for newly authorized MS4s)* or *implement* their *SWMP*s are encouraged to complete shared annual reports. *Covered entities* may also hold a group meeting to present their annual reports to the public and to receive comments on their annual reports. These options are discussed in more detail in Part V.C.2.

C. SWMP Coverage Area

At a minimum, *covered entities* are required to *develop (for newly authorized MS4s)* and *implement SWMP*s in the automatically designated *urbanized areas* ("UA") and *additionally designated* areas (40CFR Section 122.32(a)(1) or 122.32(a)(2)) under their jurisdiction[3].

SWMP coverage shall include all UA or additionally designated areas within the *covered entity*'s jurisdiction that drain into their *small MS4* and subsequently *discharge* to *surface waters of the State* directly or through other *small MS4s*.

Operators of *small MS4s* whose jurisdiction includes regulated and unregulated areas are encouraged to include their entire jurisdiction in their *SWMP* (refer to Part II.D).

D. SWMP Development and Implementation for Covered entities Authorized by GP-0-10-002(Continuing Covered entities)

Covered entities authorized under GP-0-10-002 shall continue to fully *implement* their *SWMP,* unless otherwise stated in this *SPDES general permit*. A *covered entity* may

[3] The purpose of this section is to minimize conflicts between adjacent *small MS4s*. For the purposes of this *SPDES general permit*, areas under the *covered entity's* jurisdiction shall mean areas where the legal authority exists for the subject *covered entity* to *develop* and *implement* an *SWMP* including the six MCMs. It is not a permit requirement for *covered entities* to *implement* and enforce any portion of their *SWMP* in any area that is under the jurisdiction of another *covered entity*. For example, if a portion of a town drains directly into a stormwater system owned and operated by the State DOT, and this area of the town is regulated, the DOT will not be required to implement and enforce any portion of a *SWMP* in the area lying outside of its right of way. In this case, the town would be required to implement the program in the subject area in accordance with this *SPDES general permit*, this despite the fact that the subject drainage does not directly enter the town's system.

modify its *SWMP* if it determines changes are needed to improve *implementation* of its *SWMP*. Any changes to a *SWMP* shall be reported to the *Department* in the MS4's

(Part IV.)

annual report and Municipal Compliance Certification (MCC) form (See Part V.C and V.D).

E. SWMP Development and Implementation for Newly Regulated Covered entities (Small MS4s not Previously Authorized by GP-0-10-002)

Certain *small MS4s* designated by 40CFR Section 122.32(a)(1) were not authorized by GP-0-10-002, but are now required to gain coverage under this *SPDES general permit*. The *small MS4s* were not previously authorized because they were either:

- required to gain coverage under GP-0-10-002, but were granted a waiver from that requirement;
- were not required to gain coverage under GP-0-10-002 based on the designation criteria, but they now meet the additional designation criteria in NYS DEC "Designation Criteria for Identifying Regulated Municipal Separate Storm Sewer Systems" ; or
- were otherwise not permitted under GP-0-10-002.

Operators of *small MS4s* newly regulated under this *SPDES general permit* must *develop* an initial *SWMP* and provide adequate resources to fully *implement* the *SWMP* no later than three years from the date of the individual MS4's authorization.

A newly regulated *covered entity* may modify its *SWMP* to comply with the terms and conditions of this *SPDES general permit* if it determines changes are needed to improve *implementation* of its *SWMP*. Any changes to a *SWMP* shall be documented in the *SWMP plan* and reported to the *Department* in the annual report (See Part V.C).

Covered entities are required to make steady progress toward full *implementation* in the first three years after the date of authorization. Full *implementation* of *SWMP*s for newly regulated *small MS4s* is expected no later than three years from the date of coverage under this *SPDES general permit*.

F. Minimum Control Measures

Each *covered entity* is required to develop *(for newly authorized MS4s)* and implement a *SWMP* that satisfies the requirements for each of six required program components, known as minimum control measures (MCMs).

The MCMs for *traditional land use control MS4s* are listed in Part VII. The MCMs for *traditional non-land use control MS4s* and *non-traditional MS4s* are listed in Part VIII.

Additional MCMs that *covered entities* in watersheds with improvement strategies must address, referred to in Part III.B.2, are described in Part IX.

(Part IV.)

G. Reliance Upon Third Parties

This section applies when a *covered entity* relies upon any third party entity to *develop* or *implement* any portion of its *SWMP*. Examples of such entities include, but are not

limited to a non-government, commercial entity that receives payment from the *covered entity* for services provided (for example businesses that create policies or procedures for *covered entities*, perform illicit discharge identification and track down, maintain roads, remove snow, clean storm sewer system, sweep streets, etc. as contracted by the covered entity).

The covered entity must, through a signed certification statement, contract or agreement provide adequate assurance that the third parties will comply with permit requirements applicable to the work performed by the third party. The certification statement, contract or other agreement must:

- provide adequate assurance that the third party will comply with permit requirements;
- identify the activities that the third party entity will be responsible for and include the name and title of the person providing the signature;
- the name, address and telephone number of the third party entity;
- an identifying description of the location of the work performed; and
- the date the certification statement, contract or other agreement is signed.

Example certification language is provided below:

<u>Contracted Entity Certification Statement:</u>

"I certify under penalty of law that I understand and agree to comply with the terms and conditions of the (covered entity's name) stormwater management program and agree to implement any corrective actions identified by the (covered entity's name) or a representative. I also understand that the (covered entity's name) must comply with the terms and conditions of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from the Municipal Separate Storm Sewer Systems ("MS4s") and that it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards. Further, I understand that any non-compliance by (covered entity's name) will not diminish, eliminate, or lessen my own liability."

Part V. PROGRAM 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:

(Part V.C.1.)

NYS DEC "MS4 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.

a. **Annual Report Submittal for Newly Regulated Covered entities (Small MS4s not Previously Authorized by GP-0-10-002)**
   Newly regulated covered entities *developing* their *SWMP* are to submit their Annual Report in a format provided by the *Department*. They will provide, at a minimum, the information on the annual report form and the information required by Parts VII or VIII.

   Newly regulated *covered entities* are required to submit their first annual report the year that authorization is granted if authorization is granted on or before December 31 of that reporting year.

b. **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*.

2. **Shared Annual Reporting and Submittal**
   Covered entities working together to *develop (for newly authorized MS4s)* and /or *implement* their *SWMP*s may complete a shared annual report. The shared annual report is an annual report that outlines and explains group activities, but also includes the tasks performed by individual *covered entities* (*BMPs, measurable goals*, schedules of planned activities, etc.). To facilitate the submission of one annual report for the entire group of *covered entities*, individual *covered entity's* activities may be incorporated into the report by either:

   - providing the details specific to their *small MS4*(s) to a person(s) who incorporates that information into the group report. That one group report is submitted to the *Department* for all participating *small MS4s*; or
   - providing the details specific to their *small MS4*(s) on a separate sheet(s) that will be attached with the one group report.

(Part V.C.2.)

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.

3. 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 MS4*s that may contribute substantially to pollutant

(Part V.C.3.c.)

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).

D. 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.

Part VI. STANDARD PERMIT CONDITIONS

A. General Authority to Enforce

Three of the MCMs (illicit discharge detection and elimination, construction site *stormwater* runoff control and post-construction *stormwater* management) require local laws, ordinances or other regulatory mechanisms to ensure successful implementation of the MCMs. Some *covered entities*, however, are not enabled by state law to adopt local laws or ordinances. Those *covered entities* (typically non-traditional MS4s and traditional, non-land use control MS4s) are expected to utilize the authority they do possess to create or modify existing regulatory mechanisms, including but not limited to contracts, bid specifications, requests for proposals, etc. to ensure successful implementation.

B. Duty To Comply

A *covered entity* must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the CWA and the *ECL* and is grounds for enforcement action.

C. Enforcement

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

D. Continuation of the Expired SPDES General Permit

This *SPDES general permit* expires five years from the effective date of this permit. However, an administratively extended *SPDES general permit* continues in force and effect until the *Department* issues a new permit, unless a *covered entity* receives written notice from the *Department* to the contrary. *Operators* of the *MS4s* authorized under the administratively extended expiring *SPDES general permit* seeking coverage under the new *SPDES general permit* must refer to the terms within the new *SPDES general permit* to continue coverage.

E. Technology Standards

Covered entities, in accordance with written notification by the *Department*, must comply with all applicable technology-based effluent standards or limitations promulgated by EPA pursuant to Sections 301 and 304 of the CWA. If an effluent standard or limitation more stringent than any effluent limitation in the *SPDES general permit* or controlling a pollutant not limited in the permit is promulgated or approved

after the permit is issued, the *SWMP plan* shall be promptly modified to include that effluent standard or limitation.

F. Need To Halt or Reduce Activity Not a Defense

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

G. Duty to Mitigate

The *covered entity* shall take all reasonable steps to minimize or prevent any *discharge* in violation of this *SPDES general permit* which has a reasonable likelihood of adversely affecting human health or the environment.

H. Duty to Provide Information

The *covered entity* shall, within five (5) business days, make available for inspection and copying or furnish to the *Department* or an authorized representative of the *Department* any information that is requested to determine compliance with this *SPDES general permit*. Failure to provide information requested shall be a violation of the terms of this *SPDES general permit* and applicable regulation.

I. Other Information

Covered entities who become aware of a failure to submit any relevant facts or have submitted incorrect information in the NOI or in any other report to the *Department* must promptly submit such facts or information.

J. Signatory Requirements

All NOIs, reports, certifications or information submitted to the *Department*, or that this *SPDES general permit* requires be maintained by the *covered entity*, shall be signed as follows:

1. **Notices of Intent**
   All NOIs shall be signed by either a principal executive officer or ranking elected official. Principal executive officer includes (1) the chief executive officer of the municipal entity agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

2. **Reports Required and Other Information Requested**
   All reports required by this *SPDES general permit* and other information requested by the *Department,* including MCC forms (part V.D.), shall be signed by a person

(Part VI.J.2.)

described above or by a duly authorized representative of that person[4]. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in VI.J.1 above and submitted to the *Department*; and

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

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

d. **Changes to authorization.** If an authorization to discharge is no longer accurate because a different *covered entity* has responsibility for the overall operation of another *covered entity's* program, these changes must be indicated on the MCC form submitted to the *Department* per Part V.D.

e. **Initial signatory authorization or changes to signatory authorization.** The initial signatory authorization must be submitted to the *Department* with any reports to be signed by a signatory representative. If a signatory authorization under VI.J.2 is no longer accurate because a different individual, or position, has responsibility for the overall operation of the facility, a new signatory authorization satisfying the requirements of VI.J.2 must be submitted to the *Department* with any reports to be signed by an authorized representative.

f. **Certification.** Any person signing documents under paragraph VI.H shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the

[4]Positions that must be duly authorized include, but are not limited to, Environmental Directors, Deputy Supervisors, Safety and Environmental Managers, Assistant Directors, and Chief Health and Safety Officers.

information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information."

Under Part VI.J. (Signatory Requirements), it shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, and/or reports.

K. Penalties for Falsification of Reports

Article 17 of the *ECL* provides a civil penalty of $37,500 per day per violation of this permit. Articles 175 and 210 of the New York State Penal Law provide for a criminal penalty of a fine and / or imprisonment for falsifying reports required under this permit..

L. Oil and Hazardous Substance Liability

Nothing in this *SPDES general permit* shall be construed to preclude the institution of any legal action or relieve the *covered entity* from any responsibilities, liabilities, or penalties to which it is or may be subject under section 311 of the CWA or section 106 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA).

M. Property Rights

The issuance of this *SPDES general permit* does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations, nor does it limit, diminish and / or stay compliance with any terms of this permit.

N. Severability

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

O. Requiring an Individual Permit or an Alternative General Permit

1. In its sole discretion, the *Department* may require any person authorized by this *SPDES general permit* to apply for and/or obtain either an *individual SPDES permit* or an alternative *SPDES general permit*. Where the *Department* requires a *covered entity* to apply for an *individual SPDES permit*, the *Department* will notify such

person in writing that a permit application is required. This notification shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for filing the application, and a deadline not sooner than 180 days from covered entity's receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Regional Office. The *Department* may grant additional time to submit the application upon request of the applicant.

2. Any *covered entity* authorized by this *SPDES general permit* may request to be excluded from the coverage of this *SPDES general permit* by applying for an *individual SPDES permit or an alternative SPDES general permit*. In such cases, a *covered entity* must submit an individual application or an application for an alternative *SPDES general permit* in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the *Department* at the address for the appropriate Regional Office. The request may be granted by issuance of any *individual SPDES permit* or an alternative *SPDES general permit* if the reasons cited by the *covered entity* are adequate to support the request.

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

P. Other State Environmental Laws

1. Nothing in this *SPDES general permit* shall be construed to preclude the institution of any legal action or relieve a *covered entity* from any responsibilities, liabilities, or penalties established pursuant to any applicable *State* law or regulation under authority preserved by section 510 of the CWA.

2. No condition of this *SPDES general permit* releases the *covered entity* from any responsibility or requirements under other environmental statutes or regulations.

Q. Proper Operation and Maintenance

A *covered entity* must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *covered entity* to achieve compliance with the conditions of this *SPDES general permit*. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems,

installed by a *covered entity* only when necessary to achieve compliance with the conditions of the *SPDES general permit*.

R. Inspection and Entry

The *covered entity* shall allow the Commissioner of NYSDEC, the Regional Administrator of the USEPA, the applicable county health department, or their authorized representatives, upon the presentation of credentials and other documents as may be required by law, to:

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

2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, including records required to be maintained for purposes of operation and maintenance; and

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

S. Permit Actions

At the *Department*'s sole discretion, this *SPDES general permit* may be modified, revoked, suspended, or renewed for cause at any time.

T. Anticipated noncompliance

The covered entity shall give advance notice to the *Department* of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of planned changes or anticipated noncompliance does not limit, diminish and / or stay compliance with any terms of this permit.

U. Permit Transfers.

Coverage under this *SPDES general permit* is not transferable to any person except after notice to the *Department.* The *Department* may require modification or revocation and reissuance of this SPDES general permit to change the responsible party and incorporate such other requirements as may be necessary.

Part VII. MINIMUM CONTROL MEASURES - TRADITIONAL LAND USE CONTROL

A. Traditional Land-Use Control MS4 Minimum Control Measures (MCMs)

These MCMs apply to *traditional land use control MS4s* (cities, towns, villages). The SWMP for these *small MS4s* must be comprised of the 6 MCMs below. It is recommended that covered entities refer to assistance and guidance documents available from the *State* and EPA.

Continuing covered entities were required to develop a SWMP with the MCM requirements below by January 8, 2008 (if authorized by GP-02-02) and within three years of gaining coverage (if authorized by GP-0-10-002). Under this *SPDES general permit*, the continuing *covered entities* are required to implement their SWMP, including the MCM requirements below. Notwithstanding any sooner deadlines contained elsewhere within this permit, newly regulated *covered entities* are required to develop their SWMP, containing the MCM requirements below, within the first 3 years of coverage and then commence implementation.

For each of the elements of the SWMP plan, the *covered entity* must identify (i) the agencies and/or offices that would be responsible for implementing the SWMP plan element and (ii) any protocols for coordination among such agencies and/or offices necessary for the implementation of the plan element.

The *covered entity* may *develop (for newly authorized MS4s)* and /or *implement* their *SWMP* within their jurisdiction on their own. The *covered entity* may also *develop (for newly authorized MS4s)* and / or *implement* part or all of their *SWMP* through an intermunicipal program with another *covered entity*(s) or through other cooperative or contractual agreements with third parties that provide services to the *covered entities*.

1. **Public Education and Outreach - SWMP Development / Implementation**
   At a minimum, all *covered entities* must:

   a. Identify *POCs*, waterbodies of concern, geographic areas of concern, target audiences;

   b. *Develop (for newly authorized MS4s)* and *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. *POC*s and their sources;
      iii. steps that contributors of these pollutants can take to reduce pollutants in *stormwater* runoff; and

(Part VII.A.1.b.)

iv. steps that contributors of non-*stormwater discharges* can take to reduce pollutants (non-*stormwater discharges* are listed in Part I.A.2);

c. *Develop (for newly authorized MS4s)*, 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 *POC*s in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

e. **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. list education / outreach *activities* performed for the general public and target audiences and provide any results (for example, number of people attended, amount of materials distributed, etc.);

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:
- IDDE education *activities* planned or completed for public employees, businesses, and the general public, as required by Part VII.A.3;
- construction site *stormwater* control training planned or completed, as required by Part VII.A.4; and
- 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.

f. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:

(Part VII.A.1.f.i.)

Complete in Year 1 (report changes in Year 2 and 3 as needed):

- list (and describe if necessary) *POCs*;
- *development* of education and outreach program and *activities* for the general public and target or priority audiences that address *POC*s, geographic areas of concern, and / or *discharges* to *303(d)* / *TMDL* waterbodies;
- *covered entities* developing education and outreach programs required by other MCMs (listed below), may report on development (and implementation of those activities, if occurring during the three year development period) in MCM 1 and provide the following information applicable to their program:
  - IDDE education *activities* planned or completed for public employees, businesses, and the general public for IDDE, as required by Part VII.A.3;
  - Construction site stormwater control training planned or completed, as required by Part VII.A.4; and
  - employee pollution prevention / good housekeeping training planned or completed, as required by Part VII.A.6;

  To facilitate shared annual reporting, if the education and outreach activities above are developed 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.

ii. **program *implementation* reporting** as set forth in Part VII.A.1(e) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

2. **Public Involvement / Participation - SWMP Development / Implementation**
   At a minimum, all *covered entities* must:

   a. Comply with the *State Open Meetings Law* and local public notice requirements, such as *Open Meetings Law*, when implementing a public involvement / participation program;

   b. *Develop (for newly authorized MS4s)* and *implement* a public involvement/participation program that:

      i. identifies key individuals and groups, public and private, who are interested in or affected by the *SWMP* ;

(Part VII.A.2.b.)

ii. 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

iii. 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;

iv. provide the opportunity for the public to participate in the *development*, *implementation,* review, and revision of the *SWMP.*

c. **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;

d. **Annual report presentation.**
Below are the requirements for the annual report presentation:

i. 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

(Part VII.A.2.d.i.)

- 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. *Develop (for newly authorized MS4s)*, record, periodically assess and modify as needed *measurable goals*; and

(Part VII.A.2.)

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.

h. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

   i. **program *development* deadlines and reporting**:
      Complete for Year 1, 2 and 3:
      - annual report presentation information (date, time, attendees);
      - comments received and intended responses (as an attachment);

      Complete by end of Year 2 (report changes by end of Year 3 as needed):
      - key stake holders identified;
      - *development* of public involvement / participation plan based on the *covered entity's* needs, *POCs*, target audiences, geographic areas of concern, *discharges* to *303(d)* / *TMDL* waterbodies; and
      - *development* of public involvement / participation *activities* (for example stream cleanups including the number of people participating, the number of calls to a dumping / water quality hotline, the number or percent of storm drains stenciled);

   ii. **program *implementation* reporting**, as set forth in Part VII.A.2(g) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

(Part VII.A.)

3. **Illicit Discharge Detection and Elimination (IDDE) - SWMP Development / Implementation**
   At a minimum, all *covered entities* must:
   a. *Develop (for newly authorized MS4s), implement* and enforce a program to detect and eliminate *illicit discharges* (as defined at 40CFR 122.26(b)(2)) into the *small MS4*;

   b. *Develop (for newly authorized MS4s)* and 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;

(Part VII.A.3.)

g. *Develop (for newly authorized MS4s)* and *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. *Develop (for newly authorized MS4s)*, 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*.

Required SWMP Reporting

l. **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;
   v. activities in and results from informing public employees, businesses, and the general public of hazards associated with illegal *discharges* and improper disposal of waste;
   vi. 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
   vii. report on effectiveness of program, *BMP* and *measurable goal* assessment.

(Part VII.A.3.)

m. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:
Complete in Year 1 (revise in Year 2 and 3 if changes are made):
- describe procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for IDDE program;
- describe priority areas of concern, available equipment, staff, funding, etc.;

Initiate by end of Year 1; complete by end of Year 2 (revise in Year 3 if changes are made):

- describe procedures for identifying and locating *illicit discharges* (trackdown);
- describe procedures for eliminating *illicit discharges*;
- describe procedures for enforcing against illicit dischargers;
- describe procedures for documenting actions;
- describe the program being developed for informing public employees, businesses, and the general public of hazards associated with illegal *discharges* and improper disposal of waste;

Initiate by end of Year 1; complete by end of Year 3:
- regulatory mechanism status development and adoption - by end of Year 3 certify that regulatory mechanism is equivalent to the *State's* model IDDE law (if not already completed and submitted with an earlier report);

Initiate by end of Year 2; complete by end of Year 3:
- number and percent of *outfalls* mapped; and

Complete by Year 3:
- *outfall* map.

ii. **program *implementation* reporting** as set forth in Part VIII.A.3(l) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

4. Construction Site Stormwater Runoff Control - SWMP Development / Implementation
At a minimum, all *covered entities* must:
a. *Develop (for newly authorized MS4s)*, *implement*, and enforce a program that:

(Part VII.A.4.a.)

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 *SWPPP*s to ensure consistency with *State* and local sediment and erosion control requirements;

(Part VII.A.4.a.vii.)

- ensure that the individuals performing the reviews are adequately trained and understand the *State* and local sediment and erosion control requirements;
- all *SWPPP*s must be reviewed for sites where the disturbance is one acre or greater; and
- after review of *SWPPP*s, 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 *SWPPP*s, construction site inspections, and other procedures associated with control of construction stormwater;

(Part VII.A.4.a.)

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 co-sponsor 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*.

Required SWMP Reporting

b. **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.

c. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

(Part VII.A.4.c.)

i. **program *development* deadlines and reporting**:

Initiate by end of Year 1:

- procedures, activities and identify personnel to educate and train construction site operators about requirements to develop and implement a SWPPP and any other requirements that must be met within the MS4's jurisdiction;

Complete in Year 1 (revise in Year 2 and 3 if changes are made):

- describe procedures for the receipt and consideration of information submitted by the public. Identify the responsible personnel;

Initiate by end of Year 1; complete by end of Year 3:

- regulatory mechanism development and adoption status - by end of Year 3 certify that regulatory mechanism is equivalent to one of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control (if not already completed and submitted with an earlier report);

Initiate by end of Year 2; complete by end of Year 3:

- describe procedures for SWPPP review that incorporate consideration of potential water quality impacts and ensure consistency with local sediment and erosion control requirements;
- describe procedures for construction site inspections; and
- describe procedures for enforcement of control measures and sanctions to ensure compliance.

ii. **program *implementation* reporting** as set forth in Part VII.A.4(b) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

5. **Post-Construction Stormwater Management** - **SWMP Development/Implementation**

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 from new development and redevelopment projects to the *small MS4* from projects that result in a land disturbance of greater than or

(Part VII.A.5.a.ii.)

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.

(Part VII.A.5.a.iv.)

- 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 *SWPPP*s 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 *SWPPP*s 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

(Part VII.A.5.a.)

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 on-site 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*.

(Part VII.A.5.)

Required SWMP Reporting

e. **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;

f. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

   i. **program *development* deadlines and reporting**:
   Initiate by end of Year 1; complete by end of Year 3:
   - regulatory mechanism development and adoption status - by end of Year 3 certify that regulatory mechanism is equivalent to one of the NYSDEC Sample Local Laws for Stormwater Management and Erosion and Sediment Control (if not already completed and submitted with an earlier report);

   Initiate by end of Year 2; complete by end of Year 3:
   - procedures for SWPPP review to ensure that post-construction stormwater management practices meet the most current version of the state technical standards;
   - procedures for inspection and maintenance of post-construction management practices;
   - procedures for enforcement and penalization of violators; and

   Complete by the end of year 3:

(Part VII.A.5.f.i.)

- provide resources for the program to inspect new and re-development sites and for the enforcement and penalization of violators.

ii. **program *implementation* reporting** as set forth in Part VII.A.5(e) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

6. **Pollution Prevention/Good Housekeeping For Municipal Operations - SWMP Development / Implementation**
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;

(Part VII.A.6.a.)

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.

Required SWMP Reporting

f. **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

(Part VII.A.6.f.)

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.

g. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). *Covered entities* are required to report on 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. **program *development* deadlines and reporting** (first three years after authorization is granted):
   Complete by end of Year 1:
   - identify the municipal operations and facilities that will be considered for inclusion in the pollution prevention and good housekeeping program;
   - describe the pollution prevention and good housekeeping program priorities (geographic area, potential to improve water quality; facilities or operations most in need of modification or improvement);

(Part VII.A.6.g.i.)

- describe management practices, policies, procedures, etc. that will be developed or modified;
- identify the staff and equipment available;

Initiate by end of Year 2; complete by end of Year 3:

- describe employee pollution prevention and good housekeeping program training program and begin training, report on number of staff trained; and

Complete by end of Year 3:

- description of developed management practices.

ii. **program *implementation* reporting** as set forth in Part VII.A.6.(d) above. Commence reporting after three year *development* permit. *Implementation* reporting may begin earlier if *implementation* begins during development period.

PART VIII. MINIMUM CONTROL MEASURES - TRADITIONAL NON-LAND USE CONTROL AND NON-TRADITIONAL MS4s

A. Traditional Non-Land Use Control and Non-traditional MS4 Minimum Control Measures (MCMs)

These MCMs apply to *traditional non-land use control MS4s* and *non-traditional MS4s*. The SWMP for these *small MS4s* must be comprised of the 6 MCMs below. It is recommended that covered entities refer to assistance and guidance documents available from the *State* and EPA.

Under this *SPDES general permit*, the continuing *covered entities* are required to implement their SWMP, including the MCM requirements below. Newly regulated covered entities are required to develop their SWMP, containing the MCM requirements below, within the first 3 years of coverage and then commence implementation.

The *covered entity* may *develop (for newly authorized MS4s)* and / or *implement* their *SWMP* within their jurisdiction on their own. The *covered entity* may also *develop (for newly authorized MS4s)* and / or *implement* part or all of their *SWMP* through an intermunicipal program with another *covered entity*(s) or through other cooperative or contractual agreements with third parties that provide services to the *covered entity(s)*.

For each of the elements of the SWMP plan, the *covered entity* must identify (i) the agencies and/or offices that would be responsible for implementing the SWMP plan element and (ii) any protocols for coordination among such agencies and/or offices necessary for the implementation of the plan element.

To comply with the requirements of this *SPDES general permit*, the *traditional non-land use control MS4s* and *non-traditional MS4s* should consider their public to be the employee / user population, visitors, or contractors / developers. Examples of the public include, but are not limited to:

- transportation *covered entities* - general public using or living along transportation systems, staff, contractors;
- educational *covered entities* - faculty, other staff, students, visitors;
- other government *covered entities* - staff, contractors, visitors.

1. Public Education and Outreach on Stormwater Impacts SWMP Development / Implementation

At a minimum, all *covered entities* must:

a. Identify *POC*s, waterbodies of concern, geographic areas of concern, target audiences;

(Part VIII.A.1.)

b. *Develop (for newly authorized MS4s)* and *implement* an ongoing public education and outreach program designed to describe:
   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. Educational materials may be made available at, locations including, but not limited to:
   i. at service areas, lobbies, or other locations where information is made available;
   ii. at staff training;
   iii. on *covered entity's* website;
   iv. with pay checks; and
   v. in employee break rooms;

d. *Develop (for newly authorized MS4s)*, record, periodically assess and modify as needed *measurable goals*; and

e. Select and implement appropriate education and outreach *activities* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

f. At a minimum, the *covered entity* shall report on the items below:

   i. list education / outreach *activities* performed and provide any results (number of people attended, amount of materials distributed, etc.);
   ii. education of the public about the hazards associated with illegal *discharges* and improper disposal of waste as required by Part VIII.A.3, may be reported in this section;
   iii. *covered entity's* 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:
      - IDDE education *activities* planned or completed for the public, as required by Part VIII.A.3;
      - construction site *stormwater* control training planned or completed, as required by Part VIII.A.4; and
      - employee pollution prevention / good housekeeping training planned or completed, as required by Part VIII.A.6;

      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;

iv. report on effectiveness of program, *BMP* and *measurable goal* assessment; and

v. maintain records of all training activities

g. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:
Complete in Year 1 (report changes in Year 2 and 3 as needed):
- list (and describe if necessary) POCs;
- *development* of education and outreach program and activities for the public that address *POCs*, geographic areas of concern, and / or *discharges* to *303(d)* / *TMDL* waterbodies;
- *covered entities* developing education and outreach programs required by other MCMs (listed below), may report on development (and implementation of
those activities, if occurring during the three year development period) in MCM 1 and provide the following information applicable to their program:
  - IDDE education *activities* planned or completed for the public, as required by Part VIII.A.3;
  - construction site *stormwater* control training planned or completed, as required by Part VIII.A.4; and
  - employee pollution prevention / good housekeeping training planned or completed, as required by Part VIII.A.6.

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.

ii. **Program *implementation* reporting** as set forth in Part VIII.A.1(f) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

2. Public Involvement/Participation - SWMP Development / Implementation
At a minimum, all *covered entities* must:

(Part VIII.A.2.)

a. Comply with *State* and local public notice requirements identified below when implementing a public involvement / participation program:
   i. *traditional non-land use control MS4s* shall comply with the *State Open Meetings Law* and local public notice requirements, such as *Open Meetings Law*; and

   ii. *traditional non-land use control MS4s* and *non-traditional MS4s* may comply with this requirement by determining who their public is (staff, visitors, contractors, etc.) and posting notifications (as needed) in areas viewable by the public. Such areas include common areas, bulletin boards, agency/office web pages, etc. For *small MS4s* whose public are in multiple locations, notifications shall be made available to the public in all locations within the urbanized or additionally designated areas;

b. Provide the opportunity for the public to participate in the *development*, *implementation,* review, and revision of the *SWMP*;

c. **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;

d. **Annual report presentation.**
   Below are the requirements for the annual report presentation:

   i. 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 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. 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

(Part VIII.A.2.d.i.)

- making available the opportunity for the public to request an open public meeting to ask questions about and make comments on the report;

ii. *traditional non-land use control MS4s* must comply with Part VIII.A.2.(d)(i) above. If they choose to present the draft annual report at a meeting, it may be presented at an existing meeting (e.g. a meeting of the Environmental Management Council , Water Quality Coordinating Committee, other agencies, or a meeting specifically for stormwater), or made available for review on the internet. The *covered entity* must make public the following information when noticing the presentation in accordance with *Open Meetings Law* or other 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* 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 date annual report becomes available on the internet; and
   - the availability of the draft report for review prior to the public meeting or duration of availability of the annual report on the internet;

iii. *non-traditional MS4s* typically do not have regular meetings during which a presentation on the annual report can be made. Those *covered entities* may comply with this requirement by either:
   - noticing the availability of the report for public comment by posting a sign, posting on web site, or other methods with information about the availability and location where the public can view it and contact information for those that read the report to submit comments; or
   - following the internet presentation as explained in Part VIII.A.2(d)(i) above;

iv. the *Department* recommends that announcements be sent directly to individuals (public and private interested parties) known to have a specific interest in the covered entity's *SWMP*;

(Part VIII.A.2.d.)

v. 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

vi. ensure that a copy of the final report and, beginning in 2009, the SWMP plan are available for public inspection;

e. *Develop (for newly authorized MS4s)*, 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 all of the *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); and
   iii. report on effectiveness of program, *BMP* and *measurable goal* assessment;

h. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
   i. **program *development* deadlines and reporting**:
      Complete for Year 1, 2, and 3:
      - annual report presentation information (date, time, attendees) or information about how the annual report was made available for comment; and
      - comments received and intended responses (as an attachment).

   ii. **program *implementation* reporting** as set forth in Part VIII.A.2.g above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

3. Illicit Discharge Detection and Elimination (IDDE) - SWMP Development / Implementation

At a minimum, all *covered entities* must:

(Part VIII.A.3.)

a. *Develop (for newly authorized MS4s)*, *implement* and enforce a program to detect and eliminate *illicit discharges* (as defined at 40CFR 122.26(b)(2)) into the *small MS4;*

b. *Develop (for newly authorized MS4s)* and 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* determined using GIS or other tools, even if they extend outside of the *urbanized area* (to facilitate trackdown), 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 trackdown, 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 discovered within the *urbanized area* or *additionally designated* area;

f. Prohibit *illicit discharges* into the *small MS4* and *implement* appropriate enforcement procedures and actions below, as applicable:

   i. for *traditional non-land use control MS4s*:
      - effectively prohibit, through a law, ordinance, or other regulatory mechanism, *illicit discharges* into the *small MS4* and *implement* appropriate enforcement procedures and actions; and
      - the law, ordinance, or other regulatory 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" developed by the *State*, as determined and certified to be equivalent by the attorney representing the *small MS4* ; and

(Part VIII.A.3.f.)

ii. for *non-traditional MS4s*:
- prohibit and enforce against *illicit discharges* through available mechanisms (i.e. tenant lease agreements, bid specifications, requests for proposals, standard contract provisions, connection permits, maintenance directives / BMPS, access permits, consultant agreements, internal policies);
- procedures or policies must be developed for implementation and enforcement of the mechanisms;
- a written directive from the person authorized to sign the NOI stating that updated mechanisms must be used and who (position(s)) is responsible for ensuring compliance with and enforcing the mechanisms for the *covered entity's IDDE* program; and
- the mechanisms and directive must be equivalent to the *State*'s model illicit discharge local law;

g. *Develop (for newly authorized MS4s)* and *implement* a program to detect and address non-stormwater *discharges*, including illegal dumping, to the *small MS4* . The program must include: procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for 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 the public of the hazards associated with illegal *discharges* and the improper disposal of waste;

i. Address the categories of non-stormwater *discharges* or flows listed in Part I.A.2 as necessary and maintain records of notification;

j. *Develop (for newly authorized MS4s)*, 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*

Required SWMP Reporting

l. **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;

(Part VIII.A.3.l.)

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;
v. activities to and results from informing the public of hazards associated with illegal *discharges* and improper disposal of waste;
vi. for traditional non-land use control MS4s, regulatory mechanism status - certification that law is equivalent to the *State*'s model *IDDE* local law (if not already completed and submitted with a prior annual report); and
vii. report on effectiveness of program, *BMP* and *measurable goal* assessment.

m. Required reporting for **newly authorized *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

i. **program *development* deadlines and reporting**:
Initiate by end of Year 1; complete by end of Year 3:
- regulatory mechanism development and adoption - by end of Year 3 certify that regulatory mechanism is equivalent to the *State's* model *IDDE* local law (traditional non-land use control MS4s) or certification of equivalence may be accomplished as set forth in Part VIII.A.3(f)(ii).

Complete in Year 1 (revise in Year 2 and 3 if changes are made):
- describe procedures for identifying priority areas of concern (geographic, audiences, or otherwise) for IDDE program;
- describe priority areas of concern, available equipment, staff, funding, etc.;

Initiate by end of Year 1; complete by end of Year 2 (revise in Year 3 if changes are made):
- describe procedures for identifying and locating *illicit discharges* (trackdown);
- describe procedures for eliminating *illicit discharges*;
- describe procedures for enforcing against illicit dischargers;
- describe procedures for documenting actions;
- describe the program being developed for informing the public of hazards associated with illegal *discharges* and improper disposal of waste;

Initiate by end of Year 2; complete by end of Year 3:
- number and percent of *outfalls* mapped;

(Part VIII.A.3.m.i.)

Complete by Year 3:
- *outfall* map; and

ii. **program *implementatio*n reporting** as set forth in Part VIII.A.3(l) above. Commence *implementation* reporting after three year *development* period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

4. Construction Site Stormwater Runoff Control - **SWMP Development / Implementation**
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, 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. incorporates mechanisms for construction runoff requirements from new development and redevelopment projects to the extent allowable under *State* and local law that meet the *State*'s most current technical standards:
- through available mechanisms (i.e. tenant lease agreements, bid specifications, requests for proposals, standard contract provisions, connection permits, maintenance directives / BMPS, access permits, consultant agreements, internal policies);
- procedures or policies must be developed for implementation and enforcement of the mechanisms;
- a written directive from the person authorized to sign the NOI stating that updated mechanisms must be used and who (position(s)) is responsible for ensuring compliance with and enforcing the mechanisms for construction projects that occur on property owned, under easement to, within the

(Part VIII.A.4.a.iii.)

right-of-way of, or under the maintenance jurisdiction by the *covered entity* or within the maintenance jurisdiction of the MS4; and

- the mechanisms and directive must be equivalent to the requirements of the NYS SPDES General Permit for Stormwater Discharges from Construction Activities.

iv. allows for sanctions to ensure compliance to the extent allowable by *State* law;

v. describes procedures for receipt and follow up on complaints or other information submitted by the public regarding construction site stormwater runoff;

vi. educates construction site operators, design engineers, *municipal* staff and other individuals to whom these regulations apply about the construction requirements in the *covered entity's* jurisdiction, including the procedures for submission of *SWPPPs*, construction site inspections, and other procedures associated with control of construction stormwater;

vii. Ensures that construction site contractors have received erosion and sediment control training, including the *trained contractors* as defined in the SPDES general permit for construction, before they do work within the *covered entity's* jurisdiction:

- 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 co-sponsor 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.

viii. establishes and maintains an inventory of active construction sites, including the location of the site, owner / operator contact information;

ix. develop *(for newly authorized MS4s)*, record, periodically assess and modify as needed *measurable goals*; and

(Part VIII.A.4.a.)

x. select and implement appropriate construction stormwater *BMPs* and *measurable goals* to ensure the reduction of all *POCs* in *stormwater discharges* to the *MEP*.

Required SWMP Reporting

b. **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 type of sanctions employed;
   ii. status of regulatory mechanism - certify that mechanisms will assure compliance with the NYS SPDES General Permit for Stormwater Discharges from Construction Activities;
   iii. number of construction sites authorized for disturbances of one acre or more; and
   iv. report on effectiveness of program, *BMP* and *measurable goal* assessment.

c. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:
   i. **Program *development* deadlines and reporting**:
      Initiate by end of Year 1:
      - procedures, activities and identify personnel to educate and train construction site operators about requirements to develop and implement a SWPPP and any other requirements that must be met within the MS4's jurisdiction;

      Initiate by the end of Year 1; complete by the end of Year 3:
      - status of mechanism for construction runoff requirements - by end of Year 3 certify that mechanisms will assure compliance with the NYS SPDES General Permit for Stormwater Discharges from Construction Activities; and

      Complete in Year 1 (revise in Year 2 and 3 if changes are made):
      - describe procedures for the receipt and consideration of information submitted by the public. Identify the responsible personnel.

   ii. Program implementation reporting as set forth in Part VIII.A.4(b) above. Commence *implementation* reporting after three year development period. *Implementation* reporting may begin earlier if *implementation* begins during development period.

(Part VIII.A.)

5. **Post-Construction Stormwater Management SWMP Development / Implementation**
   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, 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*;
         - if controlling such activities in a particular watershed is required by the *Department*;

      iii. incorporates enforceable mechanisms for post-construction runoff control from new development and re-development projects to the extent allowable under *State* or local law that meet the *State*'s most current technical standards:
         - through available mechanisms (i.e. tenant lease agreements, bid specifications, requests for proposals, standard contract provisions, connection permits, maintenance directives / BMPS, access permits, consultant agreements, internal policies);
         - procedures or policies must be developed for implementation and enforcement of the mechanisms;
         - a written directive from the person authorized to sign the NOI stating that updated mechanisms must be used and who (position(s)) is responsible for ensuring compliance with and enforcing the mechanisms for construction projects that occur on property owned by the *covered entity* or within the maintenance jurisdiction of the MS4; and
         - the mechanisms and directive must assure compliance with the requirements of the NYS SPDES General Permit for Stormwater Discharges from Construction Activities;

      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 environmental plans such as watershed plans, open space preservation programs, local laws, and ordinances covered entities must incorporate principles of *Low Impact Development* (LID), *Better Site Design* (BSD) and other *Green Infrastructure* practices to the MEP.

(Part VIII.A.5.a.iv.)

Covered entities must consider natural resource protection, impervious area reduction, maintaining natural hydrologic condition in developments, buffers or set back distances for protection of environmentally sensitive areas such as streams, wetlands, and erodible soils in the development of environmental plans.

- 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 the post construction *stormwater* discharged by the practice;

v. establish and maintain an inventory of post-construction stormwater management practices to include at a minimum practices discharging to the *small MS4* that have been installed since March 10, 2003, those owned by the small MS4, and those found to cause 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

vi. ensures adequate long-term operation and maintenance of management practices by trained staff, including assessment to ensure that the practices are performing properly.
   - The assessment shall include the 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;

vii. 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 on-site 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:

(Part VIII.A.5.a.vii.)

- Ensures offset exceeds 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 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 employ sanctions;

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*.

Required SWMP Reporting

e. 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 type of sanctions;
ii. number and type of post-construction stormwater management practices;
iii. number and type of post-construction stormwater management practices inspected;
iv. number and type of post-construction stormwater management practices maintained;
v. status of regulatory mechanism, equivalent mechanism, that regulatory mechanism is equivalent; and
vi. report on effectiveness of program, *BMP* and *measurable goal* assessment, and implementation of a banking and credit system, if applicable.

f. Program reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). At a minimum, the *covered entity* shall report on the items below:

(Part VIII.A.5.f.)

i. **program *development* deadlines and reporting**:

Initiate by end of Year 1; complete by end of Year 3:

- mechanism of post-construction stormwater management - by end of Year 3 certify that mechanisms will assure compliance with the NYS Construction General Permit (GP-0-15-002);

Initiate by end of Year 2; complete by end of Year 3:

- procedures for inspection and maintenance of post-construction management practices; and
- procedures for enforcement and penalization of violators;

ii. **program *implementation* reporting** as set forth in Part VIII.A.5(e). Commence *implementation* reporting after three year development period. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

6. Pollution Prevention/Good Housekeeping For Municipal Operations

SWMP Development / Implementation

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. includes the performance and documentation of a self assessment of all municipal operations 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)

(Part VIII.A.6.a.iii.)

pollutants. Refer to *management practices* identified in the "NYS Pollution Prevention and Good Housekeeping Assistance Document" or other guidance materials available from the EPA, the *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;

v. addresses pollution prevention and good housekeeping priorities;

vi. includes an employee pollution prevention and good housekeeping training program and ensure 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 make the necessary certification in Part IV.G; and

viii. requires *municipal* operations and facilities that would otherwise be subject to the NYS Multisector 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 MS4 annual report. Those operations or facilities are not required to gain coverage under the MSGP. *Implementation* 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 the existing islands in parking lots with rain garden, 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

(Part VIII.A.6.)

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.

Required SWMP Reporting

f. **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 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 addresses 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 VIII.A.6.a(ii), the *covered entity* shall report on items that will demonstrate program effectiveness.

g. Reporting for **newly regulated *covered entities*** (MS4s covered for less than 3 years on the *reporting date*). *Covered entities* are required to report on all *municipal* operations and facilities within their jurisdiction (*urbanized area* and *additionally*

(Part VIII.A.6.g.)

designated area) that their program is addressing. The *covered entity* shall report at a minimum on the items below:

i. **program *development* deadlines and reporting**:

Complete by end of Year 1:

- identify the municipal operations and facilities that will be considered for inclusion in the pollution prevention and good housekeeping program;
- describe the pollution prevention and good housekeeping program priorities (geographic area, potential to improve water quality; facilities or operations most in need of modification or improvement);
- describe management practices, policies, procedures, etc. that will be developed or modified;
- identify the staff and equipment available;

Initiate by Year 2; complete Year 3:

- describe employee pollution prevention and good housekeeping program training program and begin training, report on number of staff trained;

Complete by end of Year 3:

- description of developed management practices.

ii. **program *implementation* reporting** as set forth in Part VIII.A.6(d) above. Commence *implementation* reporting after three year *development* permit. *Implementation* reporting may begin earlier if *implementation* begins during *development* period.

Part IX. WATERSHED IMPROVEMENT STRATEGY REQUIREMENTS

The covered entities in the watershed improvement strategy areas must develop or modify their SWMP to address the watershed specific additional requirements to achieve the pollutant load reduction by the deadline as defined in the Tables in Part IX of this general SPDES permit. The Pollutant Load Reductions are the reductions necessary from the discharge loads associated with MS4s that, when combined with reductions in the discharge loads from non-MS4s to the waterbody, will meet water quality standards. The calculated reductions are based on TMDL models and may be recalculated according to 40CFR Part 130.

The MS4 portion of the pollutant load reduction shall be achieved by implementation of BMPs required of all MS4s, reductions from implementation of additional BMPS for watershed improvement strategy areas including any retrofits required by this permit. These reductions are intended to be targeted and credited using models, loading factors and load reductions predicted based on the best scientific information available.

The Pollutant Load Reduction Deadlines are deadlines by which the MS4 portion of the pollutant load reduction must be met. Watershed Improvement Strategy Deadlines are the deadlines by which the watershed improvement strategy requirements for addressing the POC are to be completed and implemented. Retrofit Plan Submission Deadlines are the deadlines by which the retrofit plan component of the watershed improvement strategies are submitted to the *Department* for review and approval.

Ultimately, the effectiveness of the load reductions in meeting water quality standards will be verified by ambient monitoring of the affected waterbody. Where ambient monitoring demonstrates consistent compliance with water quality standards, the covered entity may request that the *Department* suspend the additional BMP requirements to install stormwater retrofits.

(Part IX.)

A. New York City East of Hudson Watershed MS4s - (Mapped in Appendix 3)

Table IX.A - Pollutant Load Reduction and Timetable for New York City East of Hudson Phosphorus Watershed Improvement Strategy Area

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Load Reduction (Load Allocation)	Pollutant Load Reduction Deadline
New York City East of Hudson Watershed	05/01/2011	03/09/ 2009 (single) and 12/ 31/2009 (RSE)	In accordance with the TMDL Implementation Plan	03/09/2019 (single) 12/31/2019 (RSE)

By the deadline defined in the Table IX. A, covered entities in these watersheds shall, in addition to the requirements in Part VII or VIII, depending on the type of the MS4, develop and implement the following minimum control measures for areas within their jurisdiction and their storm sewersheds:

1. Public Education and Outreach on Stormwater Impacts- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

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

(Part IX.A.1.b.)

vi. phosphorus concerns with detergent use.

2. Public Involvement/ Participation
No additional requirements proposed for this permit term.

3. Illicit Discharge Detection and Elimination

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*.

- *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.

4. Construction Site Stormwater Runoff Control- applicable to *traditional land use control MS4s*.

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;

5. Post-Construction Stormwater Management

a. Construction stormwater program - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

(Part IX.A.5.a.)

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.

(Part IX.A.5.b.)

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.

6. Pollution Prevention/Good Housekeeping For Municipal Operations- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

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;

(Part IX.A.6.a.)

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.

(Part IX.)

B. Other Phosphorus Watershed MS4s (Mapped in Appendices 4, 5, and 10)

Table IX.B - Pollutant Load Reduction and Timetable for Other Phosphorus Watershed Improvement Strategy Areas

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Load Reduction (Waste Load Allocation %*)	Pollutant Load Reduction Deadline
Greenwood Lake	05/01/2011	03/09/2011	43* (load allocation)	03/09/2011
Onondaga Lake	TMDL approval + 3 years	TMDL approval + 3 years	TBD	TMDL approval + 13 years
Oscawana Lake	05/01/2013	Not Applicable	18	2020

By the deadline defined in the Table IX.B, covered entities in these watersheds shall, in addition to the requirements in Part VII or VIII, depending on the type of the MS4, develop and implement the following minimum control measures for areas within the permittee's jurisdiction and the covered entities's storm sewersheds:

1. Public Education and Outreach on Stormwater Impacts- applicable to *traditional land use* control, *traditional non-land use control* and *non-traditional MS4s*.

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 Phosphorus in stormwater runoff.

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; and
   iii. phosphorus concerns with fertilizer use.

2. Public Involvement/ Participation

No additional requirements proposed for at this time.

3. Illicit Discharge Detection and Elimination applicable to *traditional land use control* and *traditional non-land use control* MS4s, except within the Onondaga Lake Watershed.

a. *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. Conduct of 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.

4. Construction Site Stormwater Runoff Control

No additional requirements at this time.

5. Post-Construction Stormwater Management, - applicable to *traditional land use*, *traditional non-land use control* and *non-traditional MS4s*.

a. The *covered entity* must require the use of the "Enhanced Phosphorus Removal Design Standards"in accordance with NYS Stormwater Design Manual;

b. *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

(Part IX.B.5.)

iv. by the date specified for each watershed in the appropriate Watershed Improvement Strategy Requirement Table 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.

6. Pollution Prevention/Good Housekeeping For Municipal Operations applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Develop a turf management practices and procedures policy. The policy should 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; and

ii. the planting of native plant material to lessen the frequency of mowing and the use of chemicals to control vegetation.

(Part IX.)

C. Pathogen Impaired Watershed MS4s (Mapped in Appendix 6, 7 and 9)

Table IX.C - Pollutant Load Reduction and Timetable for Pathogen Impaired Watershed Improvement Strategy Areas

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Load Reduction (Waste Load Allocation %)	Pollutant Load Reduction Deadline
Budds Pond*	05/01/2013	09/30/2012	61	09/30/2022
Stirling Creek*	05/01/2013	09/30/2012	28	09/30/2022
Town & Jockey Creeks*	05/01/2013	09/30/2012	76	09/30/2022
Goose Creek*	05/01/2013	09/30/2012	70	09/30/2022
Hashamomuck Pond, Zone HP-1*	05/01/2013	09/30/2012	77	09/30/2022
Hashamomuck Pond , Zone HP-2*	05/01/2013	09/30/2012	43	09/30/2022
Richmond Creek*	05/01/2013	09/30/2012	71	09/30/2022
Deep Hole Creek*	05/01/2013	09/30/2012	29	09/30/2022
James Creek*	05/01/2013	09/30/2012	51	09/30/2022
Flanders Bay	05/01/2011	03/09/2011	98	03/09/2021
Reeves Bay	05/01/2011	03/09/2011	97	03/09/2021
Sebonac Creek	05/01/2011	03/09/2011	58	03/09/2021
North Sea Harbor, Zone NSH-1	05/01/2011	03/09/2011	97	03/09/2021
North Sea Harbor, Zone NSH-2	05/01/2011	03/09/2011	62	03/09/2021
North Sea Harbor, Zone NSH-3	05/01/2011	03/09/2011	99	03/09/2021
North Sea Harbor, Zone NSH-5	05/01/2011	03/09/2011	74	03/09/2021
Wooley Pond	05/01/2011	03/09/2011	97	03/09/2021
Noyac Creek, Zone NC-1	05/01/2011	03/09/2011	64	03/09/2021
Sag Harbor, Zone SH-2*	05/01/2013	09/30/2012	50	09/30/2022
Northwest Creek*	05/01/2013	09/30/2012	76	09/30/2022
Acabonac Harbor, Zone AH-2*	05/01/2013	09/30/2012	42	09/30/2022
Acabonac Harbor, Zone AH-3*	05/01/2013	09/30/2012	85	09/30/2022
Acabonac Harbor, Zone AH-4*	05/01/2013	09/30/2012	81	09/30/2022
Acabonac Harbor, Zone AH-5*	05/01/2013	09/30/2012	87	09/30/2022
Montauk Lake, Zone LM-1*	05/01/2013	09/30/2012	52	09/30/2022
Montauk Lake, Zone LM-2*	05/01/2013	09/30/2012	52	09/30/2022
Montauk Lake, Zone LM-3*	05/01/2013	09/30/2012	48	09/30/2022
Little Sebonac Creek	05/01/2011	03/09/2011	70	03/09/2021
Oyster Bay (Harbor 2)	05/01/2011	03/09/2011	20	03/09/2021
Oyster Bay (Harbor 3)	05/01/2011	03/09/2011	90	03/09/2021

*Additionally Designated Area

Watershed	Enhanced Plan Implementation Deadline	First Retrofit Plan Submission Deadline	Pollutant Reduction (Waste Load Allocation %)	Pollutant Load Reduction Deadline
Hempstead Harbor, north, and tidal tributaries	05/01/2013	09/30/2012	95	09/30/2022
Cold Spring Harbor, and tidal tributaries, Inner	05/01/2013	09/30/2012	95	09/30/2022
Cold Spring Harbor, Eel Creek	05/01/2013	09/30/2012	90	09/30/2022
Huntington Harbor	05/01/2013	09/30/2012	89	09/30/2022
Centerport Harbor	05/01/2013	09/30/2012	91	09/30/2022
Northport Harbor	05/01/2013	09/30/2012	92	09/30/2022
Stony Brook Harbor and West Meadow Creek, Inner	05/01/2013	09/30/2012	99	09/30/2022
Stony Brook Creek	05/01/2013	09/30/2012	99	09/30/2022
Stony Brook Yacht Club	05/01/2013	09/30/2012	48	09/30/2022
Stony Brook Harbor, Westmeadow Creek	05/01/2013	09/30/2012	99	09/30/2022
Setaukut Harbor, Little Bay	05/01/2013	09/30/2012	84	09/30/2022
Setauket Harbor, East Setauket	05/01/2013	09/30/2012	79	09/30/2022
Setauket Harbor, Poquot	05/01/2013	09/30/2012	100	09/30/2022
Mt. Sinai Harbor, Crystal Brook	05/01/2013	09/30/2012	88	09/30/2022
Mt. Sinai Harbor, Inner Harbor	05/01/2013	09/30/2012	96	09/30/2022
Mt. Sinai Harbor, Pipe Stave Hollow	05/01/2013	09/30/2012	93	09/30/2022
Mattituck Inlet/Creek, Low, and tidal tributaries	05/01/2013	09/30/2012	64	09/30/2022
Goldsmith Inlet	05/01/2013	09/30/2012	91	09/30/2022
West Harbor, Fishers Island, Davloy Cove	05/01/2013	09/30/2012	41	09/30/2022
Georgica Pond, Upper	05/01/2013	09/30/2012	93	09/30/2022

Georgica Pond, Lower	05/01/2013	09/30/2012	93	09/30/2022
Georgica Pond Cove	05/01/2013	09/30/2012	92	09/30/2022
Sagaponack Pond	05/01/2013	09/30/2012	88	09/30/2022
Mecox Bay and tributaries	05/01/2013	09/30/2012	89	09/30/2022
Heady Creek and tributaries	05/01/2013	09/30/2012	88	09/30/2022
Taylor Creek and tributaries	05/01/2013	09/30/2012	52	09/30/2022
Penny Pond	05/01/2013	09/30/2012	31	09/30/2022
Weesuck Creek and tidal tributaries	05/01/2013	09/30/2012	37	09/30/2022
Penniman Creek and tidal tributaries	05/01/2013	09/30/2012	32	09/30/2022
Ogden Pond	05/01/2013	09/30/2012	28	09/30/2022
Quantuck Bay	05/01/2013	09/30/2012	91	09/30/2022
Quantuck Canal/Moneybogue Bay	05/01/2013	09/30/2012	62	09/30/2022
Seatuck Cove	05/01/2013	09/30/2012	94	09/30/2022
Harts Cove	05/01/2013	09/30/2012	12	09/30/2022
Narrow Bay	05/01/2013	09/30/2012	16	09/30/2022
Bellport Bay, Beaver Dam Creek	05/01/2013	09/30/2012	94	09/30/2022
Bellport Bay, West Cove	05/01/2013	09/30/2012	94	09/30/2022
Patchogue Bay, Swan River	05/01/2013	09/30/2012	90	09/30/2022
Patchogue Bay, Mud Creek	05/01/2013	09/30/2012	71	09/30/2022

By the deadline defined in the Table IX.C, *covered entities* in these watersheds shall, in addition to the requirements in Part VII. or VIII., depending on the type of the MS4, develop and implement the following MCMs for areas within the *covered entity*'s jurisdiction and the covered entities's storm sewersheds:

(Part IX.C.)

1. Public Education and Outreach on Stormwater Impacts- applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*

a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of Pathogens (the *POC*) on waterbodies. The program must identify potential sources of Pathogens in *stormwater* runoff and describe steps that contributors can take to reduce the Pathogens in *stormwater* runoff. The program must also describe steps that contributors of non-*stormwater discharges* can take to reduce Pathogens.

b. *Develop*, or acquire if currently available, specific educational material dealing with sources of Pathogens in *stormwater* and pollutant reduction practices. At a minimum, the educational material should address the following topics:

i. where, why, and how Pathogens pose threats to the environment and to the community;

ii. septic systems, geese and pets as a source of pathogens;

iii. dissemination of educational materials / surveys to households/businesses in proximity to Pathogen *TMDL* waterbodies; and

iv. education for livestock / horse boarders regarding manure *BMP*s.

2. Public Involvement / Participation

No additional requirements proposed at this time.

3. Illicit Discharge Detection and Elimination, **SWMP Development / Implementation**- Mapping applicable to *traditional land use* control and *traditional non-land use control MS4s*.

a. Develop, implement, and enforce a program to detect and eliminate discharges to the municipal separate storm sewer system from on-site sanitary systems in areas where factors such as shallow groundwater, low infiltrative soils, historical on-site sanitary system failures, or proximity to pathogen-impaired waterbodies, indicate a reasonable likelihood of system discharge.

In such areas, ensure 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. Conduct regular field investigations/inspections in accordance with the most current version of the EPA publication entitled Illicit Discharge

(Part IX.C.3.a.)

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.

On-site sanitary system IDDE program development shall include the establishment of the necessary legal authority (such as new or revised local laws) for implementation and enforcement.

b. 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 May 1, 2015. At a minimum, the map and/or supportive documentation for the conveyance system shall 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 1:24000 or better.

4. Construction Site Stormwater Runoff Control

No additional requirements at this time.

5. Post-Construction Stormwater Management- 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 pollutant loading problems, with a particular emphasis placed on the pollutant Pathogens. At a minimum, the MS4 shall:

a. establish procedures to identify sites with erosion and/or pollutant loading problems;

(Part IX.C.5.)

b. establish policy and procedures for project selection. Project selection should be based on the Pathogen 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;

c. establish policy and procedures for project permitting, design, funding, construction and maintenance

d. by March 9, 2011, develop and submit approvable plans and schedules for completing retrofit projects. Upon DEC approval of those plans and schedules and identification of funding sources, the plans and schedules shall become enforceable requirements of this permit.

6. Pollution Prevention/Good Housekeeping For Municipal Operations, - applicable to *traditional land use control* and traditional non-land use control MS4s.

a. *Develop*, enact and enforce a local law prohibiting pet waste on municipal properties and prohibiting goose feeding.

b. *Develop* and *implement* a pet waste bag program for collection and proper disposal of pet waste.

c. *Develop* a program to manage goose populations.

(Part IX.)

D. Nitrogen Watershed MS4s (Mapped in Appendix 8)

Table IX.D - Pollutant Load Reduction and Timetable for Nitrogen Watershed Improvement Strategy Area

Watershed	Watershed Improvement Strategy Deadline	Retrofit Plan Submission Deadline	Pollutant Reduction (Load Allocation %)	Pollutant Load Reduction Deadline
Peconic Bay	05/01/2011	03/09/2011	15	03/09/2021

By the deadline defined in the Table IX.D, covered entities in these watersheds shall, in addition to the requirements in Part VII or VIII, depending on the type of the MS4, develop and implement the following minimum control measures for areas within the covered entity's jurisdiction and the covered entities' storm sewersheds:

1. Public Education and Outreach on Stormwater Impacts - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Plan and conduct an ongoing public education and outreach program designed to describe the impacts of Nitrogen (the POC) on waterbodies. The program must identify potential sources of Nitrogen in stormwater runoff and describe steps that contributors can take to reduce the Nitrogen in stormwater runoff.

b. develop, or acquire if currently available, specific educational material dealing with sources of Nitrogen in stormwater and pollutant reduction practices. At a minimum, the educational material should address the following topics:

i. understanding the Nitrogen issue;
ii. septic systems as a source of Nitrogen; and
iii. Nitrogen concerns with fertilizer use.

2. Public Involvement/ Participation

No additional requirements proposed for at this time.

3. Illicit Discharge Detection and Elimination - applicable to *traditional land use control* and *traditional non-land use control MS4s*

(Part IX.D.3.)

a. 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 May 1, 2015. At a minimum, the map and/or supportive documentation for the conveyance system shall 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 1:24000 or better.

4. Construction Site Stormwater Runoff Control

No additional requirements at this time.

5. Post-Construction Stormwater Management - 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 Nitrogen. At a minimum, the MS4 shall:

a. establish procedures to identify sites with erosion and/or pollutant loading problems;

b. establish policy and procedures for project selection. Project selection should be based on the Nitrogen 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;

c. establish policy and procedures for project permitting, design, funding, construction and maintenance; and

(Part IX.D.5.)

d. by March 9, 2011, 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.

6. Pollution Prevention/Good Housekeeping For Municipal Operations - applicable to *traditional land use control*, *traditional non-land use control* and *non-traditional MS4s*.

a. Develop a turf management practices and procedures policy. The policy should address the following:

i. procedures for proper fertilizer application on municipally-owned lands. The application of any Nitrogen-containing fertilizer shall only be allowed under the supervision of a Certified Crop Advisor or Certified Landscape Architect; and

ii. the planting of native plant material to lessen the frequency of mowing and reduce the use of chemicals to control vegetation.

Part X. ACRONYMS AND DEFINITIONS

A. Acronym List

BMP - Best Management Practice
CFR - Code of Federal Regulations
CWA - Clean Water Act
ECL - Environmental Conservation Law
MCC - Municipal Compliance Certification
MCM - Minimum Control Measure
MEP - Maximum Extent Practicable
MS4 - Municipal Separate Storm Sewer System
NPDES - National Pollutant Discharge Elimination System
POC - Pollutant of Concern
SPDES - State Pollutant Discharge Elimination System
SWMP - Stormwater Management Program
SWMP Plan - Stormwater Management Program Plan
SWPPP - Stormwater Pollution Prevention Plan
TMDL - Total Maximum Daily Load
UA - Urbanized Area

B. Definitions

Activities - See best management practice

Additionally Designated Areas - EPA required the Department to develop a set of criteria for designating additional MS4 areas as subject to these regulations. The following criteria have been adopted to designate additional MS4s in New York State:

Criteria 1: MS4s discharging to waters for which and EPA-approved TMDL required reduction of a pollutant associated with stormwater beyond what can be achieved with existing programs (and the area is not already covered under automatic designation as UA).

Criteria 2: MS4s contiguous to automatically designated urbanized areas (town lines) that discharge to sensitive waters classified as AA Special (fresh surface waters), AA (fresh surface waters) with filtration avoidance determination or SA (saline surface waters).

Criterion 3: Automatically designated MS4 areas are extended to Town, Village or City boundaries, but only for Town, Village or City implementation of Minimum Control Measures (4) Construction Site Stormwater Runoff Control and (5) Post Construction Stormwater Management in Development and Redevelopment. This additional designation may be waived, by written request to the Department, where the automatically designated area is a small portion of the total area of the Town, Village or City (less than 15 %) and where there is

little or no construction activity in the area outside of the automatically designated area (less than 5 disturbed acres per year).

Best Management Practice - means schedules activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements (if determined necessary by the covered entity), operating procedures, and practices to control runoff, spillage and leaks, sludge or waste disposal, or drainage from areas that could contribute pollutants to stormwater discharges. BMP is referred to in EPA's fact sheets and other materials. BMPs are also referred to as "activities" or "management practices" throughout this *SPDES general permit*.

Better Site Design (BSD) - Better Site Design incorporates non-structural and natural approaches to new and redevelopment projects to reduce impacts on watersheds by conserving natural areas, reducing impervious cover and better integrating stormwater treatment. Better site design is a form of Green Infrastructure and is similar to Low Impact Development (LID). See also Green Infrastructure and Low Impact Development.

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

Covered entity - means the holder of this *SPDES general permit* or an entity required to gain coverage under this *SPDES general permit*. The owner / operator of the small MS4.

Department - means the New York State Department of Environmental Conservation as well as meaning the Department 's designated agent.

Development - period after initial authorization under this *SPDES general permit* when the covered entity creates, designs or develops activities, BMPs, tasks or other measures to include in their SWMP

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

Discharge Authorized by a SPDES Permit - means discharges of wastewater or stormwater from sources listed in the permit, that do not violate ECL Section 17-0501, that are through outfalls listed in the permit, and that are:

1. discharges within permit limitations of pollutants limited in the SPDES permit;

2. discharges within permit limitations of pollutants limited by an indicator limit in the SPDES permit;
3. discharges of pollutants subject to action level requirements in the SPDES permit;
4. discharges of pollutants not explicitly listed in the SPDES permit, but reported in the SPDES permit application record as detected in the discharge or as something the covered entity knows or has reason to believe to be present in the discharge, provided the special conditions section of the applicable SPDES permit does not otherwise forbid such a discharge and provided that such discharge does not exceed, by an amount in excess of normal effluent variability, the level of discharge that may reasonably be expected for that pollutant from information provided in the SPDES permit application record;
5. discharges of pollutants not required to be reported on the appropriate and current New York State SPDES permit application; provided the special conditions section of the permit does not otherwise forbid such a discharge. The Department may, in accordance with law and regulation, modify the permit to include limits for any pollutant even if that pollutant is not required to be reported on the SPDES permit application; or
6. discharges from fire fighting activities; fire hydrant flushings; testing of fire fighting equipment, provided that such equipment is for water only fire suppression; potable water sources including waterline flushings; irrigation drainage; lawn watering; uncontaminated infiltration and inflow; leakage from raw water conveyance systems; routine external building washdown and vehicle washing which does not use detergents or other compounds; pavement washwaters where spills or leaks of toxic or hazardous materials, other than minor and routine releases from motor vehicles, have not occurred (unless such material has been removed) and where detergents are not used; air conditioning and steam condensate; springs; uncontaminated groundwater; and foundation or footing drains where flows are not contaminated with process materials such as solvents provided that the covered entity has implemented an effective plan for minimizing the discharge of pollutants from all of the sources listed in this subparagraph.

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

Green Infrastructure - Green infrastructure approaches essentially infiltrate, evapotranspirate or reuse stormwater, with significant utilization of soils and vegetation rather than traditional hardscape collection, conveyance and storage structures . Common green infrastructure approaches include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, vegetated median strips, reforestation, and protection and enhancement of riparian buffers and floodplains. See also Low Impact Development and Better Site Design.

Groundwater - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the

atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Illicit Discharges - discharges not entirely composed of stormwater into the small MS4, except those identified in Part I.A.2. Examples of illicit discharges are non-permitted sanitary sewage, garage drain effluent, and waste motor oil. However, an illicit discharge could be any other non-permitted discharge which the covered entity or Department has determined to be a substantial contributor of pollutants to the small MS4.

Impaired Water - a water is impaired if it does not meet its designated use(s). For purposes of this permit 'impaired' refers to impaired waters for which TMDLs have been established, for which existing controls such as permits are expected to resolve the impairment, and those needing a TMDL. Impaired waters compilations are also sometimes referred to as 303(d) lists; 303(d) lists generally include only waters for which TMDLs have not yet been developed. States will generally have associated, but separate lists of impaired waters for which TMDLs have already been established.

Implementation - period after development of SWMP, where the covered entity puts into effect the practices, tasks and other activities in their SWMP.

Individual SPDES Permit - means a SPDES permit issued to a single facility in one location in accordance with this Part (as distinguished from a *SPDES general permit*).

Industrial Activity - as defined by the SPDES Multi-Sector General Permit (GP-0-12-001).

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

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

Low Impact Development - is a site design strategy with a goal of maintaining or replicating the predevelopment hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic landscape. Hydrologic functions of storage, infiltration,

and ground water recharge, as well as the volume and frequency of discharges are maintained through the use of integrated and distributed micro scale stormwater retention and detention areas, reduction of impervious surfaces, and the lengthening of flow paths and runoff time. Other strategies include the preservation/protection of environmentally sensitive site features such as riparian buffers, wetlands, steep slopes, valuable (mature) trees, flood plains, woodlands and highly permeable soils. LID principles are based on controlling stormwater at the source by the use of micro scale controls that are distributed throughout the site. This is unlike conventional approaches that typically convey and manage runoff in large facilities located at the base of drainage areas. See also Green Infrastructure and Better Site Design.

Management Practices - See best management practices

Maximum Extent Practicable - is a technology-based standard established by Congress in the Clean Water Act '402(p)(3)(B)(iii). Since no precise definition of MEP exists, it allows for maximum flexibility on the part of MS4 operators as they develop their programs. (40CFR 122.2 See also: Stormwater Phase II Compliance Assistance Guide EPA 833-R-00-002, March 2000). When trying to reduce pollutants to the MEP, there must be a serious attempt to comply, and practical solutions may not be lightly rejected. If a covered entity chooses only a few of the least expensive methods, it is likely that MEP has not been met. On the other hand, if a covered entity employs all applicable BMPs except those where it can be shown that they are not technically feasible in the locality, or whose cost would exceed any benefit to be derived, it would have met the standard. MEP required covered entities to choose effective BMPs, and to reject applicable BMPs only where other effective BMPs will serve the same purpose, the BMPs would not be technically feasible, or the cost would be prohibitive.

Measurable Goals - are the goals of the SWMP that should reflect the needs and characteristics of the covered entity and the areas served by its small MS4. Furthermore, the goals should be chosen using an integrated approach that fully addresses the requirements and intent of the MCM. The assumption is that the program schedules would be created over a 5 year period and goals would be integrated into that time frame. For example, a larger MS4 could do an outfall reconnaissance inventory for 20% of the collection system every year so that every outfall is inspected once within the permit cycle

Municipal / Municipalities - referred to in the federal rule that describes the Phase II stormwater program includes not only the State's municipal governments (cities, towns, villages and counties), but any publicly funded entity that owns or operates a separate storm sewer system. Examples of other public entities that are included in this program include the State Department of Transportation, State University Campuses, federal and State prisons, State and federal hospitals, Thruway and Dormitory Authorities, public housing authorities, school and other special districts.

Municipal Separate Storm Sewer System - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):
1. owned or operated by a State, city, town, village, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA, that discharges to surface waters of the State;
2. designed or used for collecting or conveying stormwater;
3. which is not a combined sewer; and
4. which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

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

Non-traditional MS4s - state and federal prisons, office complexes, hospitals; state: transportation agencies; university campuses, public housing authorities, schools, other special districts.

Open Meetings Law - per Public Officers Law, Article 7, Open Meetings Law, Section 104, Public notice:
1. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy two hours before such meeting.
2. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto.
3. The public notice provided for by this section shall not be construed to require publication as a legal notice.
4. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Operator - the person, persons or legal entity that is responsible for the small MS4, as indicated by signing the NOI to gain coverage for the MS4 under this *SPDES general permit*.

Outfall - is defined as any point where a municipally owned and operated separate storm sewer system discharges to either surface waters of the State or to another MS4. Outfalls

include discharges from pipes, ditches, swales, and other points of concentrated flow. However, areas of non-concentrated (sheet) flow which drain to surface waters of the State or to another MS4's system are not considered outfalls and should not be identified as such on the system map.

Pollutants of Concern - there are POCs that are primary (comprise the majority) sources of stormwater pollutants and others that are secondary (less likely).

- The POCs that are primarily of concern are: nitrogen, phosphorus, silt and sediment, pathogens, flow, and floatables impacting impaired waterbodies listed on the Priority Waterbody List known to come in contact with stormwater that could be discharged to that water body.

- The POCs that are secondarily of concern include but are not limited to petroleum hydrocarbons, heavy metals, and polycyclic aromatic hydrocarbons (PAHs), where stormwater or runoff is listed as the source of this impairment.

- The primary and secondary POCs can also impair waters not on the 303(d) list. Thus, it is important for the covered entity to assess known and potential POCs within the area served by their small MS4. This will allow the covered entity to address POCs appropriate to their MS4.

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

Reporting Date – means the end of the annual reporting period, March 9, as indicated in Part V.C.1.

Retrofit - means modifying or adding to existing infrastructure for the purpose of reducing pollutant loadings. Examples, some of which may not be effective for all pollutants, include:

Better site design approaches such as roof top disconnection, diversion of runoff to infiltration areas, soil de-compaction, riparian buffers, rain gardens, cisterns

Rehabilitation of existing storm sewer system by installation of standard stormwater treatment systems (ponds, wetlands, filtering, infiltration) or proprietary practices

Stabilize dirt roads (gravel, stone, water bar, check dam, diversion)

Conversion of dirt parking lots to pervious pavement, grassed or stone cover

Conversion of dry detention ponds to extended detention or wetland treatment systems

Retrofit by converting abandoned buildings to stormwater treatment systems

Retrofit of abandoned building to open space

Retrofit road ditches to enhance open channel design

Control the downstream effects of runoff from existing paved surfaces resulting in flooding and erosion in receiving waters

Control stream erosion by plunge pool, velocity dissipaters, and flow control devices for discharges from conveyance systems

Upgrade of an existing conveyance system to provide water quality and /or quantity control within the drainage structure

Section 303(d) Listed Waters - Section 303(d) is part of the federal CWA that requires the Department to periodically to prepare a list of all surface waters in the State for which beneficial uses of the water – such as for drinking, recreation, aquatic habitat, and industrial use – are impaired by pollutants. These are water quality-limited estuaries, lakes, and streams that fall short of state surface water quality standards, and are not expected to improve within the next two years. Refer to impaired waters for more information.

Single entity - An entity, formed in accordance with the applicable state and/or local legislation, with a legal authority and capacity (financial, resources, etc...) that gains coverage under the MS4 general permit to implement all or parts of the MS4 program within a jurisdiction on behalf of multiple MS4s in that geographic area.

Small MS4 - MS4 system within an urbanized area or other areas designated by the State.

SPDES general permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 authorizing a category of discharges.

Staff - actual employees of the covered entity or contracted entity.

State - means the State of New York.

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

Stormwater - means that portion of precipitation that, once having fallen to the ground, is in excess of the evaporative or infiltrative capacity of soils, or the retentive capacity of surface features, which flows or will flow off the land by surface runoff to waters of the state.

Stormwater Management Program - the program implemented by the covered entity. Covered entities are required at a minimum to develop, implement and enforce a SWMP designed to address POCs and reduce the discharge of pollutants from the small MS4 to the MEP, to protect water quality, and to satisfy the appropriate water quality requirements of the *ECL* and Clean Water Act. The SWMP must address the MCM described in Part VIII.

The *SWMP* needs to include *measurable goals* for each of the *BMP*s. The measurable goals will help the covered entities assess the status and progress of their program. The SWMP should:

1. describe the BMP / measureable goal;
2. identify time lines / schedules and milestones for development and implementation;
3. include quantifiable goals to assess progress over time; and
4. describe how the covered entity will address POCs.

Guidance on developing SWMPs is available from the Department on its website. Examples of successful SWMPs and suggested measurable goals are also provided in EPA's Menu of BMPs available from its website. Note that this information is for guidance purposes only. An MS4 may choose to develop or implement equivalent methods equivalent to those made available by the Department and EPA to demonstrate compliance with the MCMs.

When creating the *SWMP*, the *covered entities s*hould assess activities already being performed that could help meet, or be modified to meet, permit requirements and be included in the *SWMP*. *Covered entities* can create their *SWMP* individually, with a group of other individual *covered entities* or a coalition of *covered entities*, or through the work of a third party entity.

Stormwater Management Program Plan- used by the covered entity to document developed, planned and implemented SWMP elements. The *SWMP plan* must describe how pollutants in stormwater runoff will be controlled. For previously unauthorized *small MS4s* seeking coverage, information included in the NOI should be obtained from the *SWMP plan*.

The *SWMP plan* is a separate document from the NOI and should not be submitted with the NOI or any annual reports unless requested.

The *SWMP plan* should include a detailed written explanation of all management practices, activities and other techniques the covered entity has developed, planned and implemented for their SWMP to address POCs and reduce pollutant discharges from their small MS4 to the MEP. The *SWMP plan* shall be revised to incorporate any new or modified *BMP*s or *measurable goals*.

Covered entities can create their *SWMP plan* individually, with a group of other individual *covered entities* or a coalition of *covered entities*, or through the work of a third party entity.

Documents to include are: applicable local laws, inter-municipal agreements and other legal authorities; staffing and staff development programs and organization charts; program budget; policy, procedures, and materials for each minimum measure; outfall and small MS4 system maps; stormwater management practice selection and measurable goals; operation and maintenance schedules; documentation of public outreach efforts and public comments; submitted construction site SWPPPs and review letters and construction site inspection reports.

The *SWMP plan* shall be made readily available to the covered entity's staff and to the public and regulators, such as *Department* and EPA staff. Portions of the *SWMP plan*, primarily policies and procedures, must be available to the management and staff of a *covered entity* that will be called upon to use them. For example, the technical standards and associated technical assistance documents and manuals for stormwater controls should be available to code enforcement officers, review engineers and planning boards. The local laws should be readily available to the town board and planning board. An integrated pest management program would have to be available to the parks department and the stormwater outfall and available sewer system mapping and catch basin cleaning schedule would have to be available to the department of public works.

Storm sewershed - the catchment area that drains into the storm sewer system based on the surface topography in the area served by the stormsewer. Adjacent catchment areas that drain to adjacent outfalls are not separate storm sewersheds.

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

Storm sewers are not waters of the state unless they are classified in 6 NYCRR Parts 800 to 941. Nonetheless, a discharge to a storm sewer shall be regulated as a discharge at the point where the storm sewer discharges to waters of the state. Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Act and Environmental Conservation Law (other than cooling ponds as defined in 40 CFR 423.11(m)(see section 750 - 1.24) which also meet the criteria of this definition are not waters of the state. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the State (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

SWPPP - as defined per the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activity or NYS DEC SPDES Multi-Sector General Permit for Stormwater Associated with Industrial Activity .

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

Traditional Land Use Control MS4s - means a city, town or village with land use control authority.

Traditional Non-land Use Control MS4s - means any county agency without land use control.

Urbanized Area - is a land area comprising one or more places (central place(s)) and the adjacent densely settled surrounding area (urban fringe) that together have a residential population of at least 50,000 and an overall population density of at least 1,000 people per square mile, as defined by the US Bureau of Census. Outlines the extent of automatically regulated areas, often do not extend to the political boundaries of a city, town, or village. SWMPs are only required within the UA. However, the Department encourages covered entities to voluntarily extend their SWMP programs at least to the extent of the storm sewershed that flows into the UA or extend further to their entire jurisdiction. For ease of creation and administration of local laws, ordinances or other regulatory mechanisms, these should be created to apply to the full jurisdictional boundary of municipalities.

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

Part XI. RE-OPENER CLAUSE

If there is evidence indicating that the stormwater discharges authorized by this permit cause or have the reasonable potential to cause or contribute to a violation of a water quality standard, the covered entity may be required at the Department 's sole discretion to obtain an individual SPDES permit or an alternative *SPDES general permit* or the permit may be modified. In addition, coverage under this permit could terminate, meaning the discharge must cease.

APPENDICES

APPENDIX 1. LIST OF NYS DEC REGIONAL OFFICES

Region	COVERING THE FOLLOWING COUNTIES:	DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS	DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, PO BOX 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD, PO BOX 220 WARRENSBURG, NY 12885-0220 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVE. BUFFALO, NY 14203-2999 TEL. (716) 851-7070

APPENDIX 2. IMPAIRED SEGMENTS AND PRIMARY POLLUTANTS OF CONCERN

COUNTY	WATERBODY NAME	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	phosphorus
Albany	Basic Creek Reservoir	phosphorus
Bronx	Van Cortlandt Lake	phosphorus
Bronx	Bronx River, Lower	pathogens
Bronx	Bronx River, Lower	floatables
Bronx	Bronx River, Middle, and tribs	pathogens
Bronx	Bronx River, Middle, and tribs	floatables
Bronx	Westchester Creek	floatables
Bronx	Hutchinson River, Lower, and tribs	floatables
Broome	Susquehanna River, Lower, Main Stem	pathogens
Broome	Whitney Point Lake/Reservoir	phosphorus
Broome	Park Creek and tribs	pathogens
Broome	Beaver Lake	phosphorus
Broome	White Birch Lake	phosphorus
Cayuga	Little Sodus Bay	phosphorus
Cayuga	Owasco Lake	pathogens
Cayuga, Tompkins	Owasco Inlet, Upper, and tribs	phosphorus
Chautauqua	Lake Erie (Dunkirk Harbor)	pathogens
Chautauqua	Chadakoin River and tribs	phosphorus
Chautauqua	Chautauqua Lake, South	phosphorus
Chautauqua	Chautauqua Lake, North	phosphorus
Chautauqua	Bear Lake	phosphorus
Chautauqua	Lower Cassadaga Lake	phosphorus
Chautauqua	Middle Cassadaga Lake	phosphorus
Chautauqua	Findley Lake	phosphorus
Chenango	Unadilla River, Lower, Main Stem	pathogens
Clinton	Lake Champlain, Main Lake, North	phosphorus
Clinton	Lake Champlain, Main Lake, Middle	phosphorus
Clinton	Great Chazy River, Lower, Main Stem	silt/sediment
Columbia	Robinson Pond	phosphorus
Columbia	Kinderhook Lake	phosphorus
Delaware	Cannonsville Reservoir	phosphorus
Dutchess	Hillside Lake	phosphorus
Dutchess	Wappinger Lakes	phosphorus
Dutchess	Wappinger Lakes	silt/sediment
Dutchess	Fall Kill and tribs	phosphorus
Dutchess	Rudd Pond	phosphorus
Erie	Ellicott Creek, Lower, and tribs	phosphorus
Erie	Ellicott Creek, Lower, and tribs	silt/sediment
Erie	Ransom Creek, Lower, and tribs	pathogens

COUNTY	WATERBODY NAME	POLLUTANT
Erie	Ransom Creek, Upper, and tribs	pathogens
Erie	Beeman Creek and tribs	phosphorus
Erie	Beeman Creek and tribs	pathogens
Erie	Murder Creek, Lower, and tribs	phosphorus
Erie	Murder Creek, Lower, and tribs	pathogens
Erie	Two Mile Creek and tribs	pathogens
Erie	Two Mile Creek and tribs	floatables
Erie	Scajaquada Creek, Lower, and tribs	floatables
Erie	Scajaquada Creek, Lower, and tribs	pathogens
Erie	South Branch Smoke Cr, Lower, and tribs	phosphorus
Erie	South Branch Smoke Cr, Lower, and tribs	silt/sediment
Erie	Rush Creek and tribs	pathogens
Erie	Rush Creek and tribs	phosphorus
Erie	Little Sister Creek, Lower, and tribs	phosphorus
Erie	Little Sister Creek, Lower, and tribs	pathogens
Essex	Lake Champlain, Main Lake, South	phosphorus
Essex	Lake Champlain, South Lake	phosphorus
Genesee	Tonawanda Creek, Middle, Main Stem	phosphorus
Genesee	Tonawanda Creek, Middle, Main Stem	silt/sediment
Genesee	Tonawanda Creek, Upper, and minor tribs	silt/sediment
Genesee	Bowen Brook and tribs	phosphorus
Genesee	Little Tonawanda Creek, Lower, and tribs	silt/sediment
Genesee	Oak Orchard Cr, Upper, and tribs	phosphorus
Genesee	Black Creek, Upper, and minor tribs	phosphorus
Genesee	Bigelow Creek and tribs	phosphorus
Greene	Schoharie Reservoir	silt/sediment
Greene	Shingle Kill and tribs	pathogens
Greene	Sleepy Hollow Lake	silt/sediment
Herkimer	Unadilla River, Middle, and minor tribs	pathogens
Herkimer	Mohawk River, Main Stem	pathogens
Herkimer	Mohawk River, Main Stem	floatables
Herkimer	Steele Creek tribs	phosphorus
Herkimer	Steele Creek tribs	silt/sediment
Jefferson	Moon Lake	phosphorus
Kings	Coney Island Creek	pathogens
Kings	Coney Island Creek	floatables
Kings	Gowanus Canal	floatables
Kings	Hendrix Creek	nitrogen
Kings	Hendrix Creek	pathogens
Kings	Hendrix Creek	floatables
Kings	Paerdegat Basin	floatables
Kings	Mill Basin and tidal tribs	floatables

COUNTY	WATERBODY NAME	POLLUTANT
Lewis	Beaver River, Lower, and tribs	pathogens
Lewis	Beaver River, Lower, and tribs	floatables
Lewis	Mill Creek/South Branch, and tribs	phosphorus
Lewis	Mill Creek/South Branch, and tribs	pathogens
Livingston	Conesus Lake	phosphorus
Livingston	Jaycox Creek and tribs	phosphorus
Livingston	Jaycox Creek and tribs	silt/sediment
Livingston	Mill Creek and minor tribs	silt/sediment
Madison	Canastota Creek, Lower, and tribs	pathogens
Monroe	Rochester Embayment - West	pathogens
Monroe	Mill Creek and tribs	phosphorus
Monroe	Mill Creek and tribs	pathogens
Monroe	Shipbuilders Creek and tribs	phosphorus
Monroe	Shipbuilders Creek and tribs	pathogens
Monroe	Minor Tribs to Irondequoit Bay	phosphorus
Monroe	Minor Tribs to Irondequoit Bay	pathogens
Monroe	Thomas Creek/White Brook and tribs	phosphorus
Monroe	Buck Pond	phosphorus
Monroe	Long Pond	phosphorus
Monroe	Cranberry Pond	phosphorus
Monroe	Genesee River, Lower, Main Stem	phosphorus
Monroe	Genesee River, Lower, Main Stem	pathogens
Monroe	Genesee River, Lower, Main Stem	silt/sediment
Monroe	Genesee River, Middle, Main Stem	phosphorus
Monroe	Black Creek, Lower, and minor tribs	phosphorus
Nassau	Long Island Sound, Nassau County	pathogens
Nassau	Long Island Sound, Nassau County	nitrogen
Nassau	Manhasset Bay, and tidal tribs	pathogens
Nassau	Manhasset Bay, and tidal tribs	pathogens
Nassau	Hempstead Harbor, south, and tidal tribs	pathogens
Nassau	Glen Cove Creek, Lower, and tribs	pathogens
Nassau	Glen Cove Creek, Lower, and tribs	silt/sediment
Nassau	Dosoris Pond	pathogens
Nassau	Mill Neck Creek and tidal tribs	pathogens
Nassau	South Oyster Bay	pathogens
Nassau	East Bay	pathogens
Nassau	LI Tribs (fresh) to East Bay	phosphorus
Nassau	LI Tribs (fresh) to East Bay	silt/sediment
Nassau	Middle Bay	pathogens
Nassau	East Rockaway Inlet	pathogens
Nassau	Reynolds Channel, east	pathogens
Nassau	East Meadow Brook, Upper, and tribs	silt/sediment

COUNTY	WATERBODY NAME	POLLUTANT
Nassau	Hempstead Bay	Nitrogen
Nassau	Hempstead Bay	pathogens
Nassau	Hempstead Lake	phosphorus
Nassau	Grant Park Pond	phosphorus
Nassau	Woodmere Channel	pathogens
New York	East River, Lower	floatables
New York	Harlem River	floatables
Niagara	Bergholtz Creek and tribs	phosphorus
Niagara	Bergholtz Creek and tribs	pathogens
Oneida	Utica Harbor	pathogens
Oneida	Utica Harbor	floatables
Oneida	Mohawk River, Main Stem	pathogens
Oneida	Mohawk River, Main Stem	floatables
Oneida	Mohawk River, Main Stem	pathogens
Oneida	Mohawk River, Main Stem	floatables
Oneida	Ballou, Nail Creeks and tribs	phosphorus
Oneida	Ninemile Creek, Lower, and tribs	pathogens
Onondaga	Limestone Creek, Lower, and minor tribs	pathogens
Onondaga	Seneca River, Lower, Main Stem	pathogens
Onondaga	Onondaga Lake, northern end	phosphorus
Onondaga	Onondaga Lake, southern end	pathogens
Onondaga	Onondaga Lake, southern end	phosphorus
Onondaga	Minor Tribs to Onondaga Lake	phosphorus
Onondaga	Minor Tribs to Onondaga Lake	pathogens
Onondaga	Bloody Brook and tribs	pathogens
Onondaga	Ley Creek and tribs	pathogens
Onondaga	Ley Creek and tribs	phosphorus
Onondaga	Onondaga Creek, Lower, and tribs	phosphorus
Onondaga	Onondaga Creek, Lower, and tribs	pathogens
Onondaga	Onondaga Creek, Middle, and tribs	silt/sediment
Onondaga	Onondaga Creek, Middle, and tribs	phosphorus
Onondaga	Onondaga Creek, Middle, and tribs	pathogens
Onondaga	Onondaga Creek, Upper, and minor tribs	silt/sediment
Onondaga	Harbor Brook, Lower, and tribs	phosphorus
Onondaga	Harbor Brook, Lower, and tribs	pathogens
Onondaga	Ninemile Creek, Lower, and tribs	phosphorus
Onondaga	Ninemile Creek, Lower, and tribs	pathogens
Ontario	Hemlock Lake Outlet and minor tribs	phosphorus
Ontario	Hemlock Lake Outlet and minor tribs	pathogens
Ontario	Honeoye Lake	phosphorus
Ontario	Great Brook and minor tribs	phosphorus
Ontario	Great Brook and minor tribs	silt/sediment

COUNTY	WATERBODY NAME	POLLUTANT
Orange	Greenwood Lake	phosphorus
Oswego	Lake Neatahwanta	phosphorus
Otsego	Susquehanna River, Main Stem	pathogens
Putnam	Croton Falls Reservoir	phosphorus
Putnam	West Branch Reservoir	phosphorus
Putnam	Boyd Corners Reservoir	phosphorus
Putnam	Middle Branch Reservoir	phosphorus
Putnam	Lake Carmel	phosphorus
Putnam	Diverting Reservoir	phosphorus
Putnam	East Branch Reservoir	phosphorus
Putnam	Bog Brook Reservoir	phosphorus
Putnam	Oscawana Lake	phosphorus
Queens	Newtown Creek and tidal tribs	floatables
Queens	East River, Upper	floatables
Queens	East River, Upper	floatables
Queens	Flushing Creek/Bay	nitrogen
Queens	Flushing Creek/Bay	floatables
Queens	Little Neck Bay	pathogens
Queens	Alley Creek/Little Neck Bay Trib	floatables
Queens	Jamaica Bay, Eastern, and tribs	nitrogen
Queens	Jamaica Bay, Eastern, and tribs	pathogens
Queens	Jamaica Bay, Eastern, and tribs	floatables
Queens	Thurston Basin	floatables
Queens	Bergen Basin	Nitrogen
Queens	Bergen Basin	pathogens
Queens	Bergen Basin	floatables
Queens	Shellbank Basin	nitrogen
Queens	Spring Creek and tribs	pathogens
Queens	Spring Creek and tribs	floatables
Rensselaer	Snyders Lake	phosphorus
Richmond	Raritan Bay (Class SA)	pathogens
Richmond	Arthur Kill (Class I) and minor tribs	floatables
Richmond	Newark Bay	floatables
Richmond	Kill Van Kull	floatables
Richmond	Grasmere, Arbutus and Wolfes Lakes	phosphorus
Saratoga	Dwaas Kill and tribs	Phosphorus
Saratoga	Dwaas Kill and tribs	silt/sediment
Saratoga	Schuyler Creek and tribs	phosphorus
Saratoga	Schuyler Creek and tribs	pathogens
Saratoga	Lake Lonely	phosphorus
Saratoga	Tribs to Lake Lonely	Phosphorus
Saratoga	Tribs to Lake Lonely	pathogens

COUNTY	WATERBODY NAME	POLLUTANT
Schenectady	Collins Lake	phosphorus
Schoharie	Cobleskill Creek, Lower, and tribs	pathogens
Schoharie	Engleville Pond	phosphorus
Schoharie	Summit Lake	phosphorus
St. Lawrence	Black Lake Outlet/Black Lake	phosphorus
Steuben	Lake Salubria	phosphorus
Steuben	Smith Pond	phosphorus
Suffolk	Millers Pond	phosphorus
Suffolk	Stony Brook Harbor and West Meadow	pathogens
Suffolk	Port Jefferson Harbor, North, and tribs	pathogens
Suffolk	Conscience Bay and tidal tribs	pathogens
Suffolk	Beach/Island Ponds, Fishers Island	pathogens
Suffolk	Dering Harbor	pathogens
Suffolk	Tidal Tribs to Gr Peconic Bay, Northshr	pathogens
Suffolk	Mattituck (Marratooka) Pond	phosphorus
Suffolk	Mattituck (Marratooka) Pond	pathogens
Suffolk	Flanders Bay, West/Lower Sawmill	nitrogen
Suffolk	Meetinghouse/Terrys Creeks and tribs	nitrogen
Suffolk	Meetinghouse/Terrys Creeks and tribs	pathogens
Suffolk	Peconic River, Lower, and tidal tribs	nitrogen
Suffolk	Peconic River, Lower, and tidal tribs	pathogens
Suffolk	Scallop Pond	pathogens
Suffolk	Oyster Pond/Lake Munchogue	pathogens
Suffolk	Phillips Creek, Lower, and tidal tribs	pathogens
Suffolk	Quogue Canal	pathogens
Suffolk	Forge River, Lower and Cove	pathogens
Suffolk	Tidal tribs to West Moriches Bay	Nitrogen
Suffolk	Tidal tribs to West Moriches Bay	pathogens
Suffolk	Canaan Lake	silt/sediment
Suffolk	Canaan Lake	phosphorus
Suffolk	Nicoll Bay	pathogens
Suffolk	Lake Ronkonkoma	phosphorus
Suffolk	Lake Ronkonkoma	pathogens
Suffolk	Great Cove	pathogens
Tompkins	Cayuga Lake, Southern End	phosphorus
Tompkins	Cayuga Lake, Southern End	silt/sediment
Tompkins	Cayuga Lake, Southern End	pathogens
Ulster	Ashokan Reservoir	silt/sediment
Ulster	Esopus Creek, Upper, and minor tribs	silt/sediment
Warren	Lake George	silt/sediment
Warren	Tribs to L.George, Village of L George	silt/sediment
Warren	Huddle/Finkle Brooks and tribs	silt/sediment

COUNTY	WATERBODY NAME	POLLUTANT
Warren	Indian Brook and tribs	silt/sediment
Warren	Hague Brook and tribs	silt/sediment
Washington	Lake Champlain, South Bay	phosphorus
Washington	Tribs to L.George, East Shore	silt/sediment
Washington	Cossayuna Lake	phosphorus
Wayne	Blind Sodus Bay	phosphorus
Wayne	Port Bay	phosphorus
Westchester	Saw Mill River, Lower, and tribs	floatables
Westchester	New Croton Reservoir	phosphorus
Westchester	Upper New Croton/Muscoot Reservoir	phosphorus
Westchester	Amawalk Reservoir	phosphorus
Westchester	Lake Lincolndale	phosphorus
Westchester	Peach Lake	pathogens
Westchester	Peach Lake	phosphorus
Westchester	Titicus Reservoir	phosphorus
Westchester	Cross River Reservoir	phosphorus
Westchester	Lake Meahaugh	phosphorus
Westchester	Bronx River, Upper, and tribs	pathogens
Westchester	New Rochelle Harbor	pathogens
Westchester	New Rochelle Harbor	floatables
Westchester	Long Island Sound, Westchester Co	pathogens
Westchester	Long Island Sound, Westchester Co	nitrogen
Westchester	Larchmont Harbor	pathogens
Westchester	Larchmont Harbor	floatables
Westchester	Hutchinson River, Middle, and tribs	pathogens
Westchester	Mamaroneck Harbor	pathogens
Westchester	Mamaroneck Harbor	floatables
Westchester	Mamaroneck River, Lower	silt/sediment
Westchester	Mamaroneck River, Upper, and minor	silt/sediment
Westchester	Sheldrake River and tribs	phosphorus
Westchester	Sheldrake River and tribs	silt/sediment
Westchester	Milton Harbor	pathogens
Westchester	Milton Harbor	floatables
Westchester	Blind Brook, Lower	silt/sediment
Westchester	Blind Brook, Upper, and tribs	silt/sediment
Westchester	Port Chester Harbor	pathogens
Westchester	Port Chester Harbor	floatables
Westchester	Byram River, Lower	pathogens
Wyoming	Java Lake	phosphorus
Wyoming	Silver Lake	phosphorus

APPENDIX 2 (CONTINUED)
IMPAIRED SEGMENTS AND SECONDARY POLLUTANTS OF CONCERN

COUNTY	WATERBODY	POLLUTANT
Oneida	Mohawk River, Main Stem	Copper
Westchester	Hutchinson River, Middle and tribs	Oil and Grease

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

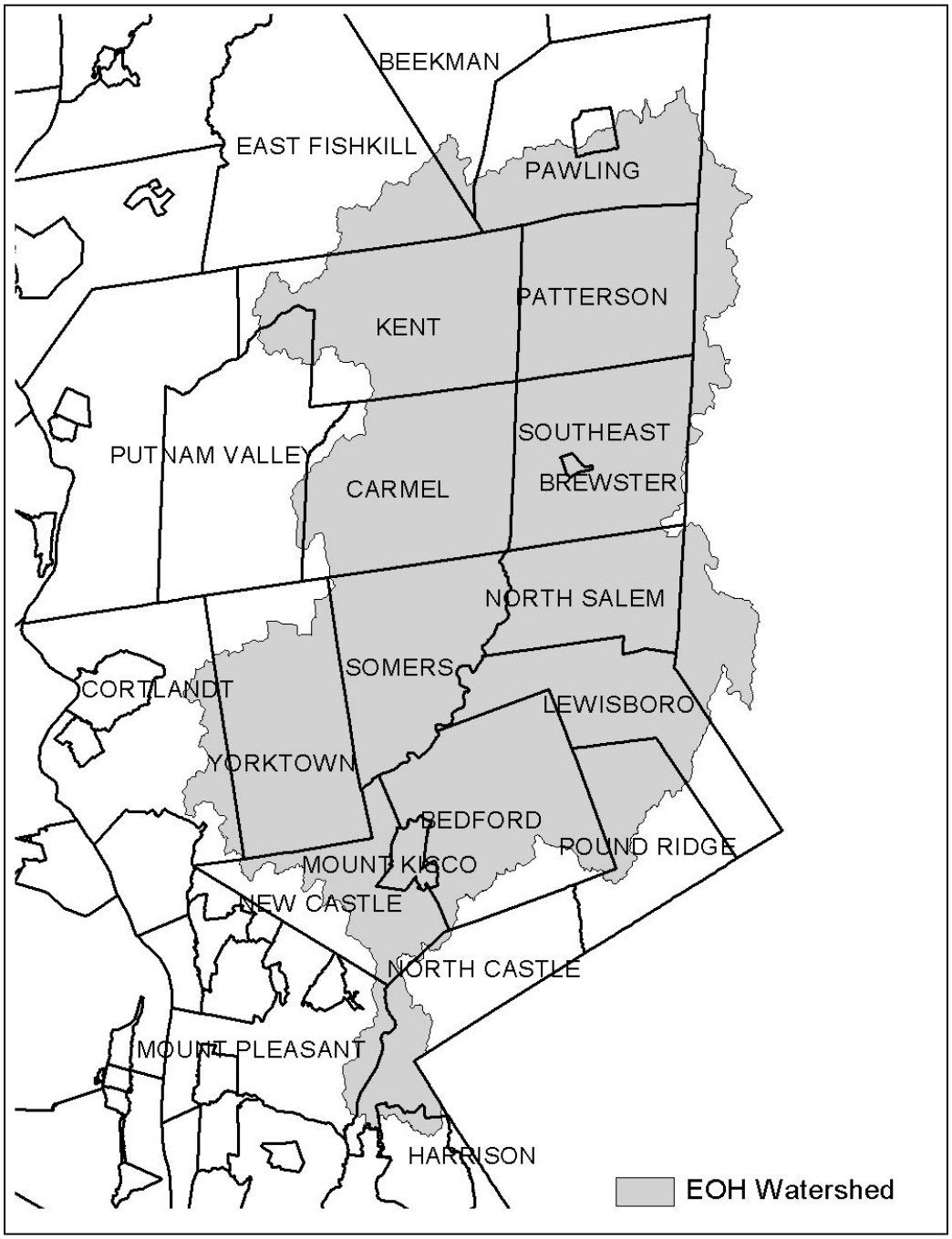

Figure 1. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 4. ONONDAGA LAKE WATERSHED MAP

Figure 2. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 5. GREENWOOD LAKE WATERSHED MAP

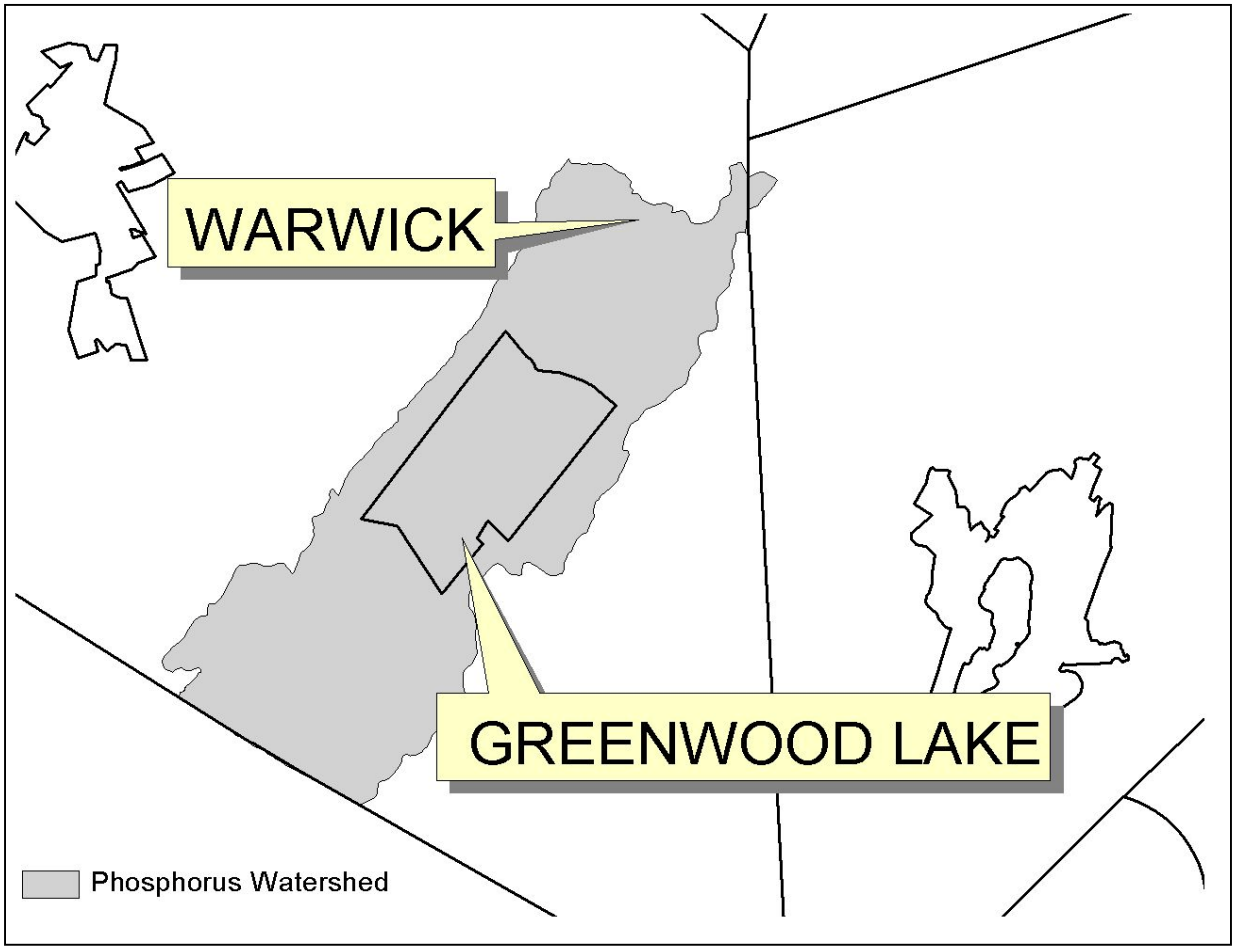

Figure 3. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 6. OYSTER BAY WATERSHED MAP

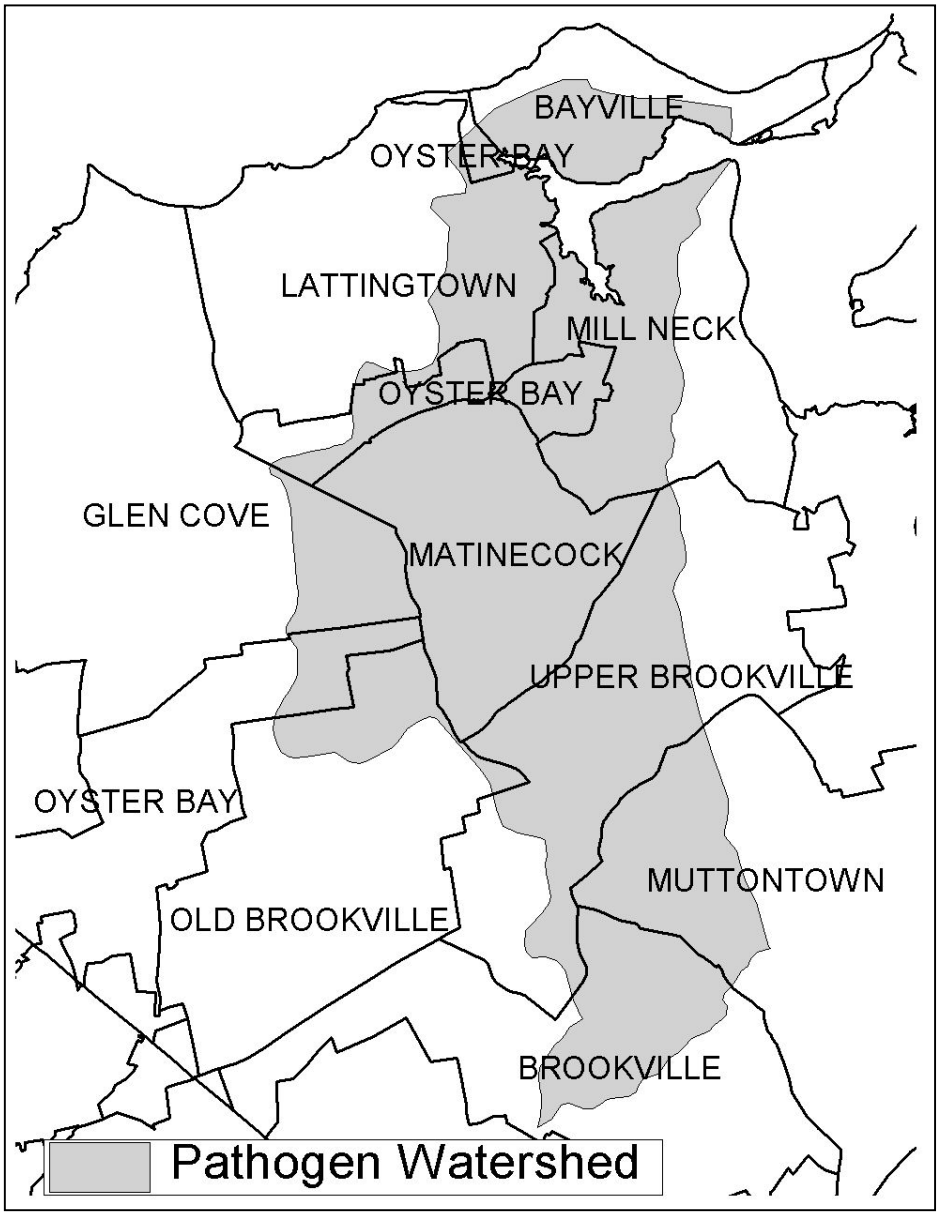

Figure 4. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

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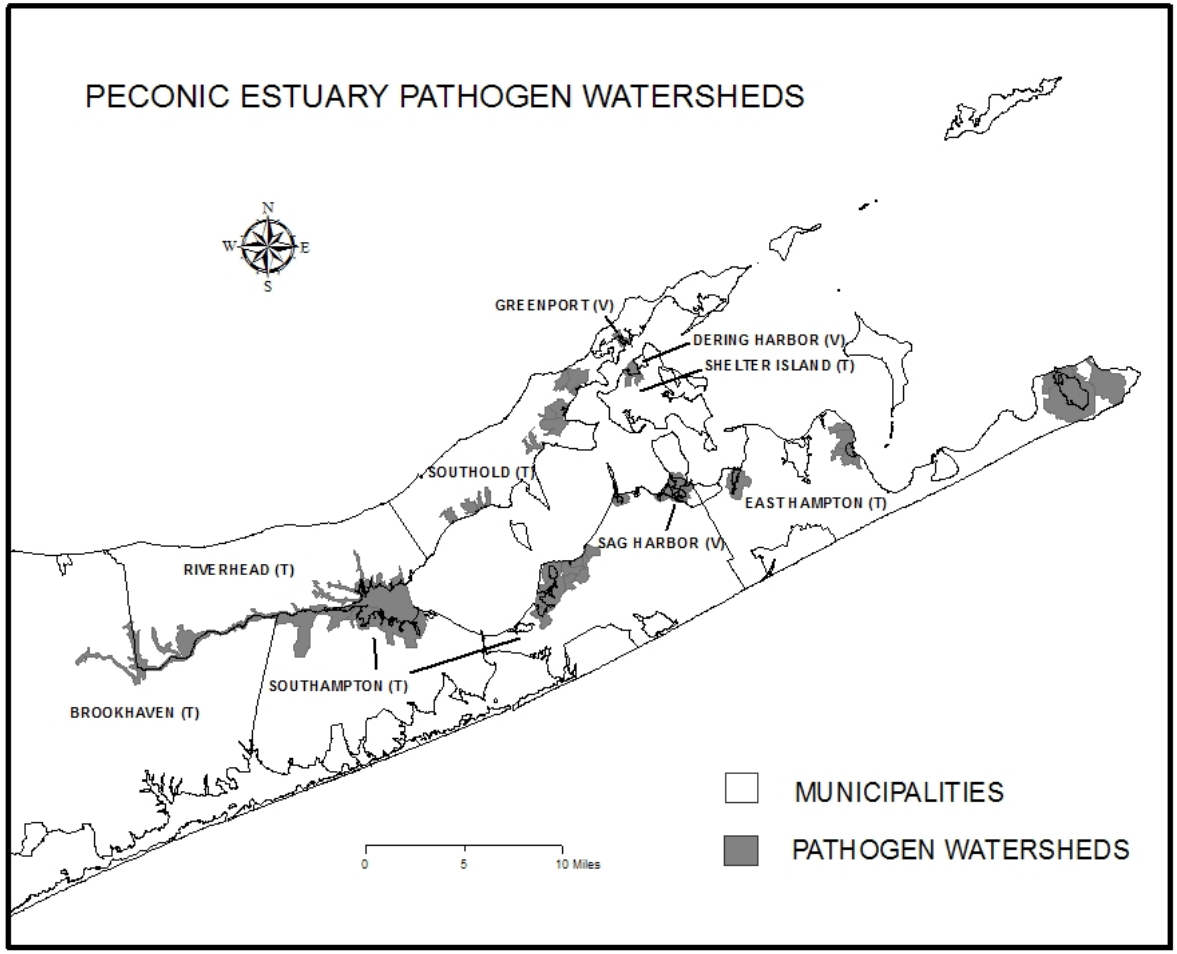

Figure 5. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 8. PECONIC ESTUARY NITROGEN WATERSHED MAP

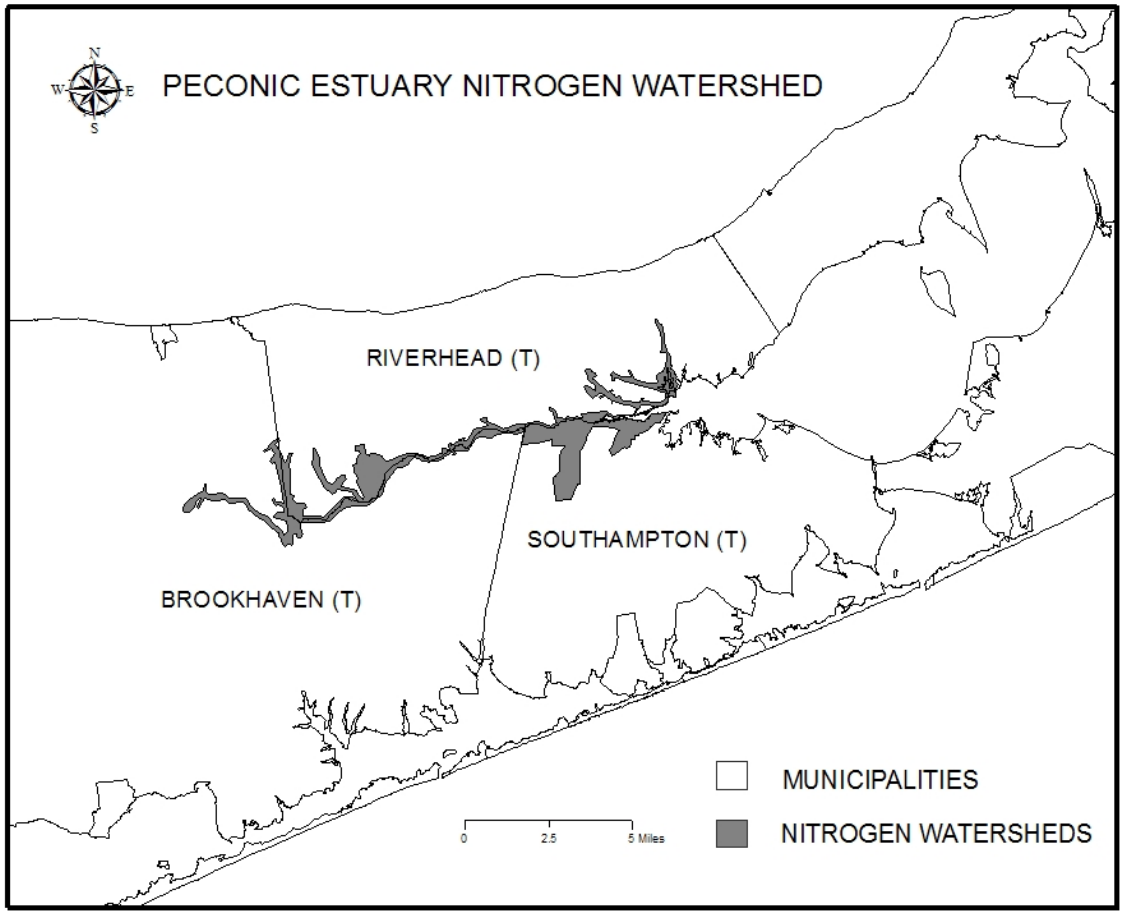

Figure 6. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX 9. THE 27 LONG ISLAND SHELLFISHING IMAPIRED EMBAYMENT MAP

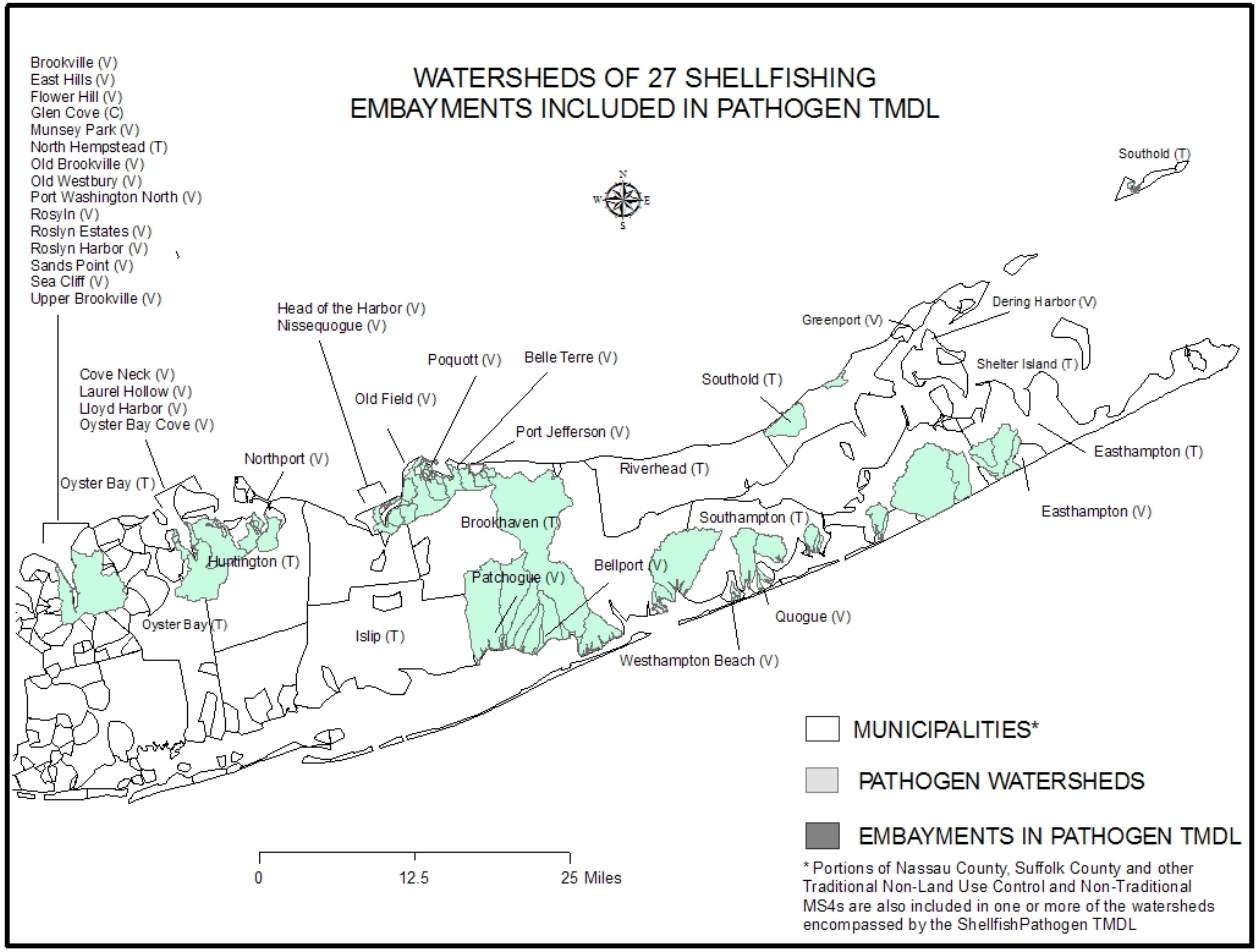

Figure 7. The requirements of watershed improvement strategies apply to the sewersheds within the shaded areas.

APPENDIX B

NYS DEC SPDES GENERAL PERMIT FOR STORMEWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES
PERMIT NO. GP-0-15-002

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

From

CONSTRUCTION ACTIVITY

Permit No. GP-0-15-002

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

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

John J. Ferguson
Chief Permit Administrator

1 / 12 / 15

Authorized Signature Date

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

PREFACE

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

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

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

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

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

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

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(Part I)

Part I. PERMIT COVERAGE AND LIMITATIONS

A. Permit Application

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

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

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

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

B. Effluent Limitations Applicable to Discharges from Construction Activities

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Wastewater from washout of concrete;

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

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

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

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

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

at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

D. Maintaining Water Quality

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

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

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

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

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

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

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

E. Eligibility Under This General Permit

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

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

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

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

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

All of the following are **<u>not</u>** authorized by this permit:

(Part I.F)

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

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

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

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

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

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

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

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

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

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

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

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

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

(Part I.F.8)

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

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

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

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

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

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

(iii) Executed Memorandum of Agreement, or

d. Documentation that:

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

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

II. Part II. OBTAINING PERMIT COVERAGE

A. Notice of Intent (NOI) Submittal

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

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

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

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

(Part II.A.2)

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

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

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

B. Permit Authorization

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

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

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

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

   c. the final SWPPP has been prepared, and

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

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

(Part II.B.3)

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

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

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

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

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

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

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

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

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

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

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

C. General Requirements For Owners or Operators With Permit Coverage

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

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

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

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

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

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

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

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

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

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

(Part II.D)

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

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

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

E. Change of *Owner or Operator*

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

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

(Part III)

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

A. General SWPPP Requirements

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

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

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

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

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

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

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

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

(Part III.A.5)

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

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

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

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

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

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

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

B. Required SWPPP Contents

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

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

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

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

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

activity at the site that results in soil disturbance;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

   c. A Stormwater Modeling and Analysis Report that includes:

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

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

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

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

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

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

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

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

e. Infiltration test results, when required; and

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

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

C. Required SWPPP Components by Project Type

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

IV. Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

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

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

B. Contractor Maintenance Inspection Requirements

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

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

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

C. Qualified Inspector Inspection Requirements

(Part IV.C)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. Date and time of inspection;

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

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

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

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

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

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

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

(Part IV.C.4.i)

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

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

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

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

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

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

V. Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

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

(Part V.A.2)

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

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

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

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

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

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

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

(Part V.A.5)

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

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

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

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

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

VI. Part VI. REPORTING AND RETENTION OF RECORDS

A. Record Retention

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

B. Addresses

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

VII. Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

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

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

B. Continuation of the Expired General Permit

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

C. Enforcement

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

D. Need to Halt or Reduce Activity Not a Defense

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

E. Duty to Mitigate

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

F. Duty to Provide Information

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

G. Other Information

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

H. Signatory Requirements

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

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

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

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

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

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

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

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

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

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

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

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

individual or any individual occupying a named position) and,

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

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

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

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

I. Property Rights

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

J. Severability

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

K. Requirement to Obtain Coverage Under an Alternative Permit

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

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

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

L. Proper Operation and Maintenance

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

M. Inspection and Entry

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

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

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

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

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

N. Permit Actions

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

O. Definitions

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

P. Re-Opener Clause

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

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

Q. Penalties for Falsification of Forms and Reports

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

R. Other Permits

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

VIII. **APPENDIX A**

Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

New Development – means any land disturbance that does meet the definition of Redevelopment Activity included in this appendix.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IX. APPENDIX B

Required SWPPP Components by Project Type

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

The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres: • Single family home not located in one of the watersheds listed in Appendix C or not *directly discharging* to one of the 303(d) segments listed in Appendix E • Single family residential subdivisions with 25% or less impervious cover at total site build-out and not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E • Construction of a barn or other agricultural building, silo, stock yard or pen.
The following construction activities that involve soil disturbances of one (1) or more acres of land: • Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains • Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects • Bike paths and trails • Sidewalk construction projects that are not part of a road/ highway construction or reconstruction project • Slope stabilization projects • Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics • Spoil areas that will be covered with vegetation • Land clearing and grading for the purposes of creating vegetated open space (i.e. recreational parks, lawns, meadows, fields), excluding projects that *alter hydrology from pre to post development* conditions • Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions • Demolition project where vegetation will be established and no redevelopment is planned • Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover* • Structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State", excluding projects that involve soil disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area
The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land: • All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

Table 2

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

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

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

X. APPENDIX C

Watersheds Where Enhanced Phosphorus Removal Standards Are Required

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

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

Figure 1 - New York City Watershed East of the Hudson

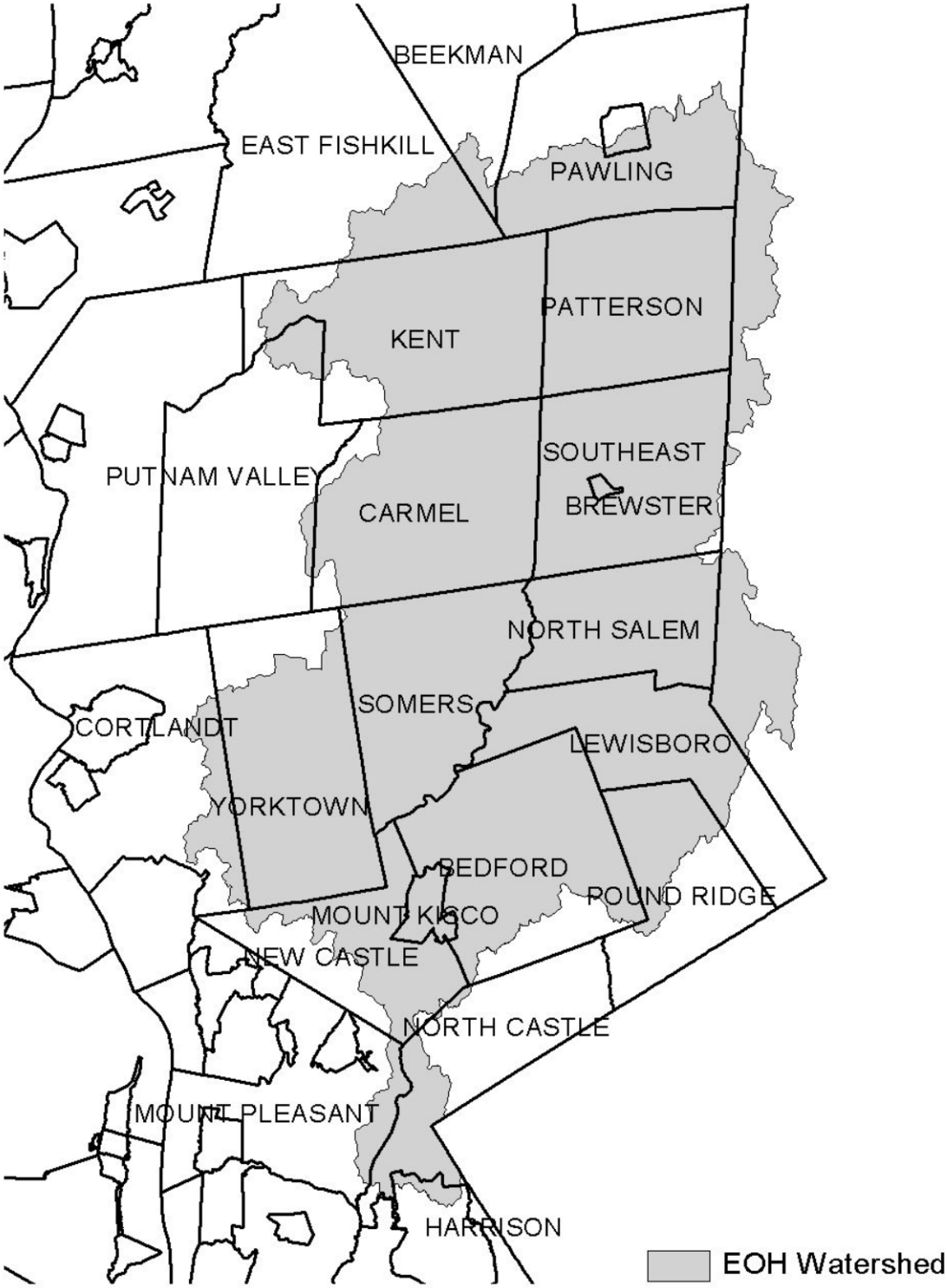


Figure 2 - Onondaga Lake Watershed

Figure 3 - Greenwood Lake Watershed

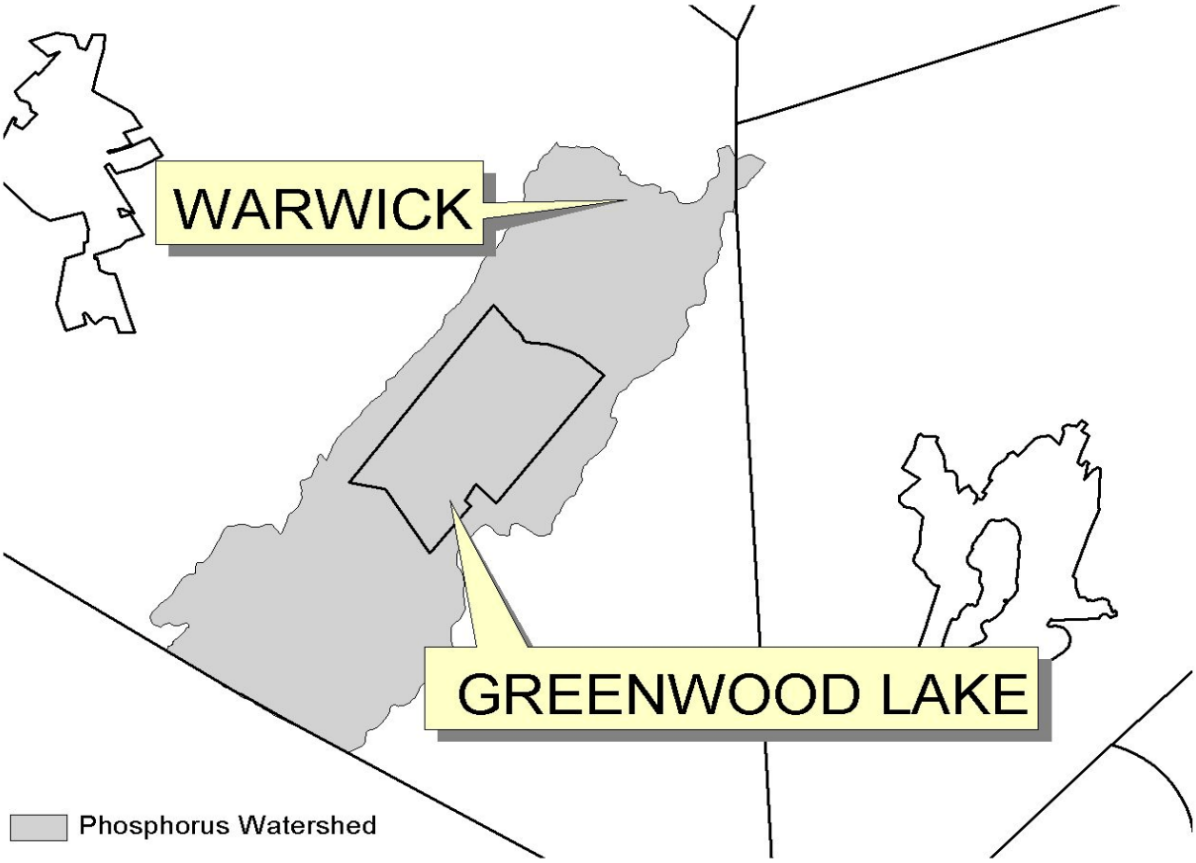


Figure 4 - Oscawana Lake Watershed

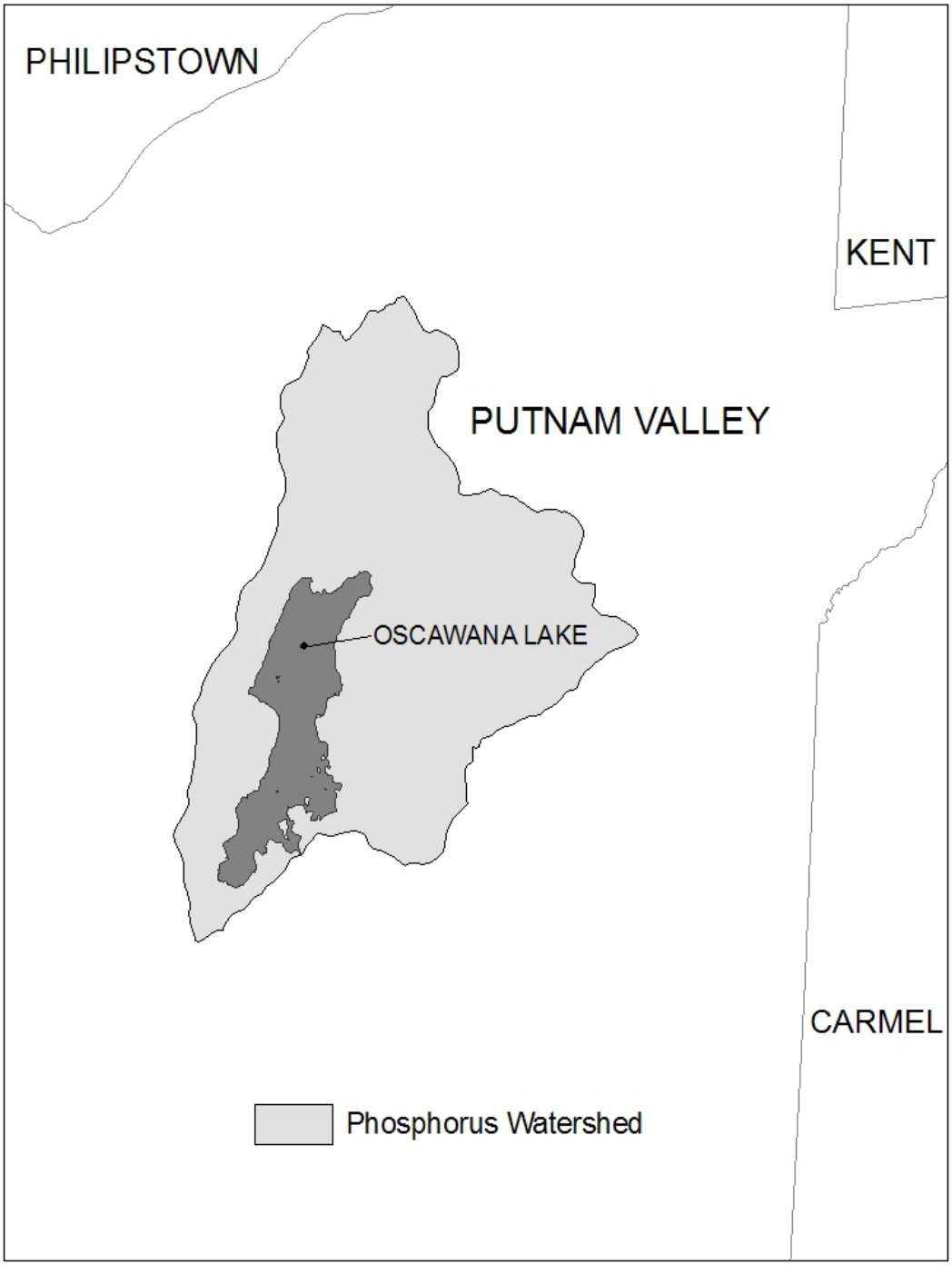
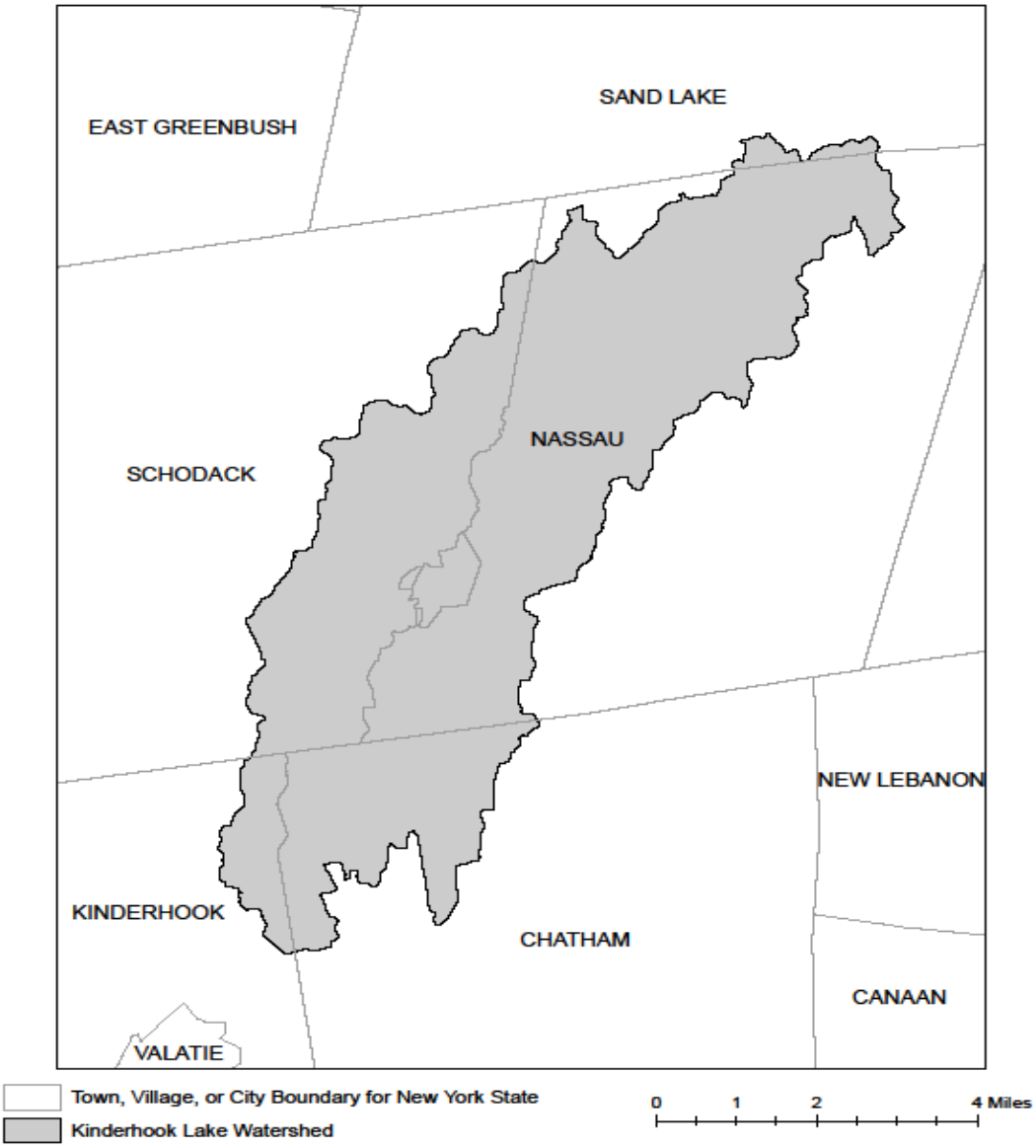


Figure 5: Kinderhook Lake Watershed



XI. APPENDIX D

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

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

XII. APPENDIX E

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

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

APPENDIX E

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

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

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

XIII. APPENDIX F

LIST OF NYS DEC REGIONAL OFFICES

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

APPENDIX C

TOWN EDUCATIONAL

PAMPHLETS

POSTERS

MAILERS

REMEMBER Not Only Does Fertilizer Accelerate Grass Growth…

Fertilize Responsibly: Fertilizer isn't a problem if it's used carefully. If you use too much fertilizer or apply it at the wrong time, it can easily wash off your lawn or garden into storm drains and then flow untreated into ponds or bays. Just like in your garden, fertilizer in ponds and bays makes plants grow. In water bodies, extra fertilizer can mean extra algae and aquatic plant growth. Too much algae harms water quality and makes boating, fishing and swimming unpleasant. As algae decay, they use up oxygen in the water that fish and other wildlife need to survive.

… It Also Accelerates the Growth of **Unwanted** Algae in Our Water Bodies.

How You Can Help:

- Use fertilizers sparingly. Many plants do not need as much fertilizer or need it as often as you might think.
- Don't fertilize before a rain storm.
- Consider using organic fertilizers; they release nutrients more slowly.
- Use commercially available compost or make your own using garden waste. Mixing compost with your soil means your plants will need less chemical fertilizer and puts your waste to good use. Commercial compost and soil amendments may be available from your solid waste or wastewater utility as well as your local garden store.
- For more information please call the Cornell Cooperative Extension's Horticulture Information Line: (631) 727-4126

TOWN OF SOUTHAMPTON
STORMWATER MANAGEMENT DIVISION
Ph: (631) 702-1758 Stormwater@southamptontownny.gov

PERFORM REGULAR MAINTENANCE ON YOUR VEHICLES, BOATS AND RV'S.
Proactively look for leaks or other malfunctions which could leave puddles of potential pollutants below the vehicle.

BE CONSCIOUS OF YOUR LAWN MAINTENANCE ACTIVITIES,
if possible try to reduce the quantity of fertilizers that you utilize and adhere to the directions provided by the manufacturer. Reduce the amount of irrigation you need to keep vegetation vibrant by utilizing native plant species.

MAINTAIN NATURAL BUFFERS ON YOUR PROPERTY.
Excessive asphalt/concrete reduces the amount of stormwater that can effectively infiltrate your yard.

TAKE ADVANTAGE OF NATURAL PEST MANAGEMENT
on your property such as marigolds and Purple Martins. These offer good deterrents for certain pests without using chemical based pesticides.

WASH YOUR VEHICLE IN A GRASSY AREA,
this will allow the sediment which has accumulated on your vehicle to drop into the lawn and remain there as wash water infiltrates the ground as opposed to our water bodies.

KNOW YOUR SANITARY SYSTEM,
If you are in a high ground area, consider an upgrade to your septic system that would reduce the amount of nitrogen in the effluent which can, over time make its way into either the aquifer or surface water bodies.

IF YOU SEE SOMETHING, SAY SOMETHING.
If you see someone dumping anything into a Town drainage system or a body of water that does not look right, call the Town Code Enforcement Department at 631-702-1700 or log a violation at www.southamptontownny.gov/Code-Enforcement

TOWN OF SOUTHAMPTON
Town Council Office
116 Hampton Rd. | Southampton, NY 11968

WHAT CAN YOU DO TO PROTECT OUR LOCAL WATERWAY!

STORMWATER EDUCATION

The Town of Southampton includes and is surrounded by an abundance of high quality natural water bodies that provide both the Town and Island residents with potable drinking water.

In maintaining the Town's long history of being stewards of the Environment, we wanted to reach out to the residents within the Town and share some helpful tips for everyday life that will collectively result in keeping our water bodies clean for the years to come.

Within the Town we have a few pollutants of concern (POC) that are responsibly for degrading our water quality. The main POC's within our Town include nitrogen, phosphorus and pathogens. These POC's enter into our water bodies in a variety of different ways including sanitary discharges into both the ground and waterway, stormwater runoff or by intentional illegal release.

The primary objective is to keep stormwater clean and free of contaminates as it makes its way into our storm drains and water bodies alike. You can actively help us reach this goal by implementing some of the following best management practices.

Water Quality...Potential Sources of Pollution

What is water quality? To most students, water quality may suggest only "clean" water for drinking, swimming, and fishing. But to the farmer or manufacturer, water quality may have an entirely different meaning. One of the most important issues concerning the quality of water is how that water will be used. Water that is perfectly fine for irrigation might not be suitable for drinking or swimming.

The quality of water can change as it flows over the land surface as rivers, streams, lakes, or ponds (surface water), or under the land surface (ground water). Because surface and ground waters are interconnected in some areas, changes in the quality of surface water can affect the quality of the area's ground water, and vice versa. These changes in water quality may be due to natural factors or human activities.

As rock minerals come in contact with water, some dissolve and become part of the surface- or ground-water system. Other natural materials, such as soil or organic matter, become suspended in the water and move from one place to another. The effects of human activities on water may result from land disturbances, which increase the amount of rock minerals, soils, or organic matter available to be transported by and dissolved in water, or from the addition of human-made pollutants. When water is degraded to a point that affects its use for a particular purpose, it has become polluted.

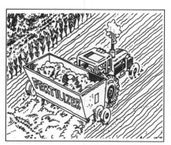
Water pollution originates from two very different sources: point sources and nonpoint sources. This poster depicts human activities associated with point sources (labeled in yellow) and nonpoint sources (labeled in red). Also displayed is the movement of pollutants from their sources to surface and ground waters. The stream flowing from the mountains on the left-hand side of the poster represents clean water not affected by human activities. The river on the left-hand side of the poster receives pollutants from point sources (wastewater-treatment plant, storm drain, and factory). The quantities of pollutants entering this river are reduced as a result of pollution-control measures. The river on the right-hand side of the poster receives pollutants from many nonpoint sources (suburban lawn, parking lot, construction site, landfill, logging area, septic tank, and agricultural field). This river receives large amounts of pollution because there are no pollution controls. The bottom part of the poster displays the movement of water between streams and the underlying aquifer.

The poster is folded into 8.5" x 11" panels; the front and back sides can easily be photocopied.

Point-Source Pollution

Pollution contributed to water from a discrete source, such as a pipe, ditch, tunnel, or well, are referred to as point sources. Generally, pollution from point sources are controlled to some degree by treatment technology. Municipal wastewater-treatment plants are one of the most common examples of treatment of point sources. While a municipal wastewater-treatment plant might receive water from many sources, it discharges into a water body at a single point.

Nonpoint-Source Pollution



Nonpoint source means that the pollution comes from a broad area, such as a large field that has been covered with fertilizer or pesticides. Excessive application of fertilizer or pesticides on agricultural lands or on lawns and gardens can create nonpoint sources. People who use fertilizers and pesticides must read labels to ensure that they are applying the materials properly.

A land-surface disturbance caused by humans, such as construction or logging, can create nonpoint sources of pollution. Pollution can occur when an increase in erosion caused by land disturbances produces large quantities of sediment, which is washed into rivers, streams, and lakes. Contamination can be reduced by preventing sediment from reaching waters through the implementation of erosion-control structures and the by planting and maintenance of soil-holding vegetation.

Disposal of garbage and trash at community landfills has the potential for polluting surface and ground water. Recycling of waste products such as oil, grease, plastics, paper, and aluminum reduces the potential for pollution from landfills. Many automobile products, such as gasoline and brake fluid, and household chemicals like cleaning solutions and turpentine, should not be placed in landfills but taken to special collection areas.

Oil and grease from automobiles, sand, gravel, salt, and other potential pollutants accumulate on parking lots and streets. Because very little water infiltrates into asphalt and concrete, the nonpoint-source pollutants that accumulate on them can be washed into surface waters during large storms. Prevention of this type of nonpoint pollution requires collection and treatment prior to discharge into surface waters.

Hazardous Materials

Hazardous wastes produced as byproducts of manufacturing can affect water resources. Proper handling, storage, and disposal of hazardous materials is critical to the prevention of their entry into surface and ground water. This requires moving these materials to a safe storage location. What can individuals do to stop hazardous-waste pollution? One method is to stop dumping oil, cleaning liquids, or unknown substances on the ground or down the drain.

ACTIVITY

Dispersion of Nonpoint Pollutants

Introduction

One of the difficult problems associated with the control of nonpoint sources of pollution is the identification of the source. Different soil types and the properties of underground rock formations affect how water pollutants travel. Pollutants can behave differently once they come in contact with soil. Biological processes can alter pollutants and their behavior. Many factors affect the physical, chemical, and biological makeup of water pollution.

Objective

Students will become aware of the difficulty in determining the source of pollution.

Materials -- Each group will need:

1. One coffee filter (15-20 cm in diameter);
2. One piece of aluminum foil 30 cm x 30 cm;
3. Water to wet filters;
4. Eye dropper; and
5. One paper plate approximately 25 cm in diameter for each group.

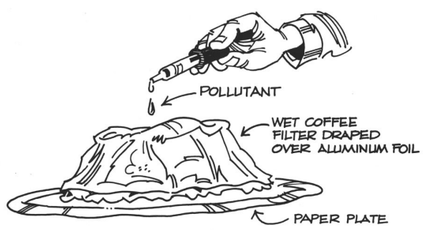
Teacher needs: one container each of red, yellow, and blue food dyes.

Teacher Preparation

1. Prepare a mixture of one part each of the three food dyes and one part water in large enough quantity that each group of students can receive five drops of the resulting mixture. Do not tell the students what the mixture is.
2. Provide each group with one filter, one paper plate, and a piece of aluminum foil.

Procedure

1. Divide students into groups of two. Have group members write their names on the coffee filter with a pencil. Then each group should place an 'X' and a 'Y' somewhere on the filter paper to represent imaginary wells.
2. Loosely crumple a piece of aluminum foil and place it in the middle of the paper plate.
3. Wet the coffee filter with water and drape it over the crumpled aluminum foil. The coffee filter represents soil on land surface. The aluminum foil represents bedrock on which the soil sits.
4. The instructor should place five drops of the food dye solution on the coffee filter. This solution represents pollution.



5. After 20 minutes, have the students examine the coffee filter. As a group, have the students observe, take notes, and make a diagram of the movement of the pollution using the 'X' and 'Y' markings as a reference.
6. Leave the coffee filter overnight and examine it again the next day.
7. Have the students answer the following questions:
   a. Describe what happened to the "pollution."
   b. What color of pollutant traveled the farthest from the point of contamination?
   c. Did any of the pollutants reach both imaginary wells?
   d. Did any of the pollutants travel uphill (against gravity)?
   e. What additional changes occurred when you compare the filter paper to the diagram you made on the first day?

Discussion

Have the students examine other group's coffee filters. How are they alike and how are they different?

1. Are pollutant paths relatively easy to predict?

Answer: No.

2. What are some factors that determine the direction and rates of movement of pollutants?

Answer: Soil types, rock types, shape of rock formation, and type of pollutants.

This activity was adapted from "Water Wisdom," published by the Massachusetts Water Resources Authority.

ACTIVITY

How Substances are Measured in Water

Introduction

Substances in water often occur in parts per million, parts per billion, or even parts per trillion. Water-quality laboratories can measure concentrations of substances at these levels, but what do these small concentrations mean? Developing an understanding of extremely large and small numbers is difficult. The following activity is designed to help students have an understanding of these extremely small concentrations.

Objective

Students will be able to visualize extremely small concentrations of a material.

Materials -- Each group will need:

1. One eye dropper;
2. Six small, clear plastic cups (the smaller the better); and
3. One 472-mL clear plastic cup filled 3/4 full of water.

Teacher needs: One bottle of food coloring.

Teacher Preparation

1. This activity is designed for students in groups of three. However, if sufficient materials are not available, this activity can be done as a demonstration.
2. For each group, place one drop of food coloring in one of the small, clear plastic cups and fill the 472-mL cup 3/4 full of water.

Procedure

1. Prior to conducting the activity, solicit responses from the students to the following questions:
   a. What is the largest number of things you can clearly visualize in your mind?
   b. Can you visualize a group of 1,000 people? Are you able to differentiate between 800 or 1,200 people from the 1,000?
2. Hand out one eye dropper; five small, clear plastic cups; one small clear plastic cup containing a drop of food coloring; and one 472-mL clear plastic cup filled 3/4 full of water to each group.
3. Explain that food coloring is usually a 10% solution; that is, 1 part (by volume) of food coloring dye is dissolved in 10 parts (by volume) of solution. For example, 1 mL of dye dissolved in 9 mL of water makes a total of 10 mL of 10% solution.
4. Using the eye dropper, have one member from each group add 9 drops of water to the small cup containing the food coloring. Stir well. What is the concentration of the food coloring? This is 1 drop of the 10% food coloring in 10 drops of the new solution. Thus, the concentration is one-tenth of the original or 1 part in 100 (10 x 10) parts of solution.
5. Use the eye dropper to transfer one drop of the 1 part in 100 solution to a third small plastic cup. Add 9 drops of water to this solution. Stir well. The concentration has again been changed by a factor of ten. The new concentration is one-tenth of 1 part per 100 or 1 part in 1,000 (10 x 100) parts of solution.
6. Transfer one drop of the 1 part in 1,000 parts of solution into the next small plastic cup. Add 9 drops of water. Stir well. The new concentration is one part in 10,000 parts of solution.
7. Continue to dilute 1 drop of each solution by adding water as before to obtain 1 part in 100,000 and then 1 part in 1,000,000. Your final solution is one part per million.

Interpretive Questions

1. In which cup do you first observe no visual evidence that food coloring is present?

Possible Answer: This generally occurs in the final container, or one part per million.

2. Since you cannot see any evidence of color present in the cup, how do you know there is food coloring in the cup?

Possible Answer: The students placed it there.

3. Can you think of an experiment that you could do to prove there is food coloring present in each cup?

Possible Answers: 1) Compare each cup with a cup containing only water. 2) Place several drops of the water from each of the cups on a piece of filter paper and let it dry.

This activity was adapted from "Science Demonstration Projects in Drinking Water (Grades K-12)," published by the U.S. Environmental Protection Agency.

ORDERING INFORMATION

Single copies of the first four posters in the series (see Poster Series panel) and a limited supply of the "Water Quality" poster (color for grades 3-5 and 6-8 or black and white) can be obtained at no cost from the U.S. Geological Survey by writing to the following address:

U.S. Geological Survey
Box 25286
Denver Federal Center
Denver, CO 80225
Telephone: (303) 236-7477

In your letter, please identify the poster title and grade level desired.

Also, the poster entitled "Water: The Resource That Gets Used & Used & Used for Everything!" has been translated into Spanish. A limited supply of color or black-and-white copies can be obtained at no cost from the U.S. Geological Survey at the above address.

Poster Series

This poster is the fifth in a series of water-resources education posters developed through the Water Resources Education Initiative. The Water Resources Education Initiative is a cooperative effort between public and private education interests. Partners in the program include the U.S. Geological Survey and the U.S. Fish and Wildlife Service of the U.S. Department of the Interior, the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the Nebraska Groundwater Foundation, and the National Science Teachers Association.

The other completed posters in the series are entitled "Water: The Resource That Gets Used & Used & Used for Everything!", "How Do We Treat Our Wastewater?", "Wetlands: Water, Wildlife, Plants & People!", and "Ground Water: The Hidden Resource!" The posters in the series are designed to be joined to create a wall mural. A schematic of the wall mural including the topics for the completed and planned posters is displayed on this panel. The light-shaded spaces indicate the completed posters. The dark-shaded space is this poster.

BIODIVERSITY	WATERSHEDS	ACID RAIN or HAZARDOUS MATERIAL
WETLANDS	WATER USE	WASTEWATER TREATMENT
OCEANS or NAVIGATION	GROUND WATER	WATER QUALITY

Water-resources topics of all completed posters are drawn in a cartoon format by the same cartoonist. Posters are available in color or black and white. The reverse sides of the color posters contain educational activities: one version for children in grades 3-5 and the other with activities for children in grades 6-8. The black-and-white posters are intended for coloring by children in grades K-5.

DEFINITIONS

Aquifer - An underground body of porous sand, gravel, or fractured rock filled with water and capable of supplying useful quantities of water to a well or spring.

Erosion - Process whereby materials of the Earth's crust are loosened, dissolved, or worn away and moved, usually by water or wind.

Ground Water - Water in the saturated zone beneath the Earth's surface.

Nonpoint Source of Pollution - Pollution from a broad area such as areas of fertilizer and pesticide application, rather than from point sources.

Point Source of Pollution - Pollution originating from a discrete source, such as the outflow from a pipe, ditch, tunnel, or well.

Sediment - Particles derived from rock or organic materials that have been transported by water or wind.

Surface Water - Water that is on the Earth's surface, such as rivers, streams, lakes, and reservoirs.

Unconfined Aquifer - An aquifer whose upper water surface (water table) is at atmospheric pressure and is free to rise and fall.

Water Pollution - Presence of any substance in water or addition of any substance to water that restricts the use of water.

Water Table - The top of the water surface in the saturated area of an aquifer.

ACKNOWLEDGMENTS

The following individuals contributed to the development of this poster:

Project Chief, Principal Author, and Layout: Stephen Vandas, U.S. Geological Survey, Denver, Colorado

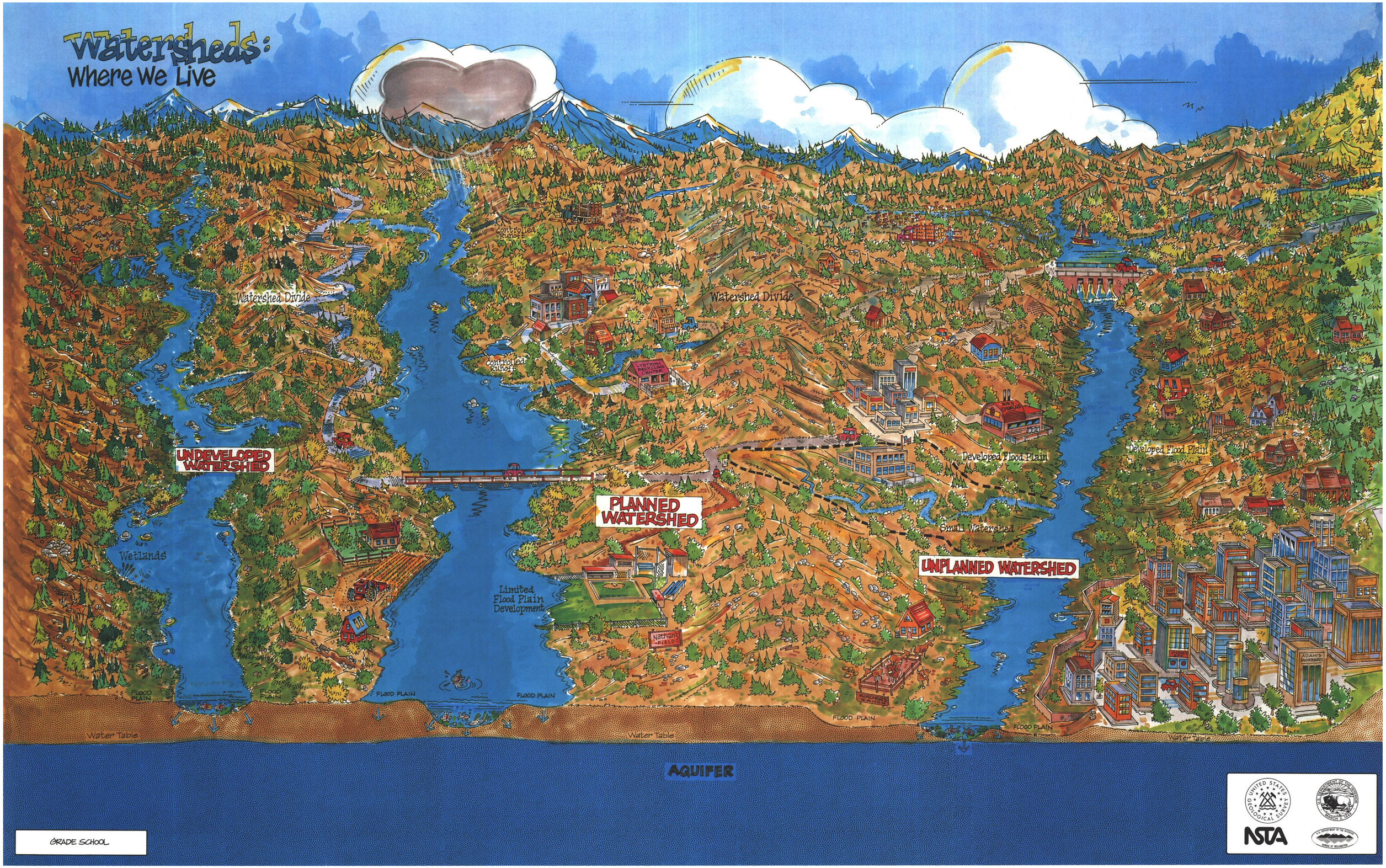
Artwork: Frank Farrar, Frank Farrar Graphics, Denver, Colorado, under contract to the National Science Teachers Association

U.S. DEPARTMENT OF THE INTERIOR

As the Nation's principal conservation agency, the U.S. Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This responsibility includes fostering the wisest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people. The Department also has a major responsibility for Native American reservation communities and for people who live in island territories under United States administration.

MIDDLE SCHOOL

Watersheds: Where We Live



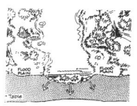
We all live in a watershed. Animals and plants all live there with us. Everyone affects what happens in a watershed by how we treat the natural resources. So what is a watershed? It is the land area that drains water to a stream, river, lake, or ocean. Water travels over the Earth's surface across forest land, farm fields, pastures, suburban lawns, and city streets, or it seeps into the soil and makes its way to a stream as local ground water. Watersheds come in many different shapes and sizes. Some contain mountains and hills, and others are nearly flat. A watershed can be affected by many different activities and events. Construction of cities and towns, farming, logging, and the application and disposal of many garden and household chemicals can affect the quantity and quality of water flowing from a watershed.

Floods are one of the major events in a watershed. Floods occur when the volume of water exceeds the ability of a water body (stream, river, or lake) to contain the water within its normal banks. Any stream, river, or lake can flood. The size or magnitude of a flood is described by a term called a recurrence interval. By studying a long period of flow records for a stream, it is possible to estimate the size of a flood that would, for example, have a 100-year recurrence interval (a 100-year flood). On the average, a 100-year flood would occur every 100 years. However, there is a 1-percent chance that a 100-year flood could happen any year. The severity of a flood is usually measured in terms of loss to human life or property, which is directly proportional to the amount of development in the flood plain surrounding the stream or river. A flood plain is a strip of relatively flat land bordering a stream, river, or lake that conveys the overflow of flood waters. Flood plains are Nature's way of carrying away flood waters. Because they are flat areas, flood plains are desirable locations for development.

This poster depicts many small watersheds within the three large watersheds, which are labeled in red on the poster. The large watersheds are separated by the two ridges that run from the top to the bottom of the poster. The large watershed labeled as undeveloped shows a watershed that has no development, the planned watershed has planned development, and the unplanned watershed has development that is unplanned. On the poster, a flood is shown in the planned watershed. The flood plains associated with the streams in each watershed are identified on the poster. One of the small watersheds is shown with a heavy dashed line within the larger unplanned watershed. The poster is folded into 8.5" x 11" panels; front and back panels can easily be photocopied.

Small Watershed

Watersheds come in many shapes and sizes. Larger watersheds are composed of many smaller watersheds. This watershed is a subwatershed of a larger watershed that has unplanned development. A watershed is determined by connecting the highest topographic points on a map between two adjacent areas. These points form a watershed boundary, similar to the edge of a bowl.



Flood Plain

Flood plains are relatively flat lands that border streams and rivers. Flood plains normally are dry but are covered with water during floods. Flood plains are created by floods and are indicators of the size of a flood produced by the upstream watershed. They are classified according to the flood events that created them. As with floods, the most common flood-plain delineations are 10, 50, 100, and 500 years.

WATERSHED MANAGEMENT

The quantity and quality of water draining from a watershed are dependent upon the climate, vegetation, soils, geology, and development within that watershed. Activities that change the vegetation and surface characteristics of some watersheds will affect the quantity and quality of water contributed to a stream. For example, a greater volume of water, perhaps of poorer quality, will flow from a parking lot than from a forest or pasture, which may result in increased flooding in a watershed because the greater volume exceeds the natural ability of the stream to transport the water.

Undeveloped Watershed

Undeveloped watersheds are drainage basins that have no development affecting the quality or quantity of water in that watershed. These watersheds are primarily on public-owned lands in national forests, national parks, and wilderness areas. Undeveloped watersheds provide scientists with areas to study the natural processes of a watershed and the movement of water within a watershed.

Planned Watershed

Planning the development within a watershed requires consideration of the entire drainage basin. Planned actions that consider the effect on the natural resources of the watershed will help preserve the quality and quantity of water flowing from a watershed. Actions such as controlling surface runoff from streets, providing recycling centers, farming along the contours, and logging practices that include controlling runoff and protecting stream channels help preserve the quality and quantity of water flowing from a watershed. Limiting the number and type of structures on a flood plain is one method of preventing loss of property from floods. Placing parks, golf courses, or farmland on a flood plain can reduce property loss caused by floods.

Unplanned Watershed

Unplanned development within a watershed has the potential for degradation of water quality and increased loss of property from flooding. Runoff from city streets, improper farming and logging techniques, and poor residential and industrial chemical-disposal practices all can affect water quality. Locating homes and businesses on flood plains greatly increases the chance of damage from flooding. In some places, flood-control structures such as dams and levees are required to protect development already located on the flood plain.

ACTIVITY
What is a Watershed?

INTRODUCTION

A watershed is the land area that drains water to a stream, river, or lake. It is a land surface feature that can be identified by tracing a line along the highest elevations between two areas on a map. Everyone lives within a watershed that drains to a local stream or river. Large watersheds, such as that of the Mississippi River, contain thousands of smaller watersheds. Changes in small watersheds can affect the river systems downstream. The following activity is designed to demonstrate a watershed and the connection between small watersheds and larger watersheds.

OBJECTIVES—STUDENTS WILL:

1. Identify a watershed.
2. Observe how water flows from higher elevations to lower elevations in a watershed.
3. Observe the interconnection between watersheds.

MATERIALS—EACH GROUP WILL NEED:

1. One container at least 22 cm wide, 33 cm long, and 6 cm deep. One possible container is a metal baking pan.
2. Two sheets of newspaper.
3. One sheet of thin (0.5 mils) plastic at least 30 cm larger in all dimensions than the container.
4. One waterproof marker.
5. One spray bottle.
6. Colored water to fill a spray bottle.
7. One book.

TEACHER PREPARATION

1. This activity is designed for students to work in groups of three.
2. Display a copy of the poster titled "Watersheds: Where We Live" on the classroom wall several days prior to conducting this activity.
3. Fill the spray bottles full of water and add several drops of blue food coloring so that the water can be easily identified.
4. Assemble one of the models as an example for the students.

PROCEDURE

1. Divide the class into groups of three. Provide each group with a container, two sheets of newspaper, one sheet of plastic, one waterproof marker, one book, and one spray bottle filled with blue water.
2. Have one student in each group crumple both sheets of newspaper separately and place them next to each other at one end of the container. Drape the sheet of plastic over the crumpled newspaper, causing it to form hills over the high places, and valleys in the low places. Put a book under one end of the container to allow water to flow down the valleys and pool at the front of the container. Place the sides of the plastic sheet down into the container to prevent water from overflowing the container.

3. Explain that the plastic sheet represents the ground surface covering the hills and valleys. Using the markers, have the students draw where they believe the main rivers will flow in their models. Have each student spray several pumps of water, using the spray bottle, on the model. Point out to students how water runs down one side or the other of the ridges and forms rivers in the valleys. The ridges divide individual watersheds. All the area from which water flows into a river is that river's watershed. Have the students count the number of small watersheds that drain into the main river they drew with the marker. All the watersheds should drain into a lake at the lower end of the container.

INTERPRETIVE QUESTIONS

Have students examine other groups' models. How are they alike and how are they different?

1. How many watersheds are above the lake that forms at the lower end of model?
   Answer: The answer will vary from model to model but will be at least four.
2. What happens to the size of the stream as the watersheds get larger?
   Answer: The streams get larger.

DEFINITIONS

Aquifer—An underground body of porous sand, gravel, or fractured rock filled with water and capable of supplying useful quantities of water to a well or a spring.
Drainage basin—Land area drained by a river.
Flood—Any relatively high flow of water that overflows natural or artificial banks of a stream, river, lake, or body of water.
Flood plain—A strip of relatively flat land bordering a stream, river, or lake that conveys the overflow of flood waters.
Ground water—Water found in pores or cracks in sand, gravel, and rock beneath the land surface.
Precipitation—Rain, snow, hail, or sleet.
Recurrence interval—The average interval of time within which the magnitude of a given event, such as a flood, will be equaled or exceeded one time.
Runoff—That part of precipitation that appears in surface-water bodies.
Watershed—The land area that drains water to a stream, river, lake, or ocean.

Poster Series

This poster is part of a series of water-resources education posters developed through the U.S. Geological Survey's Water Resources Education Initiative, a cooperative effort between public and private education interests. Partners in the program include the U.S. Geological Survey, Bureau of Reclamation, and the U.S. Fish and Wildlife Service of the U.S. Department of the Interior; the National Oceanic and Atmospheric Administration; the U.S. Environmental Protection Agency; the U.S. Army Corps of Engineers; the Nebraska Groundwater Foundation; and the National Science Teachers Association.

The other posters in the series are entitled "Oceans--Coastal Hazards: Hurricanes, Tsunamis, Coastal Erosion", "Hazardous Waste: Cleanup and Prevention", "Wetlands: Water, Wildlife, Plants, & People!", "Water: The Resource That Gets Used & Used & Used for Everything!", "How Do We Treat Our Wastewater?", "Navigation: Traveling the Water Highways!", "Ground Water: The Hidden Resource!", and "Water Quality...Potential Sources of Pollution". The posters in the series are designed to be joined to create a large wall mural. A schematic of the wall mural is displayed on this panel. The gray shaded spaces represent the posters listed above. The black shaded space represents this poster.

OCEANS	WATERSHEDS	HAZARDOUS WASTE
WETLANDS	WATER USE	WASTEWATER TREATMENT
NAVIGATION	GROUND WATER	WATER QUALITY

Water-resources topics of the posters are drawn in a cartoon format by the same artist. All poster are available in color. The reverse sides of the color posters contain educational activities: one version for children in grades 3-5 and the other for children in grades 6-8.

ACTIVITY
Size and Occurrence of Floods

INTRODUCTION

The size or magnitude of a flood is described by a term called a recurrence interval. By studying a long period of flow records for a stream, it is possible to estimate the size of a flood that would, for example, have a 100-year recurrence interval (a 100-year flood). On the average, a 100-year flood would occur every 100 years. However, there is a 1-percent chance that a 100-year flood could happen during any year. Many people have heard of the 10-year, 50-year, or 100-year flood. These year descriptors are the recurrence intervals for the floods.

The following activity is designed to demonstrate the occurrence of a particular flood event and to show that floods do not necessarily occur every 10, 50, or 100 years.

OBJECTIVES—STUDENTS WILL:

1. Determine the occurrence of an event based on the random selection of different colored items.
2. Relate the occurrence of events to 5-, 10-, 50-, and 100-year floods.

MATERIALS—EACH GROUP WILL NEED:

1. One hundred items the same size and shape, but of five different colors. Suggestions for items include marbles, dried beans, or multicolored macaroni. The items need to be organized according to color and number as follows:
   - One item its own color. This item represents a 100-year flood event, 100-year recurrence interval.
   - Two items their own color. These items represent a 50-year flood event, 50-year recurrence interval.
   - Ten items their own color. These Items represent a 10-year flood event, a 10-year recurrence interval.
   - Twenty items their own color. These items represent a 5-year flood event, a 5-year recurrence interval.
   - Sixty-seven items their own color. These items represent no flooding.
2. A small paper bag or large coffee can to contain the items. The opening at the top of the container must be large enough for the students to place their hand in for selection of an item.
3. Paper and pencil.

TEACHER PREPARATION

1. Display a copy of the poster titled "Watersheds: Where We Live" on the classroom wall several days prior to conducting this activity.
2. Organize the items according to the numbers and colors as described under the section, Materials.
3. Place each set of 100 items in a paper sack or other opaque container.

PROCEDURE

If sufficient materials are available, divide the class into small groups. Provide each group with a container of 100 items. Explain to the students that each item in the container represents a flood event. The single item represents the 100-year flood event, the two items of the same color represent the 50-year flood event, the 10 items of the same color represent the 10-year flood event, the 20 items of the same color represent the 5-year flood event, and the 67 items of the same color represent no flood. Students will be selecting 100 different items from the container, simulating 100 years of streamflow.

Identify one student in the group as the note keeper. The note keeper is to make a table with column headings of 100, 50, 10, 5, and 1. This individual needs to keep track of each item that is selected from the container. There will be a total of 100 items selected from the container.

Designate one student to hold the container above the heads of the other students in the group while they take turns selecting one item at a time from the container. After the note keeper has tallied the selection, the student should return the item back to the container prior to selection of the next item. Students will make a total of 100 selections from the container. After the 100th selection, the note keeper is to total all the selections by individual flood events and make a grand total of all selections.

When all the groups have finished, make a master list of each groups' results on the chalkboard so all the students can share the results.

INTERPRETIVE QUESTIONS

1. How many times did the 100-year flood occur during the 100 selections? How many times did the 50-year, 10-year, or 5-year floods occur?
2. If the 100-year flood happened last year, what are the chances of it happening again this year?
   Answer: The same chance each year, one chance in 100.
3. What are several ways to protect individuals and property from floods?
   Possible Answers: Develop flood-warning systems to alert citizens when water in streams and rivers reaches a certain height. Limit development and land use in flood plains. (Possible flood plain uses that are not severely impacted by flooding because of lack of structures include farming, parks, and golf courses.) Construction of flood control structures such as dams and levees.

ORDERING INFORMATION

Copies of all the posters in the series (see Poster Series Panel) can be obtained at no cost from the U.S. Geological Survey. Write to the address below and specify the poster title(s) listed on the Poster Series panel, and grade level(s) desired. The poster "Water: The Resource That Gets Used & Used & Used for Everything!" is also available in black-and-white, intended for coloring by children in grades K-2. In addition, the poster "Water: The Resource That Gets Used & Used & Used for Everything!" with activities intended for grades 3-5 is available in Spanish. There is a minimum shipping charge of $20.00 or actual cost if greater and $3.50 handling charge (total $23.50 in U.S. dollars) applying to ALL orders shipped to locations that are not a U.S. State or Territory.

U.S. Geological Survey
Branch of Information Services
Box 25286
Denver Federal Center
Denver, CO 80225
Telephone: 1-888-ASK-USGS

ACKNOWLEDGMENTS

The following individuals contributed to the development of this poster:

Project Chief, Principal Author, and Layout: Stephen Vandas, U.S. Geological Survey, Denver, Colorado
Art Work: Frank Farrar, Frank Farrar Graphics, Denver, Colorado, under contract to the National Science Teachers Association.

U.S. GEOLOGICAL SURVEY

As the Nation's largest water, earth, and biological science and civilian mapping agency, the USGS works in cooperation with more than 2,000 organizations across the country to provide reliable, impartial, scientific information to resource managers, planners, and other customers. This information is gathered in every state by USGS scientists to minimize the loss of life and property from natural disasters, to contribute to the conservation and the sound economic and physical development of the Nation's natural resources, and to enhance the quality of life by monitoring water, biological, energy, and mineral resources.

U.S. DEPARTMENT OF THE INTERIOR

As the Nation's principal conservation agency, the U.S. Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This responsibility includes fostering the wise use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing enjoyment through outdoor recreation. The Department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people. The Department also has a major responsibility for Native American reservation communities and for people who live in island territories under United States administration.

U.S. Department of the Interior
U.S. Geological Survey

MIDDLE SCHOOL

What is the General Permit?

The Town and New York State Department of Environmental Conservation (NYSDEC) require coverage under the General Permit for construction activities that will disturb one or more acres of land.

Coverage must be obtained prior to the commencement of construction activity

How to Obtain Coverage Under the General Permit

1. Read and become familiar with the General Permit, Town Code and technical standards.
2. Prepare a Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI).
3. Submit the SWPPP and NOI to the Town for review, comment and approval.
4. Update and resubmit the SWPPP to address comments provided by the Town.
5. Obtain the signed MS4 SWPPP Acceptance Form from the Town.
6. Submit the approved NOI and signed MS4 SWPPP Acceptance Form to NYSDEC.

What is the Town's Role in Storm Water?

In recognition of the importance that construction activity has on the quality of local water bodies like the Peconic Estuary, Moriches Bay, and Shinnecock Bay, the Town has implemented a Storm Water Management Program (SWMP).

The goal of the Town's SWMP is to reduce impacts of storm water runoff thereby improving water quality, enhancing recreational enjoyment, preventing beach closures, and ensuring that seafood is safer to eat.

In accordance with the Town's SWMP, the Town Code was amended to include **Chapter 285: Storm Water Management and Erosion and Sediment Control**.

The Town Code requires the owner/operator of any project proposing to disturb an acre or greater of land to prepare and submit a SWPPP to the Town for review and approval. The SWPPP, including inspection requirements, must be implemented during construction activity.

Town of Southampton

Phase II Storm Water Management Program

Surface Water Quality Series:

NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity

If your project will disturb **one or more acres of land**, you are required to have a State permit to discharge storm water during construction activity.

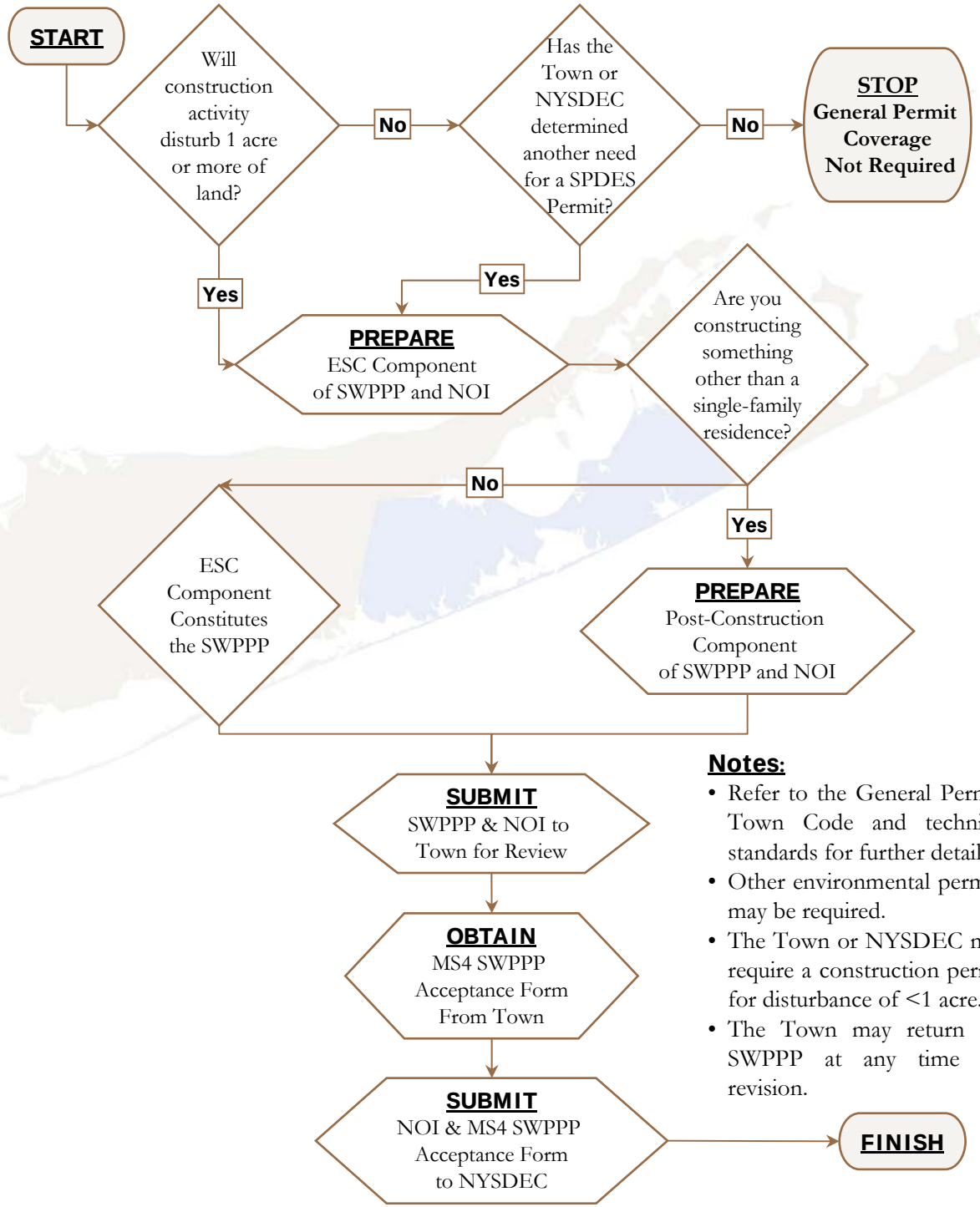
What is a Storm Water Pollution Prevention Plan (SWPPP)?

- A SWPPP is a site-specific, written plan that:
  - Identifies potential sources of storm water pollution.
  - Describes the erosion and sediment control (ESC) practices and post-construction storm water management practices that will be used and/or constructed to reduce the pollutants in storm water discharges.
  - Ensures compliance with the conditions of the General Permit and Town Code.
- The ESC component of the SWPPP should be designed in conformance with the most recent version of the New York Standards and Specifications for Erosion and Sediment Control.
- The Post-Construction Storm Water Management Practices component of the SWPPP, if required, should be designed in conformance with the most recent version of the New York State Stormwater Management Design Manual.

During Construction

- Implement the SWPPP before soil disturbing activities begin through final stabilization.
- Regularly inspect and maintain all practices to ensure they are functioning as designed.
- Submit proof to the Town that construction site operators have received ESC training.

Flow Chart for Obtaining Permit Coverage



Notes:

- Refer to the General Permit, Town Code and technical standards for further details.
- Other environmental permits may be required.
- The Town or NYSDEC may require a construction permit for disturbance of <1 acre.
- The Town may return the SWPPP at any time for revision.

What is a Storm Drain?

- Strom drains are the metal grates and openings found along streets at the curb.
- Storm drains and pipes are designed to quickly convey storm water away from streets to prevent flooding.

What is Storm Water?

- Storm water is runoff from rainfall and snowmelt.

Why is it a Problem?

- During a storm, water runs through yards and down streets, picking up pollutants and contaminants along the way.
- These pollutants are quickly carried to the nearest water body through the storm sewer system.

Storm drains do <u>not</u> treat storm water or remove pollutants!

- Anything that enters a storm sewer is discharged untreated directly into the water bodies you use for swimming, fishing and recreation.

What is the Town's Role in Storm Water?

In recognition of the importance that each of us has on the quality of local water bodies like the Peconic Estuary, Moriches Bay, and Shinnecock Bay, the Town has implemented a Storm Water Management Program (SWMP). The Town's SWMP includes the following six program components:

- Public education and outreach
- Public participation and involvement
- Illicit discharge detection and elimination
- Construction site runoff control
- Post-construction storm water management
- Municipal pollution prevention and good housekeeping

The goal of the Town's SWMP is to reduce impacts of storm water runoff thereby improving water quality, enhancing recreational enjoyment, preventing beach closures, and ensuring that seafood is safer to eat.

Town of Southampton

Phase II Storm Water Management Program

Surface Water Quality Series:

Storm Drains: What are they?

How you can prevent local water pollution!

What you can do to protect water quality in Southampton

Did You Know?

Whether you live on the waterfront or further inland, your daily activities can pollute Long Island's waters.
Some common sources of pollutants found in storm water include:

- Fertilizers and pesticides
- Household chemicals
- Automotive fluids
- Car washing
- Paint
- Detergents
- Pet waste
- Sanitary overflow
- Garbage and litter
- Sediments

Small amounts of pollution can add up to a big problem! Storm water pollution can have harmful effects on water quality, beach access, recreation, fish, wildlife, and your health.

The Good News!

With these few simple steps, you can reduce storm water pollution!

Lawn Care

- Do not overwater your lawn.
- Limit fertilizers and pesticides.
- Compost or mulch yard waste.
- Do not sweep or blow clippings into the street or storm drains.
- Choose native plant species.

Auto Care

- Repair leaks and drips as soon as possible.
- Recycle motor oil, oil filters and other automotive fluids at vehicle service centers or parts stores.
- Take your car to a commercial car wash.

Dog Waste

- Bag it and put it in the trash.
- Flush it down the toilet
- Never throw dog waste or bags in storm drains.

Around the House

- Purchase only the chemicals and products in the amounts that you need.
- Read and follow directions for household chemical use, storage and disposal carefully.
- Have septic tanks inspected and pumped regularly.
- Keep storm drains and ditches clear of debris.

But Most Importantly:

Never dump, sweep, blow or hose off anything that you would not want to swim in or drink onto the ground or down a storm drain.

Only Rain in the Drain

What are Pathogens?

- Microorganisms (viruses, bacteria, algae, and protozoan) that cause diseases in humans.
- They are commonly associated with animal droppings and human sewage.

How do Pathogens Enter Surface Waters?

- Storm water washes pathogens from the soil, sidewalks, and streets in your neighborhood into storm drains and through a network of storm sewers.
- Anything that enters a storm sewer system is discharged untreated directly into the water bodies you use for swimming, fishing and recreation.

What are the Threats?

- Diseases are contracted through direct contact with or ingestion of contaminated water or consumption of shellfish from contaminated waters.
- Economic losses associated with health care expenses and the closure of shellfish beds and swimming beaches.

What is the Town's Role in Storm Water?

In recognition of the importance that each of us has on the quality of local water bodies like the Peconic Estuary, Moriches Bay, and Shinnecock Bay, the Town has implemented a Storm Water Management Program (SWMP). The Town's SWMP includes the following six program components:

- Public education and outreach
- Public participation and involvement
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- Construction site runoff control
- Post-construction storm water management
- Municipal pollution prevention and good housekeeping

The goal of the Town's SWMP is to reduce impacts of storm water runoff thereby improving water quality, enhancing recreational enjoyment, preventing beach closures, and ensuring that seafood is safer to eat.

Town of Southampton

Phase II Storm Water Management Program

Surface Water Quality Series:

Pathogens

How you can reduce pathogens in surface waters!

What you can do to protect water quality in Southampton

Did You Know?

Whether you live on the waterfront or further inland, your daily activities can pollute Long Island's waters.

Some common sources of pathogens in storm water include:

- Dog and other pet waste
- Horse waste
- Septic systems/cesspools
- Geese and other wildlife waste
- Livestock waste

Large amounts of pathogens can build up in storm water, which is then discharged into the nearest water body through a network of storm drains and pipes.

To prevent possible illness in beach goers, public beaches are closed when pathogen counts are too high. Clean waters are important for public safety and for the economic health of your community.

The Good News!

With these few simple steps, you can reduce pathogens in storm water!

Dog Waste

- Always clean up after your dog.
- Flush it down the toilet; or bag it and put it in the trash.
- Never throw dog waste or bags into storm drains.

Cat Waste

- Dispose of litter in a plastic bag in the trash.

Geese and Wildlife

- Do not feed waterfowl and other wildlife.

Horses and Livestock

- Clean up manure and soiled bedding on a regular basis.
- Store manure piles under cover and away from creeks and other drainage areas.
- Direct storm water away from manure piles.

Septic Systems/Cesspools

- Have your system inspected once every three years by a professional.
- Pump your tank as necessary, generally every three to five years.
- Use water efficiently.
- Avoid driving or parking vehicles on your drainfield.
- Plant only grass over and near your drainfield to avoid damage from roots.

Dumping waste in storm drains is illegal and punishable by fine and/or imprisonment!

Only Rain in the Drain

You don't need to go to extremes to save money on heating!

TOWN OF SOUTHAMPTON SUSTAINABILITY

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EVERY WINTER HOME ENERGY COST

TAKE A BIG BITE OUT OF FAMILY BUDGETS!

For many families, this winter's round of fuel price hikes will mean the only way to afford heating costs is to turn down the thermostat, even during the coldest months.

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Learn how to SAVE Money by making your home more energy efficient. The average home owner can reduce its energy use by 20% or more. The first step is to have a FREE HOME AUDIT* by one of Southampton Green Homes certified energy professionals.

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*Audit Free if household income is below $250,000

TOWN OF SOUTHAMPTON
Office Energy & Sustainability
116 Hampton Road
Southampton, NY 11968

APPENDIX D

CONSTRUCTION ACTIVITY CODE ADOPTION

CHAPTER 285 STORMWATER MANAGEMENT AND EROSION AND SEDIMMENT CONTROL

PROCEDURES FOR SWPPP REVIEW AND INSPECTIONS

Town of Southampton, NY
Thursday, June 4, 2015

Chapter 285. Stormwater Management and Erosion and Sediment Control

[HISTORY: Adopted by the Town Board of the Town of Southampton 12-14-2010 by L.L. No. 41-2010. Amendments noted where applicable.]

GENERAL REFERENCES
Building construction — See Ch. **123**.
Coastal erosion hazard areas — See Ch. **138**.
Environmental quality review — See Ch. **157**.
Flood damage prevention — See Ch. **169**.
Protection of natural resources — See Ch. **229**.
Subdivision of land — See Ch. **292**.
Wetlands — See Ch. **325**.
Freshwater wetlands — See Ch. **325A**.
Zoning — See Ch. **330**.

285a Appendix A

§ 285-1. Statutory authorization.

This chapter is enacted pursuant to § 10 of the Municipal Home Rule Law to promote the public health, safety, and general welfare of Town citizens through land use regulations intended to control flooding, erosion, or sedimentation within the entire Town, as mandated by Articles 17 (Title 7.8), 36 and 70 of the Environmental Conservation Law and any and all applicable laws, rules or regulations of the State of New York.

§ 285-2. Findings of fact.

The Town of Southampton in 2003, obtained State Pollutant Discharge Elimination System (SPDES) Permit No. NYR20A454 from the New York State Department of Environmental Conservation (NYSDEC) in connection with the discharge of stormwater, as required pursuant to the Environmental Conservation Law (ECL). The SPDES permit requires that the Town Board enact a local law that complies with federal and New York State guidelines for stormwater control, which addresses the following findings of fact as determined by the state and as accepted by the Town of Southampton:

A. Land development, redevelopment, the building of roads and highways, other site improvement and construction activities may alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes and associated increases in site impervious cover, thereby resulting in flooding and sediment transport and deposition into local water bodies;

B. Stormwater runoff from developed areas may contribute significant quantities of waterborne pollutants to surface and groundwater sources, degrading water bodies, potentially affecting public

and private water supplies, recreational uses, and impacting the viability of fish and other aquatic life;

C. Clearing and grading during construction tends to increase soil erosion, adding to loss of native vegetation necessary for terrestrial and aquatic habitat;

D. Flooding conditions caused by the washing and deposition of eroded soil on adjacent properties and roadways can result in the pollution of bays, streams, lakes and ponds;

E. The washing, blowing, and deposition of eroded soil across and upon roadways can decrease visibility and reduce traction of vehicles;

F. Sedimentation from erosion can clog culverts, fill drainage retention areas, pollute and silt bays, lakes, and ponds, thereby increasing the likelihood of flooding;

G. Improper design, construction and implementation of stormwater and erosion control measures can lead to increased flooding, sediment transport and deposition, as well as overall degradation of water bodies;

H. Impervious surfaces allow less water to percolate into the subsurface soil, thereby decreasing groundwater recharge and stream base flow;

I. Impacts from stormwater runoff, soil erosion and nonpoint-source pollution can be minimized through the control of stormwater runoff from land development activities;

J. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, and nonpoint-source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety;

K. The implementation of performance standards governing stormwater management and site design will result in development that is more compatible with the natural functions of a particular site or a larger watershed and tend to mitigate the adverse impacts due to erosion and sedimentation caused by development;

L. Economic consequences may result from adverse impacts on the waters of the Town.

§ 285-3. Purpose; intent.

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the residents of the Town of Southampton and to address the findings of fact and statutory authority in § **285-2**. This chapter seeks to meet those purposes by achieving the following objectives:

A. Meet the requirements of minimum Measures 4 and 5 of the New York SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), Permit No. GP-0-10-002, or as amended or revised.

B. Require land development activities to conform to the substantive requirements of the New York SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-10-001, or as amended or revised.

C. Control, restrict or prohibit activities which alter natural drainage systems, floodplains, and other natural protective features, including wetlands, which contribute to the accommodation of floodwaters and retention of sediment.

D. Control, restrict or prohibit land use activities which increase nonpoint-source pollution due to stormwater runoff which result in discharge onto public lands, neighboring properties or natural protective features which would degrade local water quality.

E. Assure that land and water uses in the Town are designed and conducted using best-management practices to control flooding, stormwater runoff and discharge onto public lands, neighboring properties, or natural protective features.

F. Promote the recharge of stormwater into the fresh water aquifer to protect the drinking water supply and minimize salt water intrusion.

G. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development and redevelopment to the maximum extent practicable.

H. Protect the biological, ecological, and other beneficial functions of water bodies from the adverse impacts of stormwater runoff.

I. Establish provisions for the long-term responsibility for and maintenance of stormwater control facilities and practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety.

J. Establish provisions to ensure that there are adequate funding mechanisms, including financial security or surety, for the proper review, inspection and long-term maintenance of stormwater facilities and practices implemented pursuant to this chapter.

K. Establish provisions for the Town to recover costs and expenses incurred by the Town for any repairs it makes to stormwater facilities and for implementation of management practices.

L. Establish administrative procedures for the submission, review, and approval of stormwater management plans and for the inspection of approved active development projects, and long-term oversight of the stormwater control facilities and practices.

M. Promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, hazardous waste, sediment and other pollutants into local watersheds and water bodies.

§ 285-4. Applicability.

A. This chapter shall be applicable to all land development and redevelopment activities within the Town of Southampton that exceed any of the thresholds contained herein, unless exempt pursuant to § **285-7**. No person or other entity shall undertake any land development activity without first meeting the requirements of this chapter.

B. Notwithstanding the foregoing, all stormwater management practices associated with land development activities that do not exceed the thresholds herein or are otherwise exempt from the requirements of this chapter shall be maintained in good working condition and kept in good repair by the landowner and any owner and/or operator of the stormwater management practices. The enforcement provisions, penalties and other provisions of § **285-13** shall apply to any violations of this provision.

C. The Town shall designate a Stormwater Management Officer (SMO) who shall review all stormwater pollution prevention plans (SWPPP). The SMO may:

(1) Review the SWPPP;

(2)

Upon approval by the Southampton Town Board, engage the services of a professional engineer licensed by the State of New York to review the plans, specifications and related documents at a cost not to exceed a fee schedule established by said governing board; or

(3) Accept the certification of a professional engineer licensed by the State of New York that the plans conform to the requirements of this chapter and all relevant and applicable requirements.

D. Notwithstanding the mechanism of review chosen, the SMO shall have the authority under this chapter to inspect the progress of land development and redevelopment activities subject to the provisions of this chapter with regard to conformance with the approved SWPPP. Should the project be found to be in noncompliance with the approved SWPPP, the SMO shall have the authority to halt construction activities until corrective measures are taken to bring the project into compliance.

E. All land development or redevelopment activities subject to review and approval by the Planning Board pursuant to the subdivision, site plan and/or special exception review regulations shall be reviewed subject to the standards contained in this chapter. No authorization to proceed with development activities shall occur until all permits and approvals have been obtained.

F. All land development or redevelopment activities subject to review and approval by the Building Department pursuant to the Building Code[1] shall be reviewed subject to the standards contained in this chapter. No authorization to proceed with development activities shall occur until all permits and approvals have been obtained.

[1] *Editor's Note: See Ch. **123**, Building Construction.*

G. All land development activities subject to review as stated in this chapter shall be required to submit a SWPPP to the SMO, who shall review the SWPPP and grant approval if it complies with the requirements of this chapter.

H. All land development or redevelopment activities meeting certain conditions contained in this chapter shall obtain authorization under the SPDES General Permit for Stormwater Discharges from Construction Activity from the NYSDEC, prior to obtaining final Town approval and permits for the proposed land development or redevelopment activities.

§ 285-5. Definitions.

The terms used in this chapter, or in documents prepared or reviewed under it, shall have the meanings as set forth in this chapter.

AGRICULTURAL ACTIVITY

The activity of an active farm, including grazing and watering livestock, irrigating crops, harvesting crops, using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

APPLICANT

A property owner or agent of a property owner who has filed an application for a land development or redevelopment activity.

CHANNEL

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

CLEARING

Any activity that removes the vegetative surface cover or the existing developed surface cover.

DEDICATION

The deliberate appropriation of property by its owner for general public use.

DESIGN MANUAL

The New York State Stormwater Management Design Manual, in its most recent version (including applicable updates), which serves as the official guide for the design of stormwater management principles, methods and practices.

DEVELOPER

A person who undertakes land development or redevelopment activities.

EROSION CONTROL MANUAL

The New York State Standards and Specifications for Erosion and Sediment Controls, in its most recent version (including applicable updates), commonly known as the "Blue Book."

FINAL STABILIZATION

Final stabilization occurs when all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of 80% over the entire pervious surface has been established, or other equivalent stabilization measures, such as permanent landscape mulches, or other materials, that have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

GRADING

Excavation or fill of material, including the resulting conditions thereof.

ILLICIT DISCHARGE

Any discharge that is not entirely composed of stormwater. Illicit discharges shall include but are not limited to those sources as identified by § 122.26(b)(2) of the Code of Federal Regulations, sanitary wastewater, effluent from septic tanks, commercial car wash wastewater, petroleum products, antifreeze and radiator flush liquid, laundry wastewater, spills from roadway accidents, and household and motor vehicle chemicals, but do not include liquids discharged from fire-fighting activities.

IMPERVIOUS COVER

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

INFILTRATION

The process of percolating stormwater into the subsoil.

LAND DEVELOPMENT/REDEVELOPMENT ACTIVITY

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

LANDOWNER

The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

MAINTENANCE AGREEMENT

A legally recorded document that acts as a property deed restriction and which provides for long-term maintenance of stormwater management practices.

NOI

Notice of intent.

NONPOINT-SOURCE POLLUTION

Pollution from any source other than from any discernable, confined, and discrete conveyances, and shall include, but not be limited to, pollutants from agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

NOT

Notice of termination.

NYSDEC

The New York State Department of Environmental Conservation.

OWNER or OPERATOR

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

PHASING

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

POLLUTANT OF CONCERN

Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment to any water body that will receive a discharge from the land development activity.

PROJECT

Land development or redevelopment activity.

QUALIFIED INSPECTOR

A person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed professional engineer, certified professional in erosion and sediment control (CPESC), registered landscape architect, or other individual endorsed by the NYSDEC. A qualified inspector can also be a person working under the direct supervision of, and at the same company as, the licensed professional engineer or registered landscape architect, provided that person has training in the principles and practices of erosion and sediment control. "Training in the principles and practices of erosion and sediment control" means that the individual working under the direct supervision of the licensed professional engineer or registered landscape architect has received four hours of NYSDEC-endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District or other NYSDEC-endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed professional engineer or registered landscape architect shall receive four hours of training every three years. [Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed professional engineer.]

QUALIFIED PROFESSIONAL

A person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed professional engineer, registered landscape architect or other individual endorsed by the NYSDEC. Individuals preparing SWPPPs that require the post-

construction stormwater management practice component must have understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics in order to prepare a SWPPP that conforms to the NYSDEC's technical standard. All components of the SWPPP that involve the practice of engineering as defined by New York State Education Law Article 145 shall be prepared by or under the direct supervision of a professional engineer licensed to practice in the State of New York.

RECHARGE

The replenishment of underground water reserves.

SEDIMENT CONTROL

Measures that prevent eroded sediment from leaving the site.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITY

A permit issued by the NYSDEC to developers of construction activities to regulate the disturbance of land under GP-0-10-001, or as amended or revised.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

A permit issued by the NYSDEC to regulate discharges from municipal separate storm sewer systems for compliance with EPA-established water quality standards, and/or to specify stormwater control standards under Permit No. GP-0-10-002, or as amended or revised.

STABILIZATION

The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER

An order issued which requires that all construction activity on a site be stopped.

STORMWATER

Rainwater, surface runoff, snowmelt, and drainage.

STORMWATER HOTSPOT

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

STORMWATER MANAGEMENT

The use of structural or nonstructural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment.

STORMWATER MANAGEMENT FACILITY

One or a series of stormwater management practices for the purpose of controlling stormwater runoff.

STORMWATER MANAGEMENT OFFICER (SMO)

An employee or officer designated by the Town to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

STORMWATER MANAGEMENT PRACTICES

Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point-source or nonpoint-source pollution inputs to stormwater runoff and water bodies.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A plan for controlling stormwater runoff and pollutants from a site during and after construction activities.

STORMWATER RUNOFF

Flow on the surface of the ground resulting from precipitation.

STRIPPING

Any activity which removes the vegetative surface cover, including tree removal, clearing and storage and removal of topsoil. (See "clearing.")

SURFACE WATERS OF THE STATE OF NEW YORK

Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those waters that do not combine or effect a junction with natural surface or underground waters), which are wholly within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems, including treatment ponds or lagoons, which also meet the criteria of this definition are not waters of the state. This exclusion applies only to man-made bodies of water which were neither originally created in waters of the state (such as a disposal area in wetlands) nor resulted from impoundment of waters of the state.

TOTAL MAXIMUM DAILY LOAD (TMDL)

The maximum amount of a pollutant allowed to be released into a water body so as not to impair uses of the water, allocated among the sources of the pollution.

TOWN

The Town of Southampton.

TOWN CODE

The Code of the Town of Southampton.

TRAINED CONTRACTOR

An employee from the contracting or construction company identified in the SWPPP that has received four hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC-endorsed entity. After receiving the initial training, the trained contractor shall be required to complete all required continuing education in order to maintain the designation. It may also be an employee identified in the SWPPP who satisfies the requirements of a qualified inspector. The trained contractor shall be responsible for the day-to-day implementation of the SWPPP.

WATERCOURSE

A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water. (See also "waterway.")

WATERWAY

A channel that directs surface runoff to a watercourse or to the public storm drain.

WETLAND

An area, more particularly defined under § **325-3** of the Town Code, that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as "hydrophytic vegetation."

§ 285-6. Administration.

A. The Planning Department will receive all SWPPPs for land development or redevelopment activities that are subject to review and approval by the Planning Board. The Building Department will receive all SWPPPs for land development or redevelopment activities that are subject to review and approval by the Building Department. All SWPPPs shall be forwarded to the SMO for review. The SMO will determine whether the SWPPP complies with the requirements of this chapter.

B. Nothing in this chapter supersedes an applicant's obligation to obtain permit coverage from the NYSDEC, as described in the SPDES General Permit for Stormwater Discharges from Construction Activity.

§ 285-7. Exemptions.

The following land-disturbing activities shall be exempt from the provisions of this chapter:

A. Agricultural activity as defined in this chapter.

B. Land development or redevelopment activities for which a building permit has been issued on or before the effective date of this chapter.

C. Routine property maintenance activities that are performed to maintain the original line and grade, hydraulic capacity or original purpose of a lawfully existing site or facility and that will not impact adjacent properties.

D. Repairs to any stormwater management system or facility that is otherwise in compliance with the provisions of this chapter and deemed necessary by the Town.

E. Alteration of a structure, provided that such alteration does not increase land coverage or potentially impact adjacent properties or municipal stormwater systems.

F. Cemetery graves.

G. Installation of fences, signs, telephone poles, electric poles or other utility poles, mailbox and newspaper box posts, other kinds of posts or poles.

H. Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.

I. Routine landscaping and horticultural maintenance activities in connection with an existing structure.

J. Emergency activity immediately necessary to protect life, property or natural resources as authorized by the SMO or as an emergency condition may dictate. Any emergency activity not authorized by the SMO shall be reported to the SMO as soon as practicable, so that an evaluation may be made and necessary further action may be taken in conformity with the requirements of this chapter.

§ 285-8. Performance and design criteria.

All land development or redevelopment activities shall be subject to the following performance and design criteria:

A.

Technical standards. For the purpose of this chapter, the following documents shall serve as the official guides and specification for stormwater management. Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this chapter.

(1) The New York State Stormwater Management Design Manual, hereafter referred to as the "Design Manual," in its most recent version (including applicable updates), which serves as the official guide for the design of stormwater management principles, methods and practices.

(2) The New York State Standards and Specifications for Erosion and Sediment Controls, hereafter referred to as the "Erosion Control Manual," in its most recent version (including applicable updates), also commonly known as the "Blue Book."

§ 285-9. Stormwater pollution prevention plan (SWPPP).

A. General SWPPP requirements.

(1) No application for approval of a land development or redevelopment activity shall be approved until the SMO has received, reviewed, and accepted a SWPPP prepared in accordance with the specifications in this chapter.

(2) The SWPPP and the NOI shall be submitted to the Town for review and acceptance. Upon acceptance by the Town, the applicant shall submit the NOI to the NYSDEC. A copy of the NOI acknowledgement letter from the NYSDEC must be submitted to the Engineering Division prior to the signature of plans by the Planning Board or the issuance of a building permit by the Building Department.

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

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

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

(a) Whenever the current provisions prove to be ineffective in minimizing pollutants in stormwater discharges from the site;

(b) Whenever this is a change in design, construction, or operation of the site that has or could have an effect on the discharge of pollutants; and

(c) To address issues or deficiencies identified during an inspection by the qualified inspector, the NYSDEC or any other regulatory authority or agency.

(6) The Town or NYSDEC may notify the owner or operator at any time that the SWPPP does not meet one or more of the minimum requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar

days of such notification, or as otherwise indicated by the Town or NYSDEC, the owner or operator shall make the required changes to the SWPPP and submit written notification to the Town and NYSDEC that changes have been made. If the owner or operator does not respond to the Town or NYSDEC's comments in the specified time frame, the NYSDEC may suspend the owner's or operator's coverage under this permit.

(7) Certification by contractor.

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

"I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the owner or operator must comply with the terms and conditions of the most current version of the New York State Pollutant Discharges Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect, or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

(b) In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the trained contractor responsible for SWPPP implementation; the name, address, and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The owner or operator shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the construction site. If new or additional contactors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

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

(9) The SWPPP must include documentation supporting the determination of permit eligibility with regard to construction activities that adversely affect property that is listed or is eligible for listing on the State or National Registry of Historic Places, including archaeological sites. At a minimum, the supporting documentation shall include the following:

(a)

Information on whether the stormwater discharge or construction activities would have an effect on a property (historic or archaeological resource) that is listed or eligible for listing on the State or National Register of Historic Places.

(b) Results of historic resources screening determinations conducted. Information regarding the location of historic places listed, or eligible for listing on the State or National Registers of Historic Places and areas of archaeological sensitivity that may indicate the need for a survey can be obtained from the New York State Office of Parks, Recreation and Historic Places (OPRHP).

(c) A description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing on the State or National Register of Historic Places. If the owner or operator fails to describe and implement such measures, the stormwater discharge is ineligible for coverage under this permit; and

(d) Where adverse effects may occur, any written agreements in place with OPRHP or other governmental agency to mitigate those effects, or local land use approvals evidencing the same.

B. Required SWPPP contents.

(1) All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the most current version of the Erosion Control Manual. Where erosion and sediment control practices are not designed in conformance with this technical standard, the owner or operator must demonstrate equivalence to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

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

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

(c) A description of the soil(s) present at the site, including an identification of the hydrologic soil group (HSG);

(d) A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading utility and infrastructure installation and any other activity at the site that results in soil disturbance;

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

(f) A temporary and permanent soil stabilization plan that meets the requirements of the most current version of the Erosion Control Manual, for each stage of the project,

including initial land clearing and grubbing to the project completion and achievement of final stabilization.

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

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

(i) A maintenance inspection schedule for the contractor(s) identified in § **285-9A(7)** to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the most current version of the Erosion Control Manual;

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

(k) Identification of any elements of the design that are not in conformance with the requirements in the most current version of the Erosion Control Manual. The reason for the deviation or alternative design shall be included, and information which demonstrates that the deviation or alternative design is equivalent to the technical standards shall be provided.

(2) All SWPPPs prepared for construction projects identified in Table 2 of **Appendix A**[1] must include post-construction stormwater management practices designed in conformance with the most current version of the Design Manual. Where post-construction stormwater management practices are not designed in conformance with this technical standard, the owner or operator must demonstrate equivalence to the technical standard. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include the following:

(a) Identification of all post-construction stormwater management practices to be constructed as part of the project;

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

(c) The dimensions, materials specifications and installation details for each post-construction stormwater management practice;

(d) Identification of any elements of the design that are not in conformance with the Design Manual. The reason for the deviation or alternative design shall be included, and information which demonstrates that the deviation or alternative design is equivalent to the technical standards shall be provided.

(e) A hydrologic and hydraulic analysis for all structural components of the stormwater management control system;

(f) A detailed summary (including calculations) of the sizing criteria that was used to design all post-construction stormwater management practices. At a minimum, the summary shall address the required design criteria from the applicable chapter of the Design Manual, including the identification of and justification for any deviations from the

Design Manual and identification of any design criteria that are not required based on the design criteria or waiver criteria included in the Design Manual; and

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

[1] *Editor's Note: **Appendix A**, Table 2, is included at the end of this chapter.*

§ 285-10. Inspection and maintenance requirements.

A. General construction site inspection and maintenance requirements.

(1) The owner or operator must ensure that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times.

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

B. Owner or operator maintenance inspection requirements.

(1) The owner or operator shall inspect, in accordance with the requirements in the most current version of the Erosion Control Manual, the erosion and sediment controls identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.

(2) For construction sites where soil disturbance activities have been temporarily suspended (e.g., winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the owner or operator can reduce the frequency of inspections to a minimum of once every 30 days. The owner or operator shall notify the Town and NYSDEC in writing prior to reducing the frequency of inspections. The owner or operator shall begin conducting the maintenance inspections in accordance with § **285-10B(1)** as soon as soil disturbance activities resume.

(3) For construction sites where soil disturbance activities have been shut down with partial project completion, the owner or operator can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the Town and NYSDEC, in writing, prior to the shutdown. If soil disturbance activities are not resumed within two years from the date of the shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, that all temporary structural erosion and sediment control measures have been removed and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice (s)" certification statements on the NOT. The owner or operator shall then submit the completed NOT form to the address shown on the NOT form and provide a copy to the Town.

C.

Qualified inspector inspection requirements. [Note: The trained contractor identified in § **285-9A (7)** cannot conduct the qualified inspector site inspections unless he also meets the qualified inspector qualifications, as defined in § **285-5**.]

(1) A qualified inspector shall conduct site inspections for all construction activities identified in Tables 1 and 2 of **Appendix A**.[1]

[1] *Editor's Note: **Appendix A**, comprised of Tables 1 and 2, is included at the end of this chapter.*

(2) Unless otherwise notified by the Town or NYSDEC, the qualified inspector shall conduct site inspections in accordance with the following timetable:

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

(b) For construction sites where soil disturbance activities are ongoing and the owner or operator has received authorization in accordance with the SPDES General Permit for Stormwater Discharges from Construction Activity to disturb greater than five acres of soil at any one time, the qualified inspector shall conduct at least two site inspections every seven calendar days. The two inspections shall be separated by a minimum of two full calendar days.

(c) For construction sites where soil disturbance activities have been temporarily suspended (e.g., winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the qualified inspector shall conduct a site inspection at least once every 30 days.

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

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

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

(a) Date and time of inspection;

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

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

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

(e) A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, property boundaries of the construction site which receive

runoff from disturbed areas. This shall include identification of any discharges of sediment to the surface waterbody;

(f) Identification of all erosion and sediment control practices that need repair or maintenance;

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

(h) Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;

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

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

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

(5) Within one business day of the completion of an inspection, the qualified inspector shall notify the owner or operator and appropriate contractor or subcontractor identified in § **285-9A(7)** of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions within a reasonable time frame.

(6) All inspection reports shall be signed by the qualified inspector. Pursuant to SPDES General Permit for Stormwater Discharges from Construction Activity conditions, the inspection reports shall be maintained on site with the SWPPP.

§ 285-11. Termination of permit coverage.

A. An owner or operator that is eligible to terminate coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity must submit a completed NOT form to the address shown on the form and provide a copy to the Town. The NOT form shall be one which is associated with the SPDES General Permit for Stormwater Discharges from Construction Activity and shall be signed in accordance with Part VII.H of the permit.

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

(1) Total project completion: All construction activity identified in the SWPPP has been completed, all areas of disturbance have achieved final stabilization, all temporary structural erosion and sediment control measures have been removed, and all post-construction

stormwater management practices have been constructed in conformance with the SWPPP and are operational;

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

(3) A new owner or operator has obtained coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity in accordance with Part II.E of the permit.

C. For construction activities meeting the conditions of § **285-11B(1)** or **(2)**, the owner or operator shall have the qualified inspector perform a final inspection prior to submitting the NOT. The qualified inspector, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice(s)" certification statements on the NOT shall certify that all disturbed areas have achieved final stabilization, that all temporary structural erosion and sediment control measures have been removed, and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP.

D. For construction activities that are subject to the requirements of a regulated traditional land use control MS4 and meet the conditions of § **285-11B(1)** or **(2)**, the owner or operator shall also have the SMO sign the "MS4 Acceptance" statement on the NOT. The SMO, by signing this statement, has determined that it is acceptable for the owner or operator to submit the NOT in accordance with the requirements of this subsection.

E. For construction activities that require post-construction stormwater management practices and meet the conditions of § **285-11B(1)**, the owner or operator must, prior to submitting the NOT, ensure at least one of the following:

(1) The post-construction stormwater management practice(s) and any rights-of-way needed to maintain such practice(s) have been deeded to the municipality in which the practice is located;

(2) An executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s);

(3) For post-construction stormwater management practices that are privately owned, the owner or operator has modified his or her deed of record to include a deed covenant that requires operation and maintenance of the practice(s), in accordance with the operational and maintenance plan; or

(4) For post-construction stormwater management practices that are owned by a public or private institution (e.g., school, college, university), government agency or authority, the owner or operator has policies and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

§ 285-12. Performance guarantee; maintenance guarantee; recordkeeping.

A. Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Town in its approval of the stormwater pollution prevention plan, the Town may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable

letter of credit from the appropriate financial or surety institution which guarantees satisfactory completion of the project and names the Town as the beneficiary, in the form set forth in § **292-26** of the Town Code. The security shall be in an amount to be determined by the Town based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Town, provided that such period shall not be less than one year from the date of final acceptance of such other certification that the facility or facilities have been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to the Town. Per-annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

B. Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Town with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities, both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Town may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. Recordkeeping. Entities subject to this chapter shall be required to maintain records demonstrating compliance with this chapter.

§ 285-13. Enforcement; penalties for offenses.

A. Notice of violation. When the Town determines that a land development or redevelopment activity is not being carried out in accordance with the requirements of this chapter, it may issue a written notice of violation to the landowner. The notice of violation shall contain:

(1) The name and address of the landowner, developer or applicant;

(2) The address, when available, or a description of the building, structure or land upon which the violation is occurring;

(3) A statement specifying the nature of the violation;

(4) A description of the remedial measures necessary to bring the land development or redevelopment activity into compliance with this chapter and a time schedule for the completion of such remedial action;

(5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the Town by filing a written notice of appeal within 15 days of service of notice of violation.

B. Stop-work orders. The Town may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all land development or redevelopment activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Town confirms that the land development or redevelopment activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal or monetary penalties in accordance with the enforcement measures authorized in this chapter.

C. Violations. Any land development or redevelopment activity that is commenced or is conducted contrary to this chapter may be restrained by injunction or otherwise abated in a manner provided by law.

D. Criminal penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding $1,000 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than $1,000 nor more than $2,500 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than $2,500 nor more than $5,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each day's continued violation shall constitute a separate additional violation.

E. Appeal of notice of violation. Any person receiving a notice of violation may appeal within 15 calendar days of its issuance. The Town shall hear the appeal within 30 days after the filing of the appeal, and within five days of making its decision, issue a decision by certified mail to the discharger. The Town may conduct the hearing and take evidence.

F. Corrective measures after appeal.

(1) If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or, in the event of an appeal, within five business days of the decision of the Town, then the Town shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.

(2) If refused access to the subject private property, the Town may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the Town may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the property owner.

G. Injunctive relief. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this Code, the Town Attorney may, upon receipt of a permissive resolution from the Town Board, petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

H. Withholding of certificate of occupancy. If any building or land development or redevelopment activity is installed or conducted in violation of this chapter, the Town may prevent the occupancy of said building or land.

I. Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary correction action, the cost of which shall become a lien upon the property until paid.

J. Civil penalties. In addition to the criminal penalties set forth herein, the Town Attorney may, upon permission of the Town Board, pursue any and all actions in law or in equity the Town Attorney may deem necessary and proper before any court of competent jurisdiction to compel compliance

with this chapter. The Town Attorney may seek monetary damages in the sum of $1,000 for each day or part thereof that the violations exist, and each fifteen-day period shall constitute a separate cause of action. All civil penalties shall be mandatory penalties and must be imposed upon a judgment in favor of the Town. If said penalty is not paid to the Town of Southampton within 10 days of a judgment, a civil judgment shall be entered against the property and the owner of the property, and said judgment may be collectible by a tax assessment against the property on which said violation occurred. Any civil penalty imposed shall be in addition to any fine and/or sentence of imprisonment imposed as a result of criminal prosecution provided for in the Code of the Town of Southampton, or any state or local law, and the decision of the Town of Southampton to pursue or forego a particular remedy at law or equity, civil or criminal, shall not be construed as an election of remedies.

§ 285-14. Fees for services.

The Town may require any person undertaking land development or redevelopment activities regulated by this chapter to pay reasonable costs, at prevailing rates, for review of SWPPPs, inspections, or SMP maintenance performed by the Town or performed by a third party at the direction of the Town.

285 Attachment 1

Town of Southampton

APPENDIX A

Required SWPPP Components by Project Type

Table 1
Construction Activities That Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls

The following are construction activities that involve soil disturbances of one or more acres of land but less than five acres:

- ☐ Single-family home
- ☐ Single-family residential subdivisions with 25% or less impervious cover at total site build-out
- ☐ Construction of a barn or other agricultural building, silo, stock yard or pen.

The following are construction activities that involve soil disturbances of one or more acres of land:

- ☐ Installation of underground, linear utilities, such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains
- ☐ Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects
- ☐ Bike paths and trails
- ☐ Sidewalk construction projects that are not part of a road/highway construction or reconstruction project
- ☐ Slope stabilization projects
- ☐ Slope flattening that changes the grade of the site but does not significantly change the runoff characteristics
- ☐ Spoil areas that will be covered with vegetation
- ☐ Land clearing and grading for the purposes of creating vegetated open space (i.e., recreational parks, lawns, meadows, fields), excluding projects that alter hydrology from pre- to post-development conditions

- ☐ Athletic fields (natural grass) that do not include the construction or reconstruction of impervious area and do not alter hydrology from pre- to post-development conditions

- ☐ Demolition project where vegetation will be established and no redevelopment is planned

- ☐ Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with impervious cover

- ☐ Structural practices as identified in Table II in the Agricultural Management Practices Catalog for Nonpoint-source Pollution in New York State, excluding projects that involve soil disturbances of less than five acres and construction activities that include the construction or reconstruction of impervious area

Table 2
Construction Activities That Require the Preparation of a SWPPP That Includes Post-Construction Stormwater Management Practices

The following are construction activities that involve soil disturbances of one or more acres of land:

- ☐ Single-family residential subdivisions that involve soil disturbances of between one and five acres of land with greater than 25% impervious cover at total site build-out

- ☐ Single-family residential subdivisions that involve soil disturbances of five or more acres of land, and single-family residential subdivisions that involve soil disturbances of less than five acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land

- ☐ Multifamily residential developments; includes townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks

- ☐ Airports

- ☐ Amusement parks

- ☐ Campgrounds

- ☐ Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or alter the hydrology from pre- to post-development conditions

- ☐ Commercial developments

- ☐ Churches and other places of worship

- ☐ Construction of a barn or other agricultural building (e.g., silo) and structural practices as identified in Table II in the Agricultural Management Practices Catalog

for Nonpoint-source Pollution in New York State that include the construction or reconstruction of impervious area, excluding projects that involve soil disturbances of less than five acres.

- ☐ Golf course
- ☐ Institutional, includes hospitals, prisons, schools and colleges
- ☐ Industrial facilities, includes industrial parks
- ☐ Landfills
- ☐ Municipal facilities; includes highway garages, transfer stations, office buildings, POTWs and water treatment plants
- ☐ Office complexes
- ☐ Sports complexes
- ☐ Racetracks; includes racetracks with earthen (dirt) surface
- ☐ Road construction or reconstruction
- ☐ Parking lot construction or reconstruction
- ☐ Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or alter the hydrology from pre- to post-development conditions
- ☐ Athletic fields with artificial turf
- ☐ Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with impervious cover, and constructed as part of an overhead electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project or other linear utility project
- ☐ All other construction activities that include the construction or reconstruction of impervious area and alter the hydrology from pre- to post-development conditions and are not listed in Table 1

TOWN OF SOUTHAMPTON

Phase II Storm Water Management Program

Written Procedures for Minimum Control Measures 4 and 5
Construction Site Storm Water Runoff Control and
Post-Construction Storm Water Management

Prepared by:

November 2011

DVIRKA AND BARTILUCCI
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A DIVISION OF D&B ENGINEERS AND ARCHITECTS, P.C.

3012/Southampton/Jobs/EnvPer(07/21/10)RLA

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM

WRITTEN PROCEDURES
FOR
MINIMUM CONTROL MEASURES 4 AND 5
CONSTRUCTION SITE STORM WATER RUNOFF CONTROL
AND
POST-CONSTRUCTION STORM WATER MANAGEMENT

IN COMPLIANCE WITH

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR DISCHARGES FROM
MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4S)

Prepared by:

DVIRKA AND BARTILUCCI CONSULTING ENGINEERS
WOODBURY, NEW YORK

NOVEMBER 2011

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM

WRITTEN PROCEDURES FOR
MINIMUM CONTROL MEASURES 4 AND 5
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AND POST-CONSTRUCTION STORM WATER MANAGEMENT

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1.0 INTRODUCTION

Polluted storm water runoff from construction sites is a leading cause of water quality degradation throughout New York State and has resulted in fish and wildlife habitat degradation, beach closings, and limited enjoyment of many of the other benefits that our water resources provide. The aim of the Town of Southampton's (the Town) construction site storm water management review program is to improve the water quality of surface water bodies by reducing and preventing the contamination of storm water at the source at the construction site, before it has an opportunity to pollute the runoff flow and affect water quality. The Town's construction site storm water management program is designed to be consistent with 1) the New York State Department of Environmental Conservation (NYSDEC) issued Phase II storm water permits, which regulate the discharge of pollutants from the Town's municipal separate storm sewer system (MS4) and construction sites equal to or greater than one acre; and 2) the Town's Storm Water Management and Erosion and Sediment Control Local Law.

The NYSDEC State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities and Town local law require that owners or operators of private (i.e., not municipally owned/operated) construction sites with land disturbance of greater than or equal to one acre and within the Town's jurisdiction must submit a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the Town prior to submitting the Notice of Intent (NOI) to NYSDEC.

The written procedures within this document were developed as tools for the Town Storm Water Management Officer (SMO) or his/her designees to use during the review and approval of SWPPPs for private projects, construction site inspections, receipt of and response to public complaints, and the enforcement and penalization of violators. The SMO is responsible for the oversight of the Town SWPPP review/approval and construction site inspection programs.

This document has been developed in an effort to make the education, review, inspection, enforcement and penalization processes more effective and efficient. This document can assist Town employees in providing thorough and systematic processes that will improve

implementation of storm water pollution prevention control measures during project construction.

This document was prepared to be consistent with the Town Storm Water Management and Erosion and Sediment Control Local Law (Appendix A), the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (Appendix B), and the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s (Appendix C). This document is intended to serve as a guide for private construction projects disturbing greater than or equal to one acre of land and within the Town's jurisdiction. Federal and NYSDEC approved reference handbooks, manuals and documents will also be used to perform comprehensive education, review, inspection, enforcement and penalization processes.

2.0 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

The Town is committed to reducing storm water pollution from construction sites within the Town's jurisdiction. The Town and NYSDEC require that construction project sponsors/applicants applying for the SPDES General Permit for Stormwater Discharges from Construction Activities from NYSDEC first submit a SWPPP for review and approval by the Town. Education and the development, review and implementation of SWPPPs can help to improve water quality by preventing sediment and other pollutants from entering the MS4 and surface waters, before they can cause environmental problems.

2.1 SWPPP Guidance Document

The first step in the Town construction site storm water management program is education. The Town's SWPPP Guidance Document, which is a separate stand-alone document, will be made available to construction site owner/operators, design engineers, Town staff and other applicable individuals working within the Town's jurisdiction. The SWPPP Guidance Document contains valuable information regarding the Town's construction storm water requirements, when construction storm water requirements apply, to whom they apply, the Town's procedures for submission of SWPPPs, required owner/operator construction site inspections, and other procedures associated with the control of construction site storm water discharges.

The Town will provide the SWPPP Guidance Document to construction project sponsors/applicants applying for land use/building permits within the Town's jurisdiction so that they are aware of the Town and State construction site storm water discharge requirements. As recordkeeping is essential to all components of the Town's Storm Water Management Program, the Town will keep a log of the distribution of the SWPPP Guidance Document. A sample of SWPPP Guidance Document Distribution Log Sheet is provided in Appendix D. If the SWPPP Guidance Document is made available on the Town storm water website, the Town will keep track of the number of times the document is reviewed/downloaded.

2.2 SWPPP Reviewer Qualifications

The SMO will delegate responsibilities of the SWPPP review process to qualified individuals as necessary. If needed, the Town will contract with consultants, engineers or other qualified professionals for technical reviews of SWPPPs submitted to the Town for approval. In any case, the Town SMO is responsible for ensuring that the individuals performing SWPPP reviews are adequately trained and understand the most recent and applicable New York State and local storm water requirements. The qualifications for the individuals conducting the SWPPP review are dependent on the project type and are discussed below.

2.2.1 SWPPPs with the Erosion and Sediment Control Component

For submitted SWPPPs requiring only the erosion and sediment control component, the individual conducting the SWPPP review for the Town will be adequately trained and knowledgeable in the principles and practices of erosion and sediment control.

2.2.2 SWPPPs with the Post-Construction Storm Water Management Practices Component

For submitted SWPPPs requiring the post-construction storm water management practices component, the individual conducting the SWPPP review for the Town will be a qualified professional or under the supervision of a qualified professional. A qualified professional means an individual that is licensed or certified in the principles and practices of storm water management and treatment, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), licensed Landscape Architect or an individual that has received erosion and sediment control inspector training by a NYSDEC sponsored or approved training. Upcoming NYSDEC sponsored or approved training courses are posted on the NYSDEC Stormwater website.

2.3 General Approach to SWPPP Review

All SWPPPs submitted to the Town must be reviewed by the Town for projects that propose land disturbance of one acre or greater. The main objective of the SWPPP review is to verify that the applicant has a plan that incorporates consideration of potential water quality impacts and is consistent with New York State and local erosion and sediment control requirements.

In accordance with the Town's SPDES General Permit for Stormwater Discharges from MS4s, all submitted construction site SWPPPs will be included with the Town's Storm Water Management Program Plan documentation. Therefore, submitted SWPPPs will be made readily available to Town staff, the public and regulators upon FOIL request.

The preferred approach for the Town is to integrate submission and review of SWPPPs into existing local land use/building permitting processes (e.g. site plan review). All SWPPPs submitted to the Town for review will be recorded/documented. A sample Received SWPPPs Log Sheet is provided in Appendix E. The systematic review will begin with a concise global review of the fundamental project elements, followed by a thorough detailed review of the specific project elements. The Town will use the following step-by-step procedure for SWPPP reviews:

- Assemble necessary reference materials
- Conduct a preliminary review
- Conduct a detailed review
- Provide comments to the applicant
- Approve the SWPPP – once the Town's comments have been adequately addressed

2.3.1 Assemble Necessary Reference Materials

Before beginning the SWPPP review, the reviewer will assemble all relevant background reference materials, which will include but are not limited to:

- NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities
- NYSDEC SPDES General Permit for Stormwater Discharges from MS4s
- Town Storm Water Management and Erosion and Sediment Control Local Law
- New York State Standards and Specifications for Erosion and Sediment Control
- New York State Stormwater Management Design Manual
- New York State Construction Stormwater Inspection Manual

The reviewer will be sure to use the most recent and approved versions of necessary manuals, permits, laws and other relevant resources. The SMO will ensure that the SWPPP reviewer is familiar with these resources, because frequent cross-referencing will be required to facilitate a thorough review.

2.3.2 Conduct a Preliminary Review

The SWPPP reviewer will conduct an overview of the project to become familiar with the water quality related aspects of the project. The purpose of the preliminary review is to identify major deficiencies or omissions in the SWPPP that would impede a thorough technical review of the construction plans. The preliminary review of materials, plans and specifications will include, but is not limited to, checking for the following items:

- Total land disturbance in acres
- Background information and the scope of the project
- Clearly marked site map(s)/construction drawing(s)

- Relevant United States Army Corps of Engineers, NYSDEC, New York Department of State, etc. permits issued for the project
- Description of the soil(s)
- Depth to groundwater
- Nearby water bodies and their designation/classification
- Environmental concerns on adjacent properties and water bodies
- Construction phasing plan and sequence of operations, including planned shutdowns
- Existing structural best management practices (BMP) to be protected or utilized during construction
- Specific requirements for erosion and sediment control practices to be installed
- Dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices
- Inspection schedules
- Temporary and permanent soil stabilization plan
- Pollution prevention and good housekeeping measures
- Description and location of any storm water discharges associated with industrial activity other than construction at the site
- Identification of any elements of the design that are not in conformance with the technical standards

A preliminary review of a SWPPP requiring a post-construction storm water management practices component will also include, but is not limited to, checking for the following items:

- Identification of all post-construction storm water management practices to be constructed
- Site map(s)/construction drawing(s) showing each post-construction storm water management practice
- Dimensions, material specifications, installation details, hydrologic and hydraulic analysis, sizing criteria, and operation and maintenance requirements for each post-construction storm water management practice

- Identification of any elements of the design that are not in conformance with the technical standards

If the plan is found to be deficient of any of the items required by the NYSDEC or the local law, the SWPPP will be immediately returned with comments to the applicant for corrections.

2.3.3 Conduct a Detailed Review

If the SWPPP is found to be complete, it is recommended that the SWPPP reviewer visit the job site to take note of the existing drainage patterns, receiving water bodies, environmentally sensitive areas, space limitations, project limits, adjacent properties, or other water quality related characteristics. The SWPPP reviewer will consider the various construction phases and water quality issues that might arise throughout the year. Next, the SWPPP reviewer may contact professionals and regulatory authorities to discuss current water quality issues and any known critical issues associated with the project and the surrounding areas. Depending on the project, the SWPPP reviewer may then conduct a storm water control pre-construction meeting with the applicant, contractor, subcontractors, suppliers, etc. to discuss the water quality issues.

After becoming familiar with the project and discussing the project with relevant parties, the SWPPP reviewer will conduct a formal review. The SWPPP reviewer will evaluate the overall plan for its feasibility and capacity to control storm water pollution. A sample Checklist for SWPPP Review form is provided in Appendix F. This checklist can be used during the review as a supplement to the most recent NYSDEC General Permit for Stormwater Discharges from Construction Activities, Town local law and New York State technical storm water standards, because these documents will contain the specific up-to-date requirements for the SWPPP, construction site erosion and sediment controls, and post-construction storm water management practices. The SWPPP reviewer will make comments and note any deficiencies in the SWPPP while conducting the review. This information will be useful when generating a comment letter for the applicant.

2.3.4 Provide Comments to the Applicant

After completing the detailed review, the SWPPP reviewer will document the outcome of the review. A sample Reviewed SWPPPs Log Sheet is provided in Appendix G. The reviewer will then compile comments into a single letter to the applicant. Each comment will be referenced to the appropriate section of the SWPPP, NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities or designated as a general comment.

If at any time the SWPPP is found to be deficient of any of the items required by the NYSDEC or the Town local law, the SWPPP will be immediately returned to the applicant for corrections.

2.3.5 Approve the SWPPP

The principal executive officer or ranking elected official from the Town or a duly authorized representative of that person will sign the MS4 SWPPP Acceptance Form once the following conditions have been met:

- All of the Town's comments have been adequately addressed;
- The SWPPP is deemed acceptable; and
- The erosion and sediment control training certificates of completion or other such proof of erosion and sediment control required training has been provided for all listed construction site contractors working on the project, as required in the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s

The Town will use the format that is provided by the NYSDEC to approve the SWPPP (see Appendix H). By approving the SWPPP, the Town declares that the submitted plan meets the requirements of the NYSDEC General Permits and Town local law.

One approved copy of the SWPPP will be returned to the applicant along with the signed MS4 SWPPP Acceptance Form. The applicant will then submit the approved NOI and MS4 SWPPP Acceptance Form to NYSDEC for permit coverage. Construction activities and soil

disturbance may commence five business days from the receipt of the NYSDEC NOI Acknowledgement Letter. The SWPPP, NOI, MS4 SWPPP Acceptance Form and NYSDEC NOI Acknowledgement Letter must be maintained at the jobsite. A second approved copy of the SWPPP and the MS4 SWPPP Acceptance Form will be filed at the Town. Finally, the construction project will be added to the Town's Active Construction Sites Inventory by the time construction begins. A sample Active Construction Sites Inventory form is provided in Appendix I.

3.0 CONSTRUCTION SITE STORM WATER COMPLIANCE INSPECTIONS

3.1 Importance of Compliance Inspections

NYSDEC requires the Town to conduct compliance inspections for all construction sites that disturb one or more acres of land. Town-conducted compliance inspections of regulated construction sites are essential to controlling storm water erosion and sedimentation pollution.

This section describes procedures for Town inspectors performing storm water compliance inspections of private (i.e., not municipally owned/operated) construction sites disturbing greater than or equal to one acre of land within the Town's jurisdiction. The purpose of the Town compliance inspection program is to reduce the discharge of pollutants from private construction sites into the MS4 and surface waters during all regulated soil disturbing activities. Town-conducted construction site storm water control inspections include both erosion and sediment compliance measures and post-construction storm water management practices. Storm water compliance inspections and enforcement of storm water controls at construction sites will help to deter infractions.

3.2 Construction Site Storm Water Compliance Inspector Qualifications

The SMO will delegate responsibilities of the construction site storm water compliance inspections to qualified individuals as necessary. If needed, the Town will contract with consultants, engineers or other qualified professionals to conduct construction site storm water compliance inspections. In any case, the Town SMO is responsible for ensuring that the individuals performing the construction site storm water compliance inspections for the Town are adequately trained and understand the most recent and applicable New York State and local storm water requirements.

An adequately trained inspector means a person that is licensed or certified in the principles and practices of storm water management and treatment, such as a licensed Professional Engineer, CPESC, licensed Landscape Architect or an individual that has received

erosion and sediment control inspector training by a NYSDEC sponsored or approved training course. Upcoming NYSDEC sponsored or approved training courses are posted on the NYSDEC Stormwater website.

All inspectors working on behalf of the Town will reference the most recent version of the New York State Construction Stormwater Inspection Manual while conducting the construction site storm water compliance inspections. A copy of the New York State Construction Stormwater Inspection Manual is provided in Appendix J.

3.3 General Approach to Construction Site Storm Water Compliance Inspections

It is important to establish standard, well-documented inspection procedures. The preferred approach for the Town construction site storm water compliance inspection program is to integrate them into existing Town inspection procedures (e.g., grading and building inspections). Regular Town-conducted inspections by qualified personnel will help to identify problem areas and to ensure that storm water controls are operating properly. An organized construction site storm water inspection program begins with the establishment of priority areas followed by detailed site inspections of the specific project elements. The Town SMO will use the following step-by-step procedures for the Town storm water compliance inspection program:

- Establish Inspection Frequencies
- Pre-Inspection Project Review
- Conduct the Site Inspection
- Provide Comments to the Applicant

3.3.1 Establishing Inspection Frequencies

At least two routine construction site storm water compliance inspections are to be conducted for each regulated construction site: 1) prior to any land disturbing activities, but after all erosion and sediment control practices are in place, and 2) a final site inspection after all permanent storm water control measures are installed and the site has reached final stabilization.

In addition, the SMO may conduct construction site storm water inspections as necessary throughout the construction project to determine compliance.

The Town will establish a Town-conducted inspection schedule on a reasonable basis, including but not limited to the following types of inspections:

- Routine inspections
- Random inspections
- Inspections based upon complaints or other notice of possible violations
- Inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or pollutants
- Inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or pollutants or with discharges of a type which are more likely than the typical discharge to cause violations of state or federal water or sediment quality standards or the SPDES storm water permit such as waterfront development, marinas or construction at industrial sites
- Joint inspections with other agencies inspecting under environmental or safety laws

The Town SMO will identify priority sites for inspection and monitoring frequencies without bias and based on the nature of the construction activity, geography, topography, and/or the characteristics of soils and receiving water. The Town SMO will determine the frequency of Town-conducted site inspections, including laboratory and/or other tests, required to assure that the applicant and contractor(s) are complying with legal requirements, water quality standards, and the approved SWPPP. The Town SMO can require monitoring reports from applicants to determine compliance with all laws and technical guidance. Parameters for laboratory tests or monitoring reports may include, but are not limited to, turbidity, total dissolved solids (TDS), total suspended solids (TSS), pathogens/coliforms, temperature, flow, nitrogen and phosphorus.

The Town will establish a schedule of storm water compliance inspections at each regulated construction site to ensure the continuous and effective operation of each storm water management practice. The Town may advise the applicant that they are required to notify the Town one business day prior to any land disturbing/building activities, but after all erosion and

sediment control practices are in place. The SMO can require the applicant to notify the Town at least 48 hours before any of the other following activities as necessary:

- Start of construction
- Completion of site clearing
- Completion of rough grading
- Completion of final grading
- Close of construction season
- Completion of final landscaping
- Successful establishment of landscaping

3.3.2 Pre-Inspection Review

The Town inspector will conduct an overview of the project to become familiar with the water quality related aspects of the project before each inspection. This may include a review of the Checklist for Compliance Inspection form (Appendix K), any permits issued, applicable Town laws and codes, the site plans and specifications, past inspection reports, and the latest updated copy of the SWPPP. The Town inspector will communicate with other regulatory agencies to avoid unnecessary duplication or to coordinate follow-up correspondence or inspections. The Town inspector will become familiar with the site plans, construction drawings and details, phases of construction, limit of disturbance, sequences of construction in each phase, number and location of BMPs, drainage areas, perimeter controls, and outlet points.

The Town may notify the applicant before the Town storm water compliance inspection or conduct unannounced inspections. Highly visible compliance inspections reinforce the commitment and importance the Town places on effective storm water control practices. By knowing that the site will be inspected by the Town periodically, contractors are more likely to be aware of and meet storm water control requirements.

3.3.3 Conduct the Storm Water Compliance Inspection

The Town-conducted storm water compliance inspections will focus on the requirements of the site-specific storm water control plans for the project. Conditions can change at construction sites and adjustments to the SWPPP and storm water control practices should be incorporated as needed. The Town inspector may refer to the New York State Construction Stormwater Inspection Manual, provided in Appendix J, during the inspection. The Town inspector will check that all required storm water control practices features are functioning properly.

The Town inspector will conform to Town health and safety policies as it relates to personal protective equipment. If the construction is on an industrial site or a hazardous waste site, special training may be required prior to entering the site. The Town inspector will consult with the site supervisor and Occupational Safety and Health Administration (OSHA) or NYSDEC for the proper safety precautions or necessary training.

When entering a site to perform a compliance inspection, the Town inspector will first stop at the field office, present appropriate identification and explain the purpose of the inspection. The Town Inspector will make sure all necessary documentation is being maintained on-site including the approved and updated SWPPP, MS4 SWPPP Acceptance Form, NOI, inspection reports and NYSDEC NOI Acknowledgement Letter. The Town inspector will ask to see copies of any previous inspection reports for the site that were completed by the project applicant to determine that the project is complying with the terms of the SWPPP. The Town inspector will compare the on-site documentation with previously submitted documentation. The Town inspector will make comments or note any deficiencies in writing while conducting the inspection. A sample Checklist for Compliance Inspection form is provided in Appendix K.

Inspections will commence at the lowest point at the perimeter of the site, proceeding upgrade. Receiving water conditions will be observed prior to walking the rest of the site. This may help in determining if sediment is leaving the site and the source of the sediment. If

sediment is leaving the site, inspect far enough downstream, if possible, to determine the extent of the damage.

The Town inspector will note if the BMPs listed/shown in the SWPPP and accompanying plans have been installed for the relevant phases of construction. The Town inspector will walk the perimeter of the site noting the installation or lack of perimeter controls and any problems with these controls. Note also any controls that appear to require maintenance. It is helpful to take digital photographs of control measures to document their functioning over time. Stabilization measures should be in place in disturbed areas that are not currently being worked on. Areas where final stabilization measures are installed should not be disturbed.

3.3.4 Provide Comments to the Applicant

If any of the control practices installed in accordance with the approved SWPPP require corrective actions, maintenance, revision, repair, reinstallation and/or replacement, the Town inspector will notify the owner or operator and the appropriate contractor or subcontractor within one business day. When a Town-conducted inspection shows the approved SWPPP to be ineffective in eliminating or minimizing pollutants from on-site sources or discharges that cause a substantial visible contrast to natural conditions, the Town inspector will inform the owner of the site or his/her responsible agent of their duty to amend the SWPPP.

The Town inspector will notify the owner or operator of the site in writing which corrective actions are necessary to install, repair, replace and/or maintain the erosion and sediment control practices and to correct deficiencies identified with the construction of the post-construction storm water management practice(s). The Town inspector will inform the applicant and the developer in the violation notice that further work is not to be conducted except for site stabilization until any and all violations are corrected and all work previously completed has received approval by the Town. While the Town inspector will not endorse specific products to solve these problems, as it is the responsibility of the site owner or operator to implement a workable solution to a compliance problem, he/she might refer the owner or operator to the appropriate sections of the technical standards.

All completed Town-conducted inspection reports, including the Checklist for Compliance Inspection, comments, letters, drawings, sketches and photographs, will be signed by the inspector and provided to the applicant to be included with the on-site SWPPP. A copy of the entire completed inspection report will be filed in the Town project files. The Town may record the relevant information on the sample Compliance Inspection Log Sheet in Appendix L.

3.3.5 Final Site Inspection

According to the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s, the Town is required to determine if it is acceptable for the owner or operator of a regulated construction project to submit the required Notice of Termination (NOT) to NYSDEC at the end of construction. This can be done through either a final Town-conducted storm water compliance site inspection, or by accepting the qualified inspector's final certification required by the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities. This is done when the construction portion of the project is complete to verify that the site has all permanent storm water control measures installed and the site is in stable condition. The Town SMO is responsible for delegating the Town-conducted inspection of all post-construction storm water management practices.

Town-conducted inspections of storm water management practices may include, but are not limited to:

- Reviewing maintenance and repair records
- Sampling discharges, surface water, groundwater, and material or water in drainage control facilities
- Evaluating the condition of drainage control facilities and other storm water management practices

The Town has the right to enter property at reasonable times and in a reasonable manor for the purpose of conducting inspections when any new storm water management facility is

installed on private property or when any new connection is made between private property and the Town storm sewer system.

Once the Town's comments and concerns have been adequately addressed, the principal executive officer, ranking elected official, or duly authorized representative will sign the MS4 Acceptance Statement on the NOT. By signing the NOT, the Town declares that all disturbed areas have achieved final stabilization, that all temporary structural erosion and sediment control measures have been removed, and all post-construction storm water management practices have been constructed in conformance with the SWPPP and are operational.

4.0 RECEIPT OF AND RESPONSE TO PUBLIC COMPLAINTS /COMMENTS

The public can play a crucial role in identifying instances of noncompliance. Public reporting can provide important assistance in preventing storm water pollution during construction activities. The Town will request that all formal complaints/comments be sent to the Town SMO in writing. The written complaint/comment must contain:

- The location of the tract of land with the excessive erosion or sedimentation.
- The description of land or water that is affected by the excessive erosion or sedimentation.
- A description of the nature of the excessive erosion or sedimentation.

Upon receipt of a complaint/comment, the SMO will notify the Town department responsible for code enforcement for the project or development area. A letter will be issued informing the property owner (or other responsible party) that the Town received a complaint/comment. Complaints/comments received from the public will be kept anonymous. Any public complaint/comment received will be acted upon routinely as soon as possible. The Town will keep detailed record of complaint/comment issues. A sample Public Complaints/Comments on Regulated Construction Projects Log Sheet is provided in Appendix M. The Town will initiate enforcement proceedings if violations are confirmed.

5.0 ENFORCEMENT AND PENALIZATION OF VIOLATORS

If a construction site inspection performed by the Town or a public complaint/comment uncovers a violation, the Town will attempt to resolve problems with the least intrusive method and at the lowest public expense possible. Any enforcement action will be handled according to the Storm Water Management and Erosion and Sediment Control Local Law, or cases may be referred to the County, NYSDEC or the United States Environmental Protection Agency (USEPA) as deemed appropriate by the Town SMO. The Town will keep record of all enforcement actions. A sample Enforcement Action Log Sheet is provided in Appendix N.

5.1 Enforcement and Penalties

Enforcement will be consistent with all existing Town laws, codes and/or policies as well as with new laws, codes and/or policies that are developed. The Town has enacted a Storm Water Management and Erosion and Sediment Control Local Law, which is provided in Appendix A. This law prohibits polluted storm water discharges from entering the Town's storm drain system, watercourses, outlets or channels. This law provides the Town with the authority to make inspections to enforce the provisions of the law.

The Town will attempt to negotiate a reasonable amount of time for the responsible party to correct the violation. However, any person who has been proven to violate the provisions of the Town local law will be guilty of a violation punishable according to the local law. Enforcement mechanisms may include non-monetary penalties (e.g., stop work orders), fines, imprisonment, and/or permit denials for non-compliance.

5.2 Notice of Violation

The Town department in charge of code enforcement will research the potential violation then make a determination regarding the violation. If a violation does not exist, no further action will be taken. However, if the Town determines that a land development activity is not being carried out in accordance with the requirements of the NYSDEC SPDES General Permit for

Stormwater Discharges from Construction Activities or the local law, the Town may issue a written notice of the inspection findings and required corrective actions to the landowner. Should the corrective actions not be implemented, a Notice of Violation will be issued. The Notice of Violation may contain some or all of the following:

- The name and address of the landowner, developer or applicant
- The address or a description of the building, structure or land upon which the violation is occurring
- A statement specifying the nature of the violation and a time schedule for the completion of such remedial action
- A description of the remedial measures necessary to bring the land development activity into compliance
- A statement of the penalty or penalties that shall or may be assessed against the person to whom the Notice of Violation is directed
- A statement that the determination of violation may be appealed to the Town by filing a written notice of appeal within 15 days.

5.3 Stop Work Orders

The Town will issue a stop work order should the land owner not address the Notice of Violation. Additionally, a stop work order may be issued any time a permit violation occurs. Persons receiving a stop work order will be required to halt all land development activities, except those activities that address the violations leading to the stop work order. The stop work order will be in effect until the Town confirms that the land development activity is in compliance and the violation has been satisfactorily addressed. The Town SMO may pursue civil, criminal, or monetary penalties for failure to address a stop work order in a timely manner.

5.4 Injunction Relief

If a person has violated or continues to violate local laws or the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities, the Town can petition

for an injunction restraining the person from activities that may create further violations or compelling the person to perform abatement or remediation of the violation.

5.5 Withholding of Certificate of Occupancy

The Town SMO can recommend the prevention of the issuance of a Certificate of Occupancy if any building or land development activity is installed or conducted in violation of Town local laws.

5.6 Restoration of Lands

The Town SMO or code enforcement department can require any violator to restore damaged areas to their undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary corrective actions, the cost of which will become a lien upon the property until paid.

6.0 RECORDKEEPING

Under the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s, the Town is required to report annually on the implementation of their construction site storm water runoff control program. The Town will use the standardized log sheets, inventories, inspection forms, etc. Samples are provided in the appendices of this document as applicable.

6.1 Proposed/Approved Construction Project Files

The following records will be kept with the individual proposed/approved construction project files as applicable:

- Distribution of SWPPP Guidance Documents (Appendix D)
- SWPPPs received (Appendix E)
- SWPPPs reviewed (Appendix G), including:
  - Checklist for SWPPP Review Forms (Appendix F)
  - SWPPP comment letters
  - MS4 SWPPP Acceptance Forms (Appendix H)
  - Authorization of the construction project
- Active construction sites (Appendix I)
- Public complaints/comments (Appendix M)
- Compliance inspections of construction sites (Appendix L), including:
  - Checklist for Compliance Inspection Forms (Appendix K)
  - Comment letters
- Enforcement actions (Appendix N), including:
  - Notices of Violation, Stop Work Orders, Criminal Actions, Termination of Contracts, Administrative Fines, Civil Penalties, Administrative Orders, etc.

6.2 Storm Water Management Program Files

To facilitate annual reporting, copies of all logs sheets, inventories, inspection forms, etc. will also be filed with the Town storm water management program files or kept in the Appendices of this document as applicable. The annual reporting period for the Storm Water Management Program Annual Reports (SWMPARs) is from March 10th through March 9th. While keeping records for the SWMPAR, the Town will give special consideration to the following as applicable:

- Number of SWPPPs reviewed
- Number of public comments/complaints received
- Number and types of enforcement actions
- Number of construction projects authorized for disturbances of one acre or more
- Number of active construction projects disturbing at least one acre
- Percent of active construction sites inspected
- Percent of active construction sites inspected more than once

APPENDIX A

TOWN OF SOUTHAMPTON STORM WATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL LOCAL LAW

June 1, 2010 – FINAL DRAFT FOR PUBLIC COMMENT

Chapter 285
STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL

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§ 285-1. Statutory authorization.

This chapter is enacted pursuant to §10 of the Municipal Home Rule Law to promote the public health, safety, and general welfare of Town citizens through land use regulations intended to control flooding, erosion, or sedimentation within the entire Town, as mandated by Articles 17(Title 7.8), 36 and 70 of the Environmental Conservation Law and any and all applicable laws, rules or regulations of the State of New York.

§ 285-2. Findings of Fact.

The Town of Southampton in 2003, obtained State Pollutant Discharge Elimination System (SPDES) permit number NYR20A454 from the New York State Department of Environmental Conservation (NYSDEC) in connection with the discharge of stormwater, as required pursuant to Environmental Conservation Law (ECL). The SPDES permit requires that the Town enact a local law that complies with federal and New York State guidelines for stormwater control, which addresses the following findings of fact as determined by the State and as accepted by the Town of Southampton:

A. Land development, redevelopment, the building of roads and highways, other site improvement and construction activities may alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes and associated increases in site impervious cover thereby resulting in flooding and sediment transport and deposition into local water bodies;

B. Stormwater runoff from developed areas may contribute significant quantities of waterborne pollutants to surface and groundwater sources, degrading water bodies, potentially affecting public and private water supplies, recreational uses, and impacting the viability of fish and other aquatic life;

C. Clearing and grading during construction tends to increase soil erosion adding to loss of native vegetation necessary for terrestrial and aquatic habitat;

D. Flooding conditions caused by the washing and deposition of eroded soil on adjacent properties and roadways can result in the pollution of bays, streams, lakes and ponds;

E. The washing, blowing, and deposition of eroded soil across and upon roadways, can decrease visibility and reduce traction of vehicles;

F. Sedimentation from erosion can clog culverts, fill drainage retention areas, pollute and silt bays, lakes, and ponds, thereby increasing the likelihood of flooding;

G. Improper design, construction and implementation of stormwater and erosion control measures can lead to increased flooding, sediment transport and deposition, as well as overall degradation of water bodies;

H. Impervious surfaces allow less water to percolate into the subsurface soil, thereby decreasing groundwater recharge and stream base flow;

I. Impacts from stormwater runoff, soil erosion and nonpoint source pollution can be minimized through the control of stormwater runoff from land development activities;

J. The regulation of stormwater runoff discharges from land development activities in order to control and minimize increases in stormwater runoff rates and volumes, soil erosion, and nonpoint source pollution associated with stormwater runoff is in the public interest and will minimize threats to public health and safety;

K. The implementation of performance standards governing stormwater management and site design will result in development that is more compatible with the natural functions of a particular site or a larger watershed and tend to mitigate the adverse impacts due to erosion and sedimentation caused by development;

L. Economic consequences may result from adverse impacts on the waters of the Town.

§ 285-3. Purpose and intent.

The purpose of this chapter is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the residents of the Town of Southampton and to address the findings of fact and statutory authority in §285-2. This chapter seeks to meet those purposes by achieving the following objectives:

A. Meet the requirements of minimum measures 4 and 5 of the New York SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), Permit No. GP-0-10-002, or as amended or revised.

B. Require land development activities to conform to the substantive requirements of the New York SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-10-001, or as amended or revised.

C. Control, restrict or prohibit activities which alter natural drainage systems, floodplains, and other natural protective features, including wetlands, which contribute to the accommodation of floodwaters and retention of sediment.

D. Control, restrict or prohibit land use activities which increase nonpoint source pollution due to stormwater runoff which result in discharge onto public lands, neighboring properties or natural protective features which would degrade local water quality.

E. Assure that land and water uses in the Town are designed and conducted using best-management practices to control flooding, stormwater runoff and discharge onto public lands, neighboring properties, or natural protective features.

F. Promote the recharge of stormwater into the fresh water aquifer to protect the drinking water supply and minimize salt water intrusion.

G. Minimize the total annual volume of stormwater runoff which flows from any specific site during and following development and redevelopment to the maximum extent practicable.

H. Protect the biological, ecological, and other beneficial functions of water bodies from the adverse impacts of stormwater runoff.

I. Establish provisions for the long-term responsibility for and maintenance of stormwater control facilities and practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety.

J. Establish provisions to ensure that there are adequate funding mechanisms, including financial security or surety, for the proper review, inspection and long-term maintenance of stormwater facilities and practices implemented pursuant to this chapter.

K. Establish provisions for the Town to recover costs and expenses incurred by the Town for any repairs it makes to stormwater facilities and for implementation of management practices.

L. Establish administrative procedures for the submission, review, and approval of stormwater management plans and for the inspection of approved active development projects, and long-term oversight of the stormwater control facilities and practices.

M. Promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, hazardous waste, sediment and other pollutants into local watersheds and water bodies.

§ 285-4. Applicability.

A. This chapter shall be applicable to all land development and redevelopment activities within the Town of Southampton that exceed any of the thresholds contained herein, unless exempt pursuant to §285-7. No person or other entity shall undertake any land development activity without first meeting the requirements of this chapter.

B. Notwithstanding the foregoing, all stormwater management practices associated with land development activities that do not exceed the thresholds herein or are otherwise exempt from the requirements of this chapter shall be maintained in good working condition and kept in good repair by the landowner and any owner and/or operator of the stormwater management practices. The enforcement provisions, penalties and other provisions of §285-13 shall apply to any violations of this provision.

C. The Town shall designate a Stormwater Management Officer (SMO) who shall review all stormwater pollution prevention plans (SWPPP). The SMO may:

1) Review the SWPPP;

2) Upon approval by the Southampton Town Board, engage the services of a Professional Engineer licensed by the State of New York to review the plans, specifications and related documents at a cost not to exceed a fee schedule established by said governing board; or

3) Accept the certification of a Professional Engineer licensed by the State of New York that the plans conform to the requirements of this chapter and all relevant and applicable requirements.

D. Notwithstanding the mechanism of review chosen, the SMO shall have the authority under this chapter to inspect the progress of land development and redevelopment activities subject to the provisions of this chapter with regard to conformance with the approved SWPPP. Should the project be found to be in noncompliance with the approved SWPPP, the SMO shall have the authority to halt construction activities until corrective measures are taken to bring the project into compliance.

E. All land development or redevelopment activities subject to review and approval by the Planning Board pursuant to the subdivision, site plan and/or special exception review regulations shall be reviewed subject to the standards contained in this chapter. No authorization to proceed with development activities shall occur until all permits and approvals have been obtained.

F. All land development or redevelopment activities subject to review and approval by the Building Department pursuant to the building code shall be reviewed subject to the standards contained in this chapter. No authorization to proceed with development activities shall occur until all permits and approvals have been obtained.

G. All land development activities subject to review as stated in this chapter shall be required to submit a SWPPP to the SMO, who shall review the SWPPP and grant approval if it complies with the requirements of this chapter.

H. All land development or redevelopment activities meeting certain conditions contained in this Chapter shall obtain authorization under the SPDES General Permit for Stormwater Discharges from Construction Activity from the NYSDEC, prior to obtaining final Town approval and permits for the proposed land development or redevelopment activities.

§ 285-5. Definitions.

The terms used in this chapter or in documents prepared or reviewed under it, shall have the meaning, as set forth in this chapter.

AGRICULTURAL ACTIVITY - The activity of an active farm including grazing and watering livestock, irrigating crops, harvesting crops using land for growing agricultural products, and cutting timber for sale, but shall not include the operation of a dude ranch or similar operation, or the construction of new structures associated with agricultural activities.

APPLICANT – A property owner or agent of a property owner who has filed an application for a land development or redevelopment activity.

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

CLEARING – Any activity that removes the vegetative surface cover or the existing developed surface cover.

DEDICATION – The deliberate appropriation of property by its owner for general public use.

DESIGN MANUAL – The New York State Stormwater Management Design Manual, in its most recent version (including applicable updates), which serves as the official guide for the design of stormwater management principles, methods and practices.

DEVELOPER – A person who undertakes land development or redevelopment activities.

EROSION CONTROL MANUAL – The New York State Standards and Specifications for Erosion and Sediment Controls, in its most recent version (including applicable updates), commonly known as "The "Blue Book".

FINAL STABILIZATION - Final stabilization occurs when all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of 80% over the entire pervious surface has been established, or other equivalent stabilization measures, such as permanent landscape mulches, or other materials, that have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

GRADING – Excavation or fill of material, including the resulting conditions thereof.

ILLICIT DISCHARGES – Any discharge that is not entirely composed of stormwater. Illicit discharges shall include, but are not limited to those sources as identified by §122.26(b) (2) of the Code of Federal Regulations, sanitary waste water, effluent from septic tanks, commercial car wash wastewater, petroleum products, antifreeze, and radiator flush liquid, laundry wastewater, spills from roadway accidents, household and motor vehicle chemicals, but does not include liquids discharged from fire-fighting activities.

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

INFILTRATION – The process of percolating stormwater into the subsoil.

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

LANDOWNER — The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding proprietary rights in the land.

MAINTENANCE AGREEMENT – A legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

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

NOI – Notice of Intent.

NOT – Notice of Termination.

NYSDEC - The New York State Department of Environmental Conservation.

OWNER OR OPERATOR – The person, persons or legal entity which owns or leases the property on which the construction activity is occurring; and/or an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications.

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

POLLUTANT OF CONCERN – Sediment or a water quality measurement that addresses sediment (such as total suspended solids, turbidity or siltation) and any other pollutant that has been identified as a cause of impairment to any water body that will receive a discharge from the land development activity.

PROJECT - Land development or redevelopment activity.

QUALIFIED INSPECTOR- A person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, or other individual endorsed by the NYSDEC or an employee of a qualified inspector who is working under that person's direct supervision who possesses the requisite training in the principles of erosion and sediment control.

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

RECHARGE - The replenishment of underground water reserves.

SEDIMENT CONTROL – Measures that prevent eroded sediment from leaving the site.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITY — A permit issued by the NYSDEC to developers of construction activities to regulate the disturbance of land under GP-0-10-001, or as amended or revised.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) — A permit issued by the NYSDEC to regulate discharges from municipal separate storm sewer systems for compliance with EPA established water quality standards, and/or to specify stormwater control standards under Permit No. GP-0-10-002, or as amended or revised.

STABILIZATION – The use of practices that prevent exposed soil from eroding.

STOP-WORK ORDER – An order issued which requires that all construction activity on a site be stopped.

STORMWATER — Rainwater, surface runoff, snowmelt, and drainage.

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

STORMWATER MANAGEMENT –The use of structural or nonstructural practices that are designed to reduce stormwater runoff and mitigate its adverse impacts on property, natural resources and the environment. .

STORMWATER MANAGEMENT FACILITY – One or a series of stormwater management practices for the purpose of controlling stormwater runoff.

STORMWATER MANAGEMENT OFFICER (SMO) – An employee or officer designated by the Town to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

STORMWATER MANAGEMENT PRACTICES — Measures, either structural or nonstructural, that are determined to be the most effective, practical means of preventing flood damage and preventing or reducing point source or nonpoint source pollution inputs to stormwater runoff and water bodies.

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

STORMWATER RUNOFF — Flow on the surface of the ground resulting from precipitation.

STRIPPING – Any activity which removes the vegetative surface cover, including tree removal, clearing and storage and removal of topsoil. (See: Clearing)

SURFACE WATERS OF THE STATE OF NEW YORK – Lakes, bays, sounds, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic Ocean within the territorial seas of the State of New York, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those waters that do not combine or effect a junction with natural surface or underground waters), which are wholly within or bordering the state or within its jurisdiction. Storm sewers and waste treatment systems including treatment ponds or lagoons which also meet the criteria of this definition are not waters of the state. This exclusion applies only to man-made bodies of water which neither were originally created in waters of the state (such as a disposal area in wetlands)nor resulted from impoundment of waters of the state.

TOTAL MAXIMUM DAILY LOAD (TMDL) - The maximum amount of a pollutant allowed to be released into a water body so as not to impair uses of the water, allocated among the sources of the pollution.

TOWN – The Town of Southampton.

TOWN CODE – The Code of the Town of Southampton.

TRAINED CONTRACTOR – An employee from the contracting or construction company identified in the SWPPP that has received four (4) hours of NYSDEC endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other NYSDEC endorsed entity. After receiving the initial training, the trained contractor shall be required to complete all required continuing education in order to maintain the designation. It may also be an employee identified in the SWPPP who satisfies the requirements of a qualified inspector. The trained contractor shall be responsible for the day to day implementation of the SWPPP.

WATERCOURSE – A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water (see also "waterway").

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

WETLAND – An area more particularly defined under §325-3 of the Town Code that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as "hydrophytic vegetation".

§285-6. Administration.

A. The Planning Department will receive all SWPPPs for land development or redevelopment activities that are subject to review and approval by the Planning Board. The Building Department will receive all SWPPPs for land development or redevelopment activities that are subject to review and approval by the Building Department. All SWPPPs shall be forwarded to the SMO for review. The SMO will determine whether the SWPPP complies with the requirements of this chapter.

B. Nothing in this chapter supersedes an applicant's obligation to obtain permit coverage from the NYSDEC, as described in the SPDES General Permit for Stormwater Discharges from Construction Activity.

§285-7. Exemptions.

The following land disturbing activities shall be exempt from the provisions of this chapter:

A. Agricultural activity as defined in this chapter.

B. Land development or redevelopment activities for which a building permit has been issued on or before the effective date of this chapter.

C. Routine property maintenance activities that are performed to maintain the original line and grade, hydraulic capacity or original purpose of a lawfully existing site or facility and that will not impact adjacent properties.

D. Repairs to any stormwater management system or facility that is otherwise in compliance with the provisions of this chapter and deemed necessary by the Town.

E. Alteration of a structure provided that such alteration does not increase land coverage or potentially impact adjacent properties or municipal stormwater systems.

F. Cemetery graves.

G. Installation of fences, signs, telephone poles, electric poles or other utility poles, mailbox and newspaper box posts, other kinds of posts or poles.

H. Activities of an individual engaging in home gardening by growing flowers, vegetables and other plants primarily for use by that person and his or her family.

I. Routine landscaping and horticultural maintenance activities in connection with an existing structure.

J. Emergency activity immediately necessary to protect life, property or natural resources as authorized by the SMO or as an emergency condition may dictate. Any emergency activity not authorized by the SMO shall be reported to the SMO as soon as practicable, so that an evaluation may be made and necessary further action may be taken in conformity with the requirements of this chapter.

§ 285-8. Performance and design criteria.

All land development or redevelopment activities shall be subject to the following performance and design criteria:

A. Technical standards. For the purpose of this chapter, the following documents shall serve as the official guides and specification for stormwater management:

The New York State Stormwater Management Design Manual, hereafter referred to as the "Design Manual", in its most recent version (including applicable updates), which serves as the official guide for the design of stormwater management principles, methods and practices.

The New York State Standards and Specifications for Erosion and Sediment Controls, hereafter referred to as the "Erosion Control Manual", in its most recent version (including applicable updates), also commonly known as The Blue Book.

Stormwater management practices that are designed and constructed in accordance with these technical documents shall be presumed to meet the standards imposed by this chapter.

§285-9. Stormwater Pollution Prevention Plans (SWPPP).

A. General SWPPP Requirements

1. No application for approval of a land development or redevelopment activity shall be approved until the SMO has received, reviewed, and accepted a SWPPP prepared in accordance with the specifications in this chapter.

2. The SWPPP and the NOI shall be submitted to the Town for review and acceptance. Upon acceptance by the Town, the applicant shall submit the NOI to the NYSDEC. A copy of the NOI Acknowledgement Letter from the NYSDEC must be submitted to the Engineering Division prior to the signature of plans by the Planning Board or the issuance of a building permit by the Building Department.

3. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the pollutants in stormwater discharges and to assure

compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges.

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

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

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

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

    c. to address issues or deficiencies identified during an inspection by the qualified inspector, the NYSDEC or any other regulatory authority or agency.

6. The Town or NYSDEC may notify the owner or operator at any time that the SWPPP does not meet one or more of the minimum requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Town or NYSDEC, the owner or operator shall make the required changes to the SWPPP and submit written notification to the Town and NYSDEC that changes have been made. If the owner or operator does not respond to the Town or NYSDEC's comments in the specified time frame, the NYSDEC may suspend the owner's or operator's coverage under this permit.

7. Prior to the commencement of construction activity, the owner or operator must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting, and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater

management practices included in the SWPPP. The owner or operator shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. The owner or operator shall ensure that at least one trained contractor is on site on a daily basis when soil disturbance activities are being performed. The owner or operator shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any construction activity:

> "I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identied by the qualified inspector during a site inspection. I also understand that the owner or operator must comply with the terms and conditions of the most current version of the New York State Pollutant Discharges Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect, or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the trained contractor responsible for SWPPP implementation; the name, address, and telephone number of the contracting firm; the address (or other identifying description) of the site and the date the certification statement is signed. The owner or operator shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the construction site. If new or additional contactors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

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

9. The SWPPP must include documentation supporting the determination of permit eligibility with regard to construction activities that adversely affect property that is listed or is eligible for listing on the State or National Registry of Historic Places, including archaeological sites. At a minimum, the supporting documentation shall include the following:

    a. Information on whether the stormwater discharge or construction activities would have an effect on a property (historic or archaeological resource) that is listed or eligible for listing on the State or National Register of Historic Places.

    b. Results of historic resources screening determinations conducted. Information regarding the location of historic places listed, or eligible for listing on the State or National Registers of Historic Places and areas of archaeological sensitivity that may indicate the need for a survey can be obtained from the New York State Office of Parks, Recreation and Historic Places (OPRHP).

    c. A description of measures necessary to avoid or minimize adverse impacts on places listed, or eligible for listing on the State or National Register of Historic Places. If the owner or operator fails to describe and implement such measures, the stormwater discharge is ineligible for coverage under this permit; and

    d. Where adverse effects may occur, any written agreements in place with OPRHP or other governmental agency to mitigate those effects, or local land use approvals evidencing the same.

B. Required SWPPP Contents

1. All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the most current version of the Erosion Control Manual. Where erosion and sediment control practices are not designed in conformance with this technical standard, the owner or operator must demonstrate equivalence to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:

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

    b. A site map/construction drawing(s) for the project, including a general location map. At a

minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s), wetlands, and drainage patterns that could be affected by the construction activity; existing and final slopes; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater discharge(s);

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

d. A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading utility and infrastructure installation and any other activity at the site that results in soil disturbance;

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

f. A temporary and permanent soil stabilization plan that meets the requirements of the most current version of the Erosion Control Manual, for each stage of the project, including initial land clearing and grubbing to the project completion and achievement of final stabilization.

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

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

j. A maintenance inspection schedule for the contractor(s) identified in §285-9(A)(7) to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection schedule shall be in accordance with the requirements in the most current version of the Erosion Control Manual;

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

l. Identification of any elements of the design that are not in conformance with the requirements in the most current version of the Erosion Control Manual. Include the reason for the deviation or Alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standards.

2. All construction projects identified in Table 2 of Appendix A as needing a post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the most current version of the Design Manual. Where post-construction stormwater management practices are not designed in conformance with this technical standard, the owner or operator must demonstrate equivalence to the technical standard. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include the following:

a. Identification of all post-construction stormwater management practices to be constructed as part of the project;

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

c. The dimensions, materials specifications and installation details for each post-construction stormwater management practice;

d. Identification of any elements of the design that are not in conformance with the Design Manual. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standards;

e. A hydrologic and hydraulic analysis for all structural components of the stormwater management control system;

f. A detailed summary (including calculations) of the sizing criteria that was used to design all post-construction stormwater management practices. At a minimum, the summary shall address the required design criteria from the applicable chapter of the Design Manual; including the identification of and justification for any deviations from the Design Manual and identification of any design criteria that are not required based on the design criteria or waiver criteria included in the Design Manual; and

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

<u>§285-10. Inspection and Maintenance Requirements.</u>

A. General Construction Site Inspection and Maintenance Requirements.

1. The owner or operator must ensure that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times.

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

B. Owner or Operator Maintenance Inspection Requirements

1. The owner or operator shall inspect, in accordance with the requirements in the most current version of the Erosion Control Manual, the erosion and sediment controls identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the owner or operator can stop conducting the

maintenance inspections. The owner or operator shall begin conducting the maintenance inspections in accordance with §285-10 (B)(1) as soon as soil disturbance activities resume.

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

C. Qualified Inspector Inspection Requirements

[Note: The trained contractor identified in §285-9 (A)(7) cannot conduct the qualified inspector site inspections unless he also meets the qualified inspector qualifications, as defined in §285-5.]

1. A qualified inspector shall conduct site inspections for all construction activities identified in Table 1 and 2 of Appendix A.

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

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

   b. For construction sites where soil disturbance activities are on-going and the owner or operator has received authorization in accordance with the SPDES General Permit for Stormwater Discharges from Construction Activity to disturb greater than five (5) acres of soil at any one time, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

   c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the qualified inspector shall conduct a site inspection at least once every thirty (30) days. The owner or operator shall notify the Town and NYSDEC in writing prior to reducing the frequency of inspections.

   d. For construction sites where soil disturbance activities have been shut down with partial project completion, the qualified inspector can stop conducting inspections if

all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the Town and NYSDEC, in writing, prior to the shutdown. If soil disturbance activities are not resumed within two (2) years from the date of the shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice(s)" certification statements on the NOT. The owner or operator shall then submit the completed NOT form to the address shown on the NOT form and provide a copy to the Town.

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

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

   a. Date and time of inspection;

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

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

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

   e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to,

property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any discharges of sediment to the surface waterbody;

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

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

h. Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection;

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

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

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

5. Within one business day of the completion of an inspection, the qualified inspector shall notify the owner or operator and appropriate contractor or subcontractor identified in §285-9(A)(7) of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions within a reasonable time frame.

6. All inspection reports shall be signed by the qualified inspector. Pursuant to SPDES General Permit for Stormwater Discharges from Construction Activity conditions, the inspection reports shall be maintained on site with the SWPPP.

§285-11. Termination of Permit Coverage.

A. Termination of Permit Coverage

1. An owner or operator that is eligible to terminate coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity must submit a completed NOT form to the address shown on the form and provide a copy to the Town. The NOT form shall be one which is associated with the SPDES General Permit for Stormwater Discharges from Construction Activity and shall be signed in accordance with Part VII.H of the permit.

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

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

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

   c. A new owner or operator has obtained coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity in accordance with Part II.E of the permit.

3. For construction activities meeting the conditions of §285-11.A2a or §285-11.A2b, the owner or operator shall have the qualified inspector perform a final inspection prior to submitting the NOT. The qualified inspector, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice(s)" certification statements on the NOT shall certify that all disturbed areas have achieved final stabilization, that all temporary structural erosion and sediment control measures

have been removed, and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP.

4. For construction activities that are subject to the requirements of a regulated traditional land use control MS4 and meet the conditions of §285-11.A2a or §285-11.A2b, the owner or operator shall also have the MS4 sign the "MS4 Acceptance" statement on the NOT. The owner or operator shall have the principal executive officer, ranking elected official, or duly authorized representative from the regulated traditional land use control MS4 sign the "MS4 Acceptance" statement. The MS4 official, by signing this statement, has determined that it is acceptable for the owner or operator to submit the NOT in accordance with the requirements of this subsection.

5. For construction activities that require post-construction stormwater management practices and meet the conditions of §285-11.A2a, the owner or operator must, prior to submitting the NOT, ensure one of the following:

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

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

   c. For post-construction stormwater management practices that are privately owned, the owner or operator has modified their deed of record to include a deed covenant that requires operation and maintenance of the practice(s), in accordance with the operational and maintenance plan; or

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

<u>§285-12. Performance guarantee; maintenance guarantee; recordkeeping.</u>

A. Construction completion guarantee. In order to ensure the full and faithful completion of all land development activities related to compliance with all conditions set forth by the Town in its approval of the stormwater pollution prevention plan, the Town may require the applicant or developer to provide, prior to construction, a performance bond, cash escrow, or irrevocable letter of credit from the appropriate financial or surety institution which guarantees

satisfactory completion of the project and names the Town as the beneficiary, in the form set forth in §292-26 of the Town Code. The security shall be in an amount to be determined by the Town based on submission of final design plans, with reference to actual construction and landscaping costs. The performance guarantee shall remain in force until the surety is released from liability by the Town, provided that such period shall not be less than one year from the date of final acceptance of such other certification that the facility or facilities have been constructed in accordance with the approved plans and specifications and that a one-year inspection has been conducted and the facilities have been found to be acceptable to the Town. Per annum interest on cash escrow deposits shall be reinvested in the account until the surety is released from liability.

B. Maintenance guarantee. Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by a corporation that owns or manages a commercial or industrial facility, the developer, prior to construction, may be required to provide the Town with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities, both during and after construction, and until the facilities are removed from operation. If the developer or landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Town may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.

C. Recordkeeping. Entities subject to this chapter shall be required to maintain records demonstrating compliance with this chapter.

<u>§285-13. Enforcement; penalties for offenses.</u>

A. Notice of violation. When the Town determines that a land development or redevelopment activity is not being carried out in accordance with the requirements of this chapter, it may issue a written notice of violation to the landowner. The notice of violation shall contain:

(1) The name and address of the landowner, developer or applicant;

(2) The address, when available, or a description of the building, structure or land upon which the violation is occurring;

(3) A statement specifying the nature of the violation;

(4) A description of the remedial measures necessary to being the land development or redevelopment activity into compliance with this chapter and a time schedule for the completion of such remedial action;

(5) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;

(6) A statement that the determination of violation may be appealed to the Town by filing a written notice of appeal within 15 days of service of notice of violation

B. Stop-work orders. The Town may issue a stop-work order for violations of this chapter. Persons receiving a stop-work order shall be required to halt all land development or redevelopment activities, except those activities that address the violations leading to the stop-work order. The stop-work order shall be in effect until the Town confirms that the land development or redevelopment activity is in compliance and the violation has been satisfactorily addressed. Failure to address a stop-work order in a timely manner may result in civil, criminal or monetary penalties in accordance with the enforcement measures authorized in this chapter.

C. Violations. Any land development or redevelopment activity that is commenced or is conducted contrary to this chapter, may be restrained by injunction or otherwise abated in a manner provided by law.

D. Criminal penalties. In addition to or as in alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding $1,000 or imprisonment for a period not to exceed six month, or both for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than $1,000 nor more than $2,500 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than $2,500 nor more than $5,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations. Each day's continued violation shall constitute a separate additional violation.

E Appeal of notice of violation. Any person receiving a notice of violation may appeal within 15 calendar days of its issuance. The Town shall hear the appeal within 30 days after the filing of the appeal, and within five days of making his/her decision, issue a decision by certified mail to the discharger. The Town may conduct the hearing and take evidence.

F. Corrective measures after appeal.

(1) If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within five business days of the decision of the Town, then the Town shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property.

(2) If refused access to the subject private property, the Town may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon

determination that a violation has occurred, the Town may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the property owner.

G. Injunctive relief. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this Code, the Town Attorney may upon receipt of a permissive resolution from the Town Board petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

H. Withholding of certificate of occupancy. If any building or land development or redevelopment activity is installed or conducted in violation of this chapter, the Town may prevent the occupancy of said building or land.

I. Restoration of lands. Any violator may be required to restore land or its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary correction action, the cost of which shall become a lien upon the property until paid.

J. Civil penalties. In addition to the criminal penalties set forth herein, the Town Attorney may upon permission of the Town Board pursue any and all actions in law or in equity the Town Attorney may deem necessary, and proper before any court of competent jurisdiction to compel compliance with this chapter. The Town Attorney may seek monetary damages in the sum of $1000 for each day or part thereof that the violations exist, and each 15 day period shall constitute a separate cause of action. All civil penalties shall be mandatory penalties and must be imposed upon a judgment in favor of the Town. If said penalty is not paid to the Town of Southampton within 10 days of a judgment, a civil judgment shall be entered against the property and the owner of the property, and said judgment may be collectible by a tax assessment against the property on which said violation occurred. Any civil penalty imposed shall be in addition to any fine and/or sentence of imprisonment imposed as a result of criminal prosecution provided for in the Code of the Town of Southampton, or any State or local law, and the decision of the Town of Southampton to pursue or forego a particular remedy at law or equity, civil or criminal, shall not be construed as an election of remedies.

§285-14. Fees for services.

The Town may require any person undertaking land development or redevelopment activities regulated by this chapter to pay reasonable costs at prevailing rates for review of SWPPPs, inspections, or SMP maintenance performed by the Town or performed by a third party at the direction of the Town.

§285-15. Severability; when effective.

A. Severability. If the provisions of any chapter, section, subsection, paragraph, subdivision or clause of this chapter shall be judged invalid by a court of competent jurisdiction, such order to judgment shall not affect or invalidate the

remainder or any chapter, section, subsection, paragraph, subdivision or clause of this chapter.

B. Effective date. This chapter shall be effective upon filing with the office of the Secretary of State.

APPENDIX A

Required SWPPP Components by Project Type

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

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

- Single family home
- Single family residential subdivisions with 25% or less impervious cover at total site build-out
- Construction of a barn or other agricultural building, silo, stock yard or pen.

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

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

Table 2
CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

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

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

APPENDIX D

SWPPP GUIDANCE DOCUMENT DISTRIBUTION LOG SHEET

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

SWPPP GUIDANCE DOCUMENT DISTRIBUTION LOG SHEET

#	Date Distributed	Contact Name	Contact Phone	Contact Email	Notes

APPENDIX E

RECEIVED SWPPPS LOG SHEET

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

RECEIVED SWPPPS LOG SHEET

#	Date Received	Project Name	Contact Name	Contact Phone	Site Address	Est. Start Date	Est. End Date	Total Land Disturbance

APPENDIX F

CHECKLIST FOR
STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

CHECKLIST FOR STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

This checklist should be used as a supplement to the most recent versions of the General Permit, the local law and technical standards. These documents will contain the specific requirements for the SWPPP, erosion and sediment controls and post-construction storm water management practices. If the plan is found to be deficient of any of the items required by the NYSDEC or the local law, the SWPPP should be immediately returned to the applicant for corrections.

General Information			
Project Name:			
Site Location:			
Municipality:		**County:**	
Date Plan Submitted:		**Date Plan Reviewed:**	
Reviewed by:		**SPDES ID Number:**	
SWPPP Type:	☐ **Basic SWPPP** Erosion and Sediment Control Plan	☐ **Full SWPPP** Post-construction Storm Water Management Practices	
Size of land disturbed:	☐ ≥ 5 acres	☐ ≥ 1 acre but < 5 acres	☐ < 1 acre
Comments:			

Applicant Information	
Name:	**Title:**
Address:	
Phone No.:	**Fax No.:**
Applicant's e-mail:	
Emergency Contact:	**Phone No.:**

General SWPPP Requirements				
Criteria clearly indicated and identified in SWPPP:	**Yes**	**No**	**N/A**	**Comments**
Owner/Operator name, legal address, phone number	☐	☐	☐	
Scope of the project	☐	☐	☐	
Location of the project	☐	☐	☐	
Type of the project	☐	☐	☐	
Size of the project	☐	☐	☐	
Identification of all contractors and subcontractors	☐	☐	☐	
Identification of one trained individual from each of firm	☐	☐	☐	
Identification of potential pollution sources	☐	☐	☐	
Description of soils and Hydrologic Soil Group (HSG)	☐	☐	☐	
Construction phasing and sequencing plan	☐	☐	☐	
Acreages to be disturbed in each phase	☐	☐	☐	
Pollution prevention measures	☐	☐	☐	

CHECKLIST FOR STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

Required Documentation				
Criteria clearly indicated and identified in SWPPP:	**Yes**	**No**	**N/A**	**Comments**
Notice of Intent (NOI)	☐	☐	☐	
MS4 SWPPP Acceptance Form	☐	☐	☐	
SWPPP Amendment Log	☐	☐	☐	
Contractor/subcontractor certification statements, with:	☐	☐	☐	
- Certification statement according to the General Permit	☐	☐	☐	
- Elements of the SWPPP that the firm is responsible for	☐	☐	☐	
- Signature with name and title	☐	☐	☐	
- Name, address and telephone number of the firm	☐	☐	☐	
- Location of the site	☐	☐	☐	
- Date the certification statement was signed	☐	☐	☐	
Historic Places determination, with:	☐	☐	☐	
- Impact on listed properties	☐	☐	☐	
- Results of historic places screenings	☐	☐	☐	
- Measures to avoid or minimize adverse impacts	☐	☐	☐	
- Written agreements	☐	☐	☐	
Inspection checklist	☐	☐	☐	

Erosion and Sediment Control (ES&C) Practices				
Criteria clearly indicated and identified in SWPPP:	**Yes**	**No**	**N/A**	**Comments**
Identification of all ES&C practices, with:	☐	☐	☐	
- Schedule of placement, implementation and duration	☐	☐	☐	
- Dimensions	☐	☐	☐	
- Material specification	☐	☐	☐	
- Installation details	☐	☐	☐	
- Operation and maintenance requirements	☐	☐	☐	
- Conformance to the technical standard	☐	☐	☐	
- Demonstrated equivalence to the technical standard	☐	☐	☐	
Temporary soil stabilization plan for each project stage	☐	☐	☐	
Final soil stabilization plan for each project stage	☐	☐	☐	
Inspection and maintenance schedules in conformance with the technical standard	☐	☐	☐	
Description and location of any storm water discharges associated with industrial activity	☐	☐	☐	

CHECKLIST FOR STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

Post-construction Storm Water Management Practices				
Criteria clearly indicated and identified in SWPPP:	**Yes**	**No**	**N/A**	**Comments**
Identification of all post-construction practices, with:	☐	☐	☐	
- Dimensions	☐	☐	☐	
- Material specifications	☐	☐	☐	
- Installation details	☐	☐	☐	
- Sizing criteria (including calculations)	☐	☐	☐	
- Conformance to the technical standard	☐	☐	☐	
- Demonstrated equivalence to the technical standard	☐	☐	☐	
- Hydrologic analysis for all structural components	☐	☐	☐	
- Hydraulic analysis for all structural components	☐	☐	☐	
- Operations and maintenance (O&M) plan	☐	☐	☐	
- Responsible parties for the long term O&M	☐	☐	☐	
SWPPP prepared by a qualified professional	☐	☐	☐	

Site Maps/Construction Drawings				
Criteria clearly indicated and identified in SWPPP:	**Yes**	**No**	**N/A**	**Comments**
Recommended scale of 1″ = 50′	☐	☐	☐	
General location/vicinity map	☐	☐	☐	
Total site area	☐	☐	☐	
All improvements	☐	☐	☐	
Areas of disturbance and limits of clearing	☐	☐	☐	
Areas that will not be disturbed	☐	☐	☐	
Existing predominant vegetation	☐	☐	☐	
Existing roads, lot boundaries and structures	☐	☐	☐	
Proposed roads, lot boundaries and structures	☐	☐	☐	
Existing utilities and easements	☐	☐	☐	
Proposed utilities and easements	☐	☐	☐	
On-site and adjacent surface waters, perennial streams, intermittent streams, wetlands and drainage patterns	☐	☐	☐	
Resource protection areas and setbacks	☐	☐	☐	
Boundary and acreage of upstream watershed	☐	☐	☐	
Location and flow paths of existing conveyance systems	☐	☐	☐	
Location and flow paths of proposed conveyance systems	☐	☐	☐	
Floodplain/floodway limits	☐	☐	☐	

CHECKLIST FOR STORM WATER POLLUTION PREVENTION PLAN (SWPPP) REVIEW

Site Maps/Construction Drawings (continued)				
Criteria clearly indicated and identified in SWPPP:	**Yes**	**No**	**N/A**	**Comments**
Existing slopes & topography (2' contours recommended)	☐	☐	☐	
Final slopes & topography (2' contours recommended)	☐	☐	☐	
Soil types with locations and boundaries	☐	☐	☐	
Site-specific borehole investigations	☐	☐	☐	
Locations of material, waste, etc. storage areas	☐	☐	☐	
Locations of storm water discharges	☐	☐	☐	
Each E&SC practice, with:	☐	☐	☐	
- Specific locations	☐	☐	☐	
- Specific sizes	☐	☐	☐	
- Specific lengths	☐	☐	☐	
Each post-construction practice, with:	☐	☐	☐	
- Specific locations	☐	☐	☐	
- Specific sizes	☐	☐	☐	
Plans stamped and signed by a qualified professional	☐	☐	☐	

Additional Comments and Notes

Form Completed By:

Name (print):	Signature:	Date:

APPENDIX G

REVIEWED SWPPPS LOG SHEET

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

REVIEWED SWPPPS LOG SHEET

#	Date Reviewed	Project Name	Contact Name	Contact Phone	Returned to Applicant with Comments Date and Notes	Date Authorized

APPENDIX H

MS4 STORMWATER POLLUTION PREVENTION PLAN (SWPPP) ACCEPTANCE FORM

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

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form

for

Construction Activities Seeking Authorization Under SPDES General Permit

*(NOTE: Attach Completed Form to Notice Of Intent and Submit to Address Above)

I. Project Owner/Operator Information
1. Owner/Operator Name:
2. Contact Person:
3. Street Address:
4. City/State/Zip:
II. Project Site Information
5. Project/Site Name:
6. Street Address:
7. City/State/Zip:
III. Stormwater Pollution Prevention Plan (SWPPP) Review and Acceptance Information
8. SWPPP Reviewed by:
9. Title/Position:
10. Date Final SWPPP Reviewed and Accepted:
IV. Regulated MS4 Information
11. Name of MS4:
12. MS4 SPDES Permit Identification Number: NYR20A _____
13. Contact Person:
14. Street Address:
15. City/State/Zip:
16. Telephone Number:

(NYS DEC - MS4 SWPPP Acceptance Form - January 2010)

MS4 SWPPP Acceptance Form - continued

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

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

Printed Name:

Title/Position:

Signature:

Date:

VI. Additional Information

APPENDIX I

ACTIVE CONSTRUCTION SITES INVENTORY

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

ACTIVE CONSTRUCTION SITES INVENTORY

#	Project Name	Project Site Address	Contact Name	Contact Phone	Notes	Start Date	End Date

APPENDIX J

NEW YORK STATE CONSTRUCTION STORMWATER INSPECTION MANUAL

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Construction Stormwater Inspection Manual

Primarily for Government Inspectors Evaluating Compliance with Construction Stormwater Control Requirements

New York State
Department of Environmental Conservation

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Version 1.05 (8/27/07)

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1.0 INTRODUCTION AND PURPOSE

The New York State Department of Environmental Conservation Division of Water (DOW) considers there to be two types of inspections germane to construction stormwater; compliance inspections and self-inspections.

This manual is for use by DOW and other regulatory oversight construction stormwater inspectors in performing compliance inspections, as well as for site operators in performing self inspections. The manual should be used in conjunction with the *New York State Standards and Specifications for Erosion and Sediment Control*, August 2005.

1.1 Compliance Inspections

Regulatory compliance inspections are performed by regulatory oversight authorities such as DOW staff, or representatives of DOW and local municipal construction stormwater inspectors. These inspections are intended to determine compliance with the state or local requirements for control of construction stormwater through erosion and sediment control and post construction practices. Compliance inspections focus on determinations of compliance with legal and water quality standards. Typically, compliance inspections can be further sub-categorized to include comprehensive inspections, and follow-up or reconnaissance inspections.

Compliance inspectors will focus on determining whether:

- the project is causing water quality standard violations;
- the required Stormwater Pollution Prevention Plan (SWPPP) includes appropriate erosion and sediment controls and, to some extent, post construction controls;
- the owner/operator is complying with the SWPPP;
- where required, self-inspections are being properly performed; and
- where self-inspections are required, the owner/operator responds appropriately to the self-inspector's reports.

1.1.1 Comprehensive Inspection

Comprehensive inspections are designed to verify permittee compliance with all applicable regulatory requirements, effluent controls, and compliance schedules. This inspection involves records reviews, visual observations, and evaluations of management practices, effluents, and receiving waters.

Comprehensive inspections should be conducted according to a neutral or random inspection scheme, or in accordance with established priorities. A neutral monitoring scheme provides some objective basis for scheduling inspections and sampling visits by establishing a system (whether complex factor-based, alphabetic, or geographic) for setting prioritiesto ensure that a particular facility is not unfairly selected for inspection or sampling. The selection of which

facility to inspect must be made without bias to ensure that the regulatory oversight authority, if challenged for being arbitrary and capricious manner, can reasonably defend itself.

A neutral inspection scheme should set the criteria the inspector uses to choose which facilities to inspect, but the schedule for the actual inspection should remain confidential, and may be kept separate from the neutral plan.

A routine comprehensive compliance inspection is most effective when it is unannounced or conducted with very little advance warning.

1.1.2 Reconnaissance Inspection

A reconnaissance inspection is performed in lieu of, or following a comprehensive inspection to obtain a preliminary overview of an owner/operator's compliance program, to respond to a citizen complaint, or to assess a non-permitted site. The inspector performs a brief (generally about an hour) visual inspection of the site, discharges and receiving waters. A reconnaissance inspection uses the inspector's experience and judgement to summarize potential compliance problems, without conducting a full comprehensive inspection. The objective of a reconnaissance inspection is to expand inspection coverage without increasing inspection resource expenditures. The reconnaissance inspection is the shortest and least resource intensive of all inspections.

Reconnaissance inspections may be initiated in response to known or suspected violations, a public complaint, a violation of regulatory requirements, or as follow-up to verify that necessary actions were taken in response to a previous inspection.

1.2 Self-inspections

For some projects, the site owner/operator is required by their State Pollutant Discharge Elimination System (SPDES) Permit and/or local requirements to have a qualified professional[1] perform a "self-inspection" at the site. In self-inspections, the qualified professional determines whether the site is being managed in accordance with the SWPPP, and whether the SWPPP's recommended erosion and sediment controls are effective. If activities are not in accordance with the SWPPP, or if the SWPPP erosion and sediment controls are not effective, the qualified professional inspecting the site recommends corrections to the owner/operator.

[1] A "Qualified professional" is a person knowledgeable in the principles and practice of erosion and sediment controls, such as a licensed professional engineer, Certified Professional in Erosion and Sediment Control (CPESC), licensed landscape architect or soil scientist.

2.0 PRE-INSPECTION ACTIVITIES

2.1 Regulatory Oversight Authorities

This section is intended for inspectors with regulatory oversight authority such as agents of the DOW or a local municipality, or others acting on their behalf, such as county Soil and Water Conservation District staff. Examples of other regulatory oversight authorities include: the United States Environmental Protection Agency (EPA); New York City Department of Environmental Protection (DEP), Adirondack Park Agency (APA); the Lake George Park Commission (LGPC), and the Skaneateles Lake Watershed Authority (SLWA). Before arriving on-site to conduct the inspection, considerations concerning communication, documentation and equipment must be made.

Regulatory oversight authority is granted by state or local law to government agencies or, depending upon the particular law, an authorized representative of state or local government. SPDES rules 6 NYCRR 750-2.3 and Environmental Conservation Law 17-0303(6) and 17-0829(a) all allow for authorized representatives of the (NYSDEC) commissioner to perform all the duties of an inspector.

2.1.1 Communication

<u>Coordination with Other Entities</u>
Where appropriate, prior to selecting sites for inspection, compliance inspectors should communicate with other regulatory oversight authorities to avoid unnecessary duplication or to coordinate follow-up to inspections performed by other regulatory oversight authorities.

<u>Announced vs. Unannounced Inspection</u>
Inspections may be announced or unannounced. Each method has its own advantages and disadvantages. Unannounced inspections are preferred, however many job sites are not continuously manned, or not always staffed by someone who is familiar with the SWPPP, thus necessitating an announced inspection. As an alternative, when an announced inspection is necessary, inspectors should try to give as little advanced warning as possible (24 hours is suggested).

<u>Itinerary</u>
For obvious safety reasons, inspectors should be sure to inform someone in their office which site or sites they will be visiting prior to leaving the to perform inspections.

2.1.2 Documentation

<u>Data Review</u>
The inspector should review any available information such as:

- Notice of Intent
- Stormwater Pollution Prevention Plan
- Past inspection records
- Phasing plan

- Construction sequence
- Inspection and Maintenance schedules
- Site specific issues
- Consent Orders
- Access agreements

Inspection Form
The inspector should have copies of, and be familiar with, the inspection form used by their regulatory oversight authority (example in Attachment 1) before leaving the office. Static information such as name, location and permit number can be entered onto the inspection form prior to arriving at the inspection site.

Credentials
Inspectors should always carry proper identification to prove that they are employed by an entity with jurisdictional authority. Failure to display proper credentials may be legal grounds for denial of entry to a site.

2.1.3 Equipment

Personal Protective Equipment
DOW employees must conform to the DOW Health and Safety policy as it relates to personal protective equipment. Other regulatory oversight authorities should have their own safety policies or, if not, may wish to consult the OSHA health and safety tool at: www.osha.gov/dep/etools/ehasp/ to develop a health and safety plan.

The following is a list of some of the most common health and safety gear that may be needed:

- Hard hat (Class G, Type1 or better)
- Safety toe shoes
- Reflective vest
- Hearing protection (to achieve 85 dBA - 8 hr TWA)
- Safety glasses with side shields

If the construction is on an industrial site or a hazardous waste site, special training may be required prior to entering the site. The inspector should consult with OSHA or NYSDEC prior to entering such a site.

Monitoring Equipment
The following is a list of some equipment that may be helpful to document facts and verify compliance:

- Digital Camera
- Measuring tape or wheel
- Hand level or clinometer
- Turbidity meter (in limited circumstances)

2.2 Permittee's Self-inspection

This section is intended for qualified professionals who conduct site self-inspections on behalf of owner/operators. Self-inspectors are responsible for performing inspections in accordance with permit requirements and reporting to site owners and operators the results and any recommendations resulting from the inspection.

Prior to conducting inspections, qualified professionals should ensure familiarity with the Stormwater Pollution Prevention Plan and previous inspection reports.

3.0 ON-SITE INSPECTION PROCESS

3.1 Compliance Inspections

3.1.1 Professionalism

Don't Pretend to Possess Knowledge

Unless the inspector has experience with a particular management practice, do not pretend to possess knowledge. Inspectors cannot be expert in all areas; their job is to collect information, not to demonstrate superior wisdom. Site operators are often willing to talk to someone who is inquisitive and interested. Within reason, asking questions to obtain new information about a management practice, construction technique or piece of equipment is one of the inspector's main roles in an inspection.

Don't Recommend Solutions

The inspector should not recommend solutions or endorse products. The solution to a compliance problem may appear obvious based on the inspector's experience. However, the responsibility should be placed on the site owner to implement a workable solution to a compliance problem that meets NYSDEC standards. The inspector should refer the site operator to the New York Standards and Specifications for Erosion and Sediment Control (the Blue Book) or the New York State Stormwater Management Design Manual (the Design Manual).

Key advice must be offered carefully. One experienced stormwater inspector suggests saying: "I can't direct you or make recommendations, but what we've seen work in other situations is ..."

The way inspectors present themselves is important to the effectiveness of the inspection. An inspector cannot be overly familiar, but will be more effective if able to establish a minimum level of communication.

3.1.2 Safety

DOW employees must conform to Division health and safety policies when on a construction site. Other regulatory oversight authorities should have their own safety policies or, if not, may

wish to consult the OSHA health and safety tool at:

www.osha.gov/dep/etools/ehasp to develop a health and safety plan.

Some general protections for construction sites are:

- Beware of heavy equipment, avoid operator blind spots and make sure of operator eye contact around heavy equipment.
- Avoid walking on rock rip-rap if possible. Loose rock presents a slip hazard.
- Stay out of confined spaces like tanks, trenches and foundation holes.
- Avoid lightning danger. Monitor weather conditions, get out of water, avoid open areas and high points, do not huddle in groups or near trees.
- Protect yourself from sun and heat exposure. Use sun screen or shading clothing. Remain hydrated by drinking water, watching for signs of heat cramps, exhaustion (fatigue, nausea, dizziness, headache, cool or moist skin), or stroke (high body temperature; red, hot and dry skin)
- Protect yourself from cold weather. Wear multiple layers of thin clothing. Wear a warm hat. Drink warm fluids or eat hot foods, and keep dry.
- Avoid scaffolding in excess of 4 feet above grade.
- Beware of ticks, stinging insects, snakes and poison ivy or sumac.

3.1.3 Legal access

DOW has general powers, set forth under ECL 17-0303, subparagraph 6, to enter premises for inspections. In addition, ECL 3-0301.2 conveys general statutory authority granting the DOW the power to access private property to fulfill DOW obligations under the law.

ECL 15-0305 gives the DOW the authority to enter at all times in or upon any property, public or private, for the purpose of inspecting or investigating conditions affecting the construction of improvements to or developments of water resources for the public health, safety or welfare.

ECL 17-0829 allows an authorized DOW representative, upon presentation of their credentials, to enter upon any premises where any effluent source is located, or in which records are required to be maintained. The representative may at reasonable times have access to, and sample discharges/pollutants to the waters or to publicly owned treatment plants where the effluent source is located. This subparagraph provides DOW representatives performing their duties authority to enter a site to pursue administrative violations. Pursuing criminal violations may require a warrant or the owner's permission to enter the site.

For sites that are permitted, DOW has authority under the permit to enter the site.

If the owner/operator's representatives onsite deny access, the inspector *should not* physically force entry. Under these circumstances the attorney representing the inspector should be immediately notified and consideration should be given to soliciting the aid of a law officer to obtain entry.

DOW staff have the right to enter at any reasonable time. If no one is available, and the site is fenced or posted, DOW staff should make all reasonable efforts to identify, contact and notify the owner that the DOW is entering the site. If the inspector has made all reasonable efforts to contact site owners, but was unable to do so, the site can then be accessed. All efforts should be taken not to cause any damage to the facility.

Other regulatory oversight authorities should seek advice on their legal authorities to enter a job site. Municipalities that have adopted Article 6 of the New York State Sample Local Law for Stormwater Management and Erosion and Sediment Control (NYSDEC, 2004, updated 2006) will have legal authority to enter sites in accordance with that chapter and any other existing municipal authority .

Agents of DOW have authority similar DOW staff authority to enter sites. However, DOW staff enjoy significant personal liability protections as state employees. That liability protection may not be the same for authorized representatives of DOW. For authorized representatives of DOW (or other regulatory oversight authorities), it is prudent to obtain permission to enter the site. If such permission is denied, the authorized representatives should inform the appropriate DOW contact, usually the regional water manager.

3.1.4 Find the Legally Responsible Party (Construction Manager, Self-inspector)

The first action a compliance inspector should take upon entering a construction site is to find the construction trailer or the construction or project manager if they are available. The inspector should present appropriate identification to the site's responsible party and state the reason for the inspection; construction stormwater complaint response or neutral construction stormwater inspection. If the inspection is initiated as a response to a complaint, frequently the responsible party will ask who made the complaint. DOW keeps private individual complainants confidential. If the complainant is another regulatory oversight authority, DOW tends to make that known to the site's responsible party.

3.1.5 On-site records review (NOI, SWPPP, Self-inspection Reports, Permit)

Generally, the compliance inspector should next review the on-site records. Verify that a copy of the construction stormwater permit and NOI are on-site. Verify that the acreage, site conditions, and receiving water listed on the NOI are accurate. Compare the on-site documentation with documentation already submitted to, or obtained by the compliance inspector.

If the SWPPP has not been reviewed in the office, verify that it exists and contains the minimum required components (16 for a basic plan and 22 for a full plan). On-site review of the SWPPP should determine if: there is an appropriate phasing plan; the acreage disturbed in each phase, construction sequence for each phase; proposed implementation of erosion and sediment control measures; and, where required, post construction controls. For each of the erosion and sediment control practices, the SWPPP must show design details in accordance with the NYS Standards for Erosion and Sediment Controls. The SWPPP must also include provisions for maintenance of practices during construction. On-site review of post construction controls is generally limited to verification that the proposed stormwater management practices are shown on the site plan.

Where self-inspections are required, self-inspection reports are a significant tool for the compliance inspector to determine the performance history of the site. The self-inspection reports should be done with the required frequency . Self-inspection reports must include all the details required by the permit. Generally, it is desirable for permit information to be shown on a site plan. The compliance inspector should become familiar with the report and use that familiarity to judge whether the self-inspections are being performed correctly and that the site operator is correcting deficiencies noted in the report.

3.1.6 Walk the Site

During wet weather conditions, it may be advantageous to observe the receiving waters prior to walking the rest of the site. At some point during the inspection, the receiving water conditions must be observed and noted. It is critical to note if there is a substantial visible contrast to natural conditions, or evidence of deposition, streambank erosion, construction debris or waste materials (e.g. concrete washdown) in the receiving stream.

Each inspector should evaluate actual implementation and maintenance of practices on-site compared to how implementation and maintenance is detailed in the SWPPP. At a minimum, the compliance inspector should observe all areas of active construction. Observing equipment or materials storage, recently stabilized areas, or stockpile areas is also appropriate to evaluate the effectiveness of management practices.

3.1.7 Taking Photographs

Evidence of poor receiving water conditions and poor or ineffective practices should be documented with digital photographs. Those photographs should be logged date stamped and stored on media that cannot be edited (e.g. write only CDs). Photos should also be appended to the site inspector's report.

It is also beneficial to take photographs of good practices for educational and technology transfer reasons.

3.1.8 Exit Interview

Clearly communicate expectations and consequences. If it is clear from the inspection that the owner/operator must modify the SWPPP, or modify management practices within an assigned period (e.g. 24 hours, 48 hours, one week, two weeks), then that finding should be communicated at the time of the exit interview. The inspector should assign the period based on factors such as how long it would reasonably take to complete such modifications and the level of risk to water quality associated with failure to make such modifications.

The inspector should make clear that NYSDEC reserves rights to future enforcement actions. If the inspector's supervisor or enforcement coordinator determines additional enforcement actions are necessary, the inspector *should not* reassure the owner/operator that the current situation is acceptable.

3.2 Non-permitted Site Inspections

For sites not authorized in accordance with state or local laws, the process will be abbreviated. First verify the need for authorization and observe receiving waters to detect water quality standard violations. If there is a violation, notify the owner of the violation or other compliance actions in response to their illicit activity. For DOW staff, Attachment 2 or a similar notice can be used to notify the site owner/operator that stormwater authorization is required.

3.3 Self-inspections

The role of the self-inspector is to verify that the site is complying with stormwater requirements. In particular, the self-inspector verifies that the SWPPP is being properly implemented. The self-inspector also documents SWPPP implementation so regulatory agencies can review implementation activities.

It is <u>not</u> the role of the self-inspector to report directly to regulatory authorities.

Appendix H of *The New York Standards and Specifications for Erosion and Sediment Control* - August 2005 (the Blue Book) includes a Construction Duration Inspection checklist that can be used by the owner/operators qualified professional for self-inspections. The Blue Book is available on the NYSDEC website.

3.3.1 Purpose

The self inspector should ensure that the project's SWPPP is being properly implemented. This includes ensuring that the erosion and sediment control practices are properly installed and being maintained in accordance with the SWPPP/Blue Book.

The project must be properly phased to limit the disturbance to less than five acres, and the construction sequence for each phase must be followed. The SWPPP must also be modified to address evolving circumstances. Finally, and most importantly, receiving waters must be protected.

If a soil disturbance will be greater than five acres at any given time, the site operator must obtain written permission from the DOW regional office.

3.3.2 Pre-construction Conference

The parties responsible for various aspects of stormwater compliance should be identified at the pre-construction conference. Responsible parties may include, but are not limited to, owner's engineer, owner/operator/permittee, contractors, and subcontractors.

Typical responsibilities include: installation of erosion and sediment control (E & SC) practices; maintenance of E & SC practices, inspection of E&SC practices, installation of post construction stormwater management practices (SMPs), inspection of post construction SMPs, SWPPP revisions, and contractor direction.

All parties should clearly know what is expected of them. Responsible parties should complete the Pre-construction Site Assessment Checklist provided in Appendix H of the Blue Book.

3.3.3 Inspection Preparation

The inspector should review the project's SWPPP (including the phasing plan, construction sequence and site specific issues) and the last few inspection reports (if the inspector has them available).

3.3.4 Self-inspection Components

Inspect installation, performance and maintenance of all E&SC practices

The self inspector should inspect all areas that are under active construction or disturbance and areas that are vulnerable to erosion. The self-inspector should also inspect areas that will be disturbed prior to the next inspection for measures required prior to construction (e.g. silt barriers, stabilized construction entrance, diversions). Finally, self-inspectors should inspect post-construction controls during and after installation.

Identify site deficiencies and corrective measures

The self-inspector's reports must be maintained in a log book on site and the log book must be made available to the regulatory authorities. Although the legal responsibility for filing a Notice of Termination lies with the owner/operator, the self-inspector may also be called upon to perform a final site inspection, including post construction SMPs, prior to filing the Notice of Termination.

4.0 POST-INSPECTION ACTIVITIES

4.1 Regulatory Oversight Authorities

This section is intended for inspectors with regulatory oversight authority such as agents of the DOW or a local municipality, or others acting on their behalf (such as County Soil and Water Conservation District staff.) Upon completion of an inspection, inspection results should be documented for the record.

4.1.1 Written Notification

The inspector should inform the permittee or the on-site representative of their inspection results in writing by sending the permittee a complete, signed copy of the inspection report. The inspection report should be transmitted under a cover letter which elaborates on any deficiencies noted in the inspection report. It is not a good idea to commend exceptional efforts by the owner/operator in a letter, because such letters tend to undermine enforcement efforts when compliance status at a site degrades.

The inspector should consider providing a copy of the cover letter and inspection report to other parties with including:

- Permittee
- Contractor(s)
- Other regulatory oversight authorities
- Other parties present during the inspection (e.g. SWPPP preparer, permittee's self-inspector, etc.)

For DOW staff, an example of the inspection cover letter is included as Attachment 3.

4.1.2 Inspection Tracking

DOW staff must enter their inspection results into the electronic *Water Compliance System*.

Local municipalities and other regulatory oversight authorities are encouraged to develop an electronic tracking system in which to record their inspections.

4.2 Permittee's Self-inspections

This section is intended for qualified professionals who conduct site inspections for permittees in accordance with a SPDES permit or local requirements.

4.2.1 Written Records

<u>Inspection Reports</u>
The inspector shall prepare a written report summarizing inspection results. The inspection report is then provided to the permittee, or the permittee's duly authorized representative, and to the contractor responsible for implementing stormwater controls on-site in order to correct deficiencies noted in the inspection report. Finally, the inspection report must be added to the site log book that is required to be maintained on-site, and be available to regulatory oversight authorities for review.

4.2.2 Stormwater Pollution Prevention Plan Revisions

The inspector must inform the permittee of his/her duty to amend the Stormwater Pollution Prevention Plan (SWPPP) whenever an inspection proves the SWPPP to be ineffective in:

- Eliminating or significantly minimizing pollutants from on-site sources
- Achieving the general objectives of controlling pollutants in stormwater discharges from permitted construction activity
- Eliminating discharges that cause a substantial visible contrast to natural conditions

ATTACHMENT 1

Construction Stormwater Compliance Inspection Report

Project Name and Location:	Date:	Page 1 of 2
	Permit # (if any): **NYR**	
Municipality: County:	Entry Time:	Exit Time:
On-site Representative(s) and contact information:	Weather Conditions:	
Name and Address of SPDES Permittee/Title/Phone/Fax Numbers: Contacted: Yes ☐ No ☐		

INSPECTION CHECKLIST

SPDES Authority

	Yes	No	N/A		Law, rule or permit citation
1.	☐	☐	☐	Is a copy of the NOI posted at the construction site for public viewing?	
2.	☐	☐	☐	Is an up-to-date copy of the signed SWPPP retained at the construction site?	
3.	☐	☐	☐	Is a copy of the SPDES General Permit retained at the construction site?	

SWPPP Content

	Yes	No	N/A		Law, rule or permit citation
4.	☐	☐	☐	Does the SWPPP describe and identify the erosion & sediment control measures to be employed?	
5.	☐	☐	☐	Does the SWPPP provide a maintenance schedule for the erosion & sediment control measures?	
6.	☐	☐	☐	Does the SWPPP describe and identify the post-construction SW control measures to be employed?	
7.	☐	☐	☐	Does the SWPPP identify the contractor(s) and subcontractor(s) responsible for each measure?	
8.	☐	☐	☐	Does the SWPPP include all the necessary 'CONTRACTOR CERTIFICATION' statements?	
9.	☐	☐	☐	Is the SWPPP signed/certified by the permittee?	

Recordkeeping

	Yes	No	N/A		Law, rule or permit citation
10.	☐	☐	☐	Are inspections performed as required by the permit (every 7 days and after ½" rain event)?	
11.	☐	☐	☐	Are the site inspections performed by a qualified professional?	
12.	☐	☐	☐	Are all required reports properly signed/certified?	
13.	☐	☐	☐	Does the SWPPP include copies of the monthly/quarterly written summaries of compliance status?	

Visual Observations

	Yes	No	N/A		Law, rule or permit citation
14.	☐	☐	☐	Are all erosion and sediment control measures installed/constructed?	
15.	☐	☐	☐	Are all erosion and sediment control measures maintained properly?	
16.	☐	☐	☐	Have all disturbances of 5 acres or more been approved prior to the disturbance?	
17.	☐	☐	☐	Are stabilization measures initiated in inactive areas?	
18.	☐	☐	☐	Are permanent stormwater control measures implemented?	
19.	☐	☐	☐	Was there a discharge into the receiving water on the day of inspection?	
20.	☐	☐	☐	Are receiving waters free of there evidence of turbidity, sedimentation, or oil ? (If no , complete Page 2)	

Overall Inspection Rating: ❑ Satisfactory ❑ Marginal ❑ Unsatisfactory	
Name/Agency of Lead Inspector:	**Signature of Lead Inspector:**
Names/Agencies of Other Inspectors:	

Water Quality Observations

Describe the discharge(s) [source(s), impact on receiving water(s), etc.] _____

_____

_____

_____

_____

Describe the quality of the receiving water(s) both upstream and downstream of the discharge_____

_____

_____

_____

_____

Describe any other water quality standards or permit violations _____

_____

_____

Additional Comments:_____

_____

_____

_____

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☐ Photographs attached

ATTACHMENT 2

**** NOTICE ****

On March 10, 2003, provisions of the Federal Clean Water Act went into effect that apply to many construction operations.

If your construction operations result in the disturbance of one acre or greater and stormwater runoff from your site reaches surface waters (i.e., lake, stream, road side ditch, swale, storm sewer system, etc.), the stormwater runoff from your site must be covered by a State Pollutant Discharge Elimination System (SPDES) Permit issued by the New York State Department of Environmental Conservation (NYSDEC).

To facilitate your compliance with the law, NYSDEC has issued a General Permit which may be applicable to your project. To obtain coverage under this General Permit, you need to prepare a Stormwater Pollution Prevention Plan (SWPPP) and then file a Notice of Intent (NOI) to the NYSDEC headquarters in Albany. The NOI form is available on the DEC website. You may also obtain a copy of the NOI form at the nearest NYSDEC regional offices.

When you file your NOI you are certifying that you have developed a SWPPP and that it will be implemented prior to commencing construction. When you submit the NOI you need to indicate if your SWPPP is in conformance with published NYSDEC technical standards; if it is, your SPDES permit coverage will be effective in as few as five business days. If your SWPPP does not conform to the DEC technical standards, coverage will not be available for at least 60 business days.

Failure to have the required permit can result in legal actions which include Stop Work Orders and/or monetary penalties of up to $37,500/day

If your construction operations are already in progress and you are not covered by an appropriate NYSDEC permit contact the NYSDEC Regional Water Engineer as soon as possible. If your construction field operations have not yet commenced, review the NOI and the General Permit on the DEC's website or at the DEC regional office for your area. When you are comfortable that you understand and comply with the requirements, file your NOI.

The requirement to file an NOI does not replace any local requirements. Developers/Contractors are directed to contact the Local Code Enforcement Officer or Stormwater Management Officer for local requirements.

ATTACHMENT 3

<< Date >>

Mr. John Smith
123 Main Street
Ferracane, NY 12345

Re: Stormwater Inspection
SPDES Permit Identification No. NYR10Z000 (through SPDES No. GP-02-01)
Blowing Leaves Subdivision
Gasper (T), Eaton (Co.)

Dear Mr. Smith:

On the afternoon of << date >> I conducted an inspection of the construction activities associated with the Blowing Leaves Subdivision located on County Route 1 in the town of Gasper, Eaton County. The inspection was conducted in the presence of you and Mr. Samuel Siltfence of Acme Excavating Co., Inc. The purpose of the inspection was to verify compliance with the *State Pollutant Discharge Elimination System (SPDES) General Permit for Storm Water Discharges from Construction Activity* ("the general permit").

The overall rating for the project at the time of the inspection was ***unsatisfactory***. A copy of my inspection report is attached for your information. In addition to the report, I would like to elaborate on the following:

SPDES Authority

- In accordance with subdivision 750-2.1 (a) of Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (6 NYCRR), a copy of your permit must be retained at the construction site. You did not have a copy of the general permit at the site. **Your failure to retain a copy of the general permit at the construction site is a violation of 6 NYCRR Part 750-2.1 (a).** Please retain a copy of the general permit at the site from this point forward.

SWPPP Content

- In accordance with Part III.E.2. of the general permit, contractors and subcontractors must certify that they understand the terms and conditions of the general permit and the SWPPP before undertaking any construction activity at the site. Your SWPPP does not include a certification statement from Acme Excavating Co., Inc. **The failure of your contractor to sign this certification before undertaking construction activity at the site is a violation of Part III.E.2. of the general permit.** Please obtain copies of all necessary certifications and provide copies of them to each party who holds a copy of your SWPPP.

- In accordance with Part V.H.2. of the general permit, SWPPP's must be certified by the permittee. Your SWPPP was not certified by you. **Your failure to certify your SWPPP is a**

violation of Part V.H.2. of the general permit. Please certify your SWPPP.

Recordkeeping

- In accordance with Parts III.D.3.a. and III.D.3.b. of the general permit, permittees must have a qualified professional conduct site inspections within 24 hours of the end of 0.5" or greater rain events and at least once per week. A review of your records revealed that your "self-inspections" are only being conducted about two or three times per month. **Your failure to have a qualified professional conduct inspections at the required frequency is a violation of Part III.D.3.b. of the general permit.** Please immediately direct your qualified professional to conduct your site inspections at the required frequency.

- Although the frequency of self-inspections does not meet rquirements, the quality of them is very good. Your qualified professional has accurately noted the same SWPPP deficiencies and necessary maintenance activities that I also observed, and prepared thorough sketches on the self-inspection site maps.

- In accordance with Part V.H.2. of the general permit, the permittee must certify all reports required by the permit. A review of your records showed that your self-inspection reports were not certified. **Your failure to certify your self-inspection reports is a violation of Part V.H.2. of the general permit.** Please sign and certify any and all existing and future self-inspection reports.

<u>Visual Observations</u>

- In accordance with Parts III.A.2. and III.A.3. of the general permit, all erosion and sediment controls (E&SC) measures must be installed (as detailed in the SWPPP) prior to the initiation of construction. During the inspection, I noted all of your E&SC measures have been correctly installed at the right times and locations.

- In accordance with Part V.L. of the general permit, all of the E&SC measures at your site must be maintained properly. While on site I observed that, among other things, the section of silt fence in place parallel to County Route 1 is in various stages of disrepair. **The failure of your contractor to adequately maintain the E&SC measures currently in place at your site is a violation of Part V.L of the general permit.** Please direct your contractor to repair this silt fence immediately and to diligently maintain all of the other required E&SC measures as they are brought to his attention by your qualified professional.

- This inspection was conducted during a rain event which resulted in a stormwater discharge to the municipal separate storm sewer system (MS4) being operated by the Eaton County Department of Public Works. Your discharge was visibly turbid whereas upstream water MS4 was clear. As a result, the discharge from the MS4 outfall into Karimipour Creek was causing

Mr. John Smith << Date >>
Re: SPDES Inspection
Blowing Leaves Subdivision
Gasper (T), Eaton (Co.)

slight turbidity. Please be advised that the narrative water quality standard for turbidity in Karimipour Creek is "no increase that will cause a substantial visible contrast to natural conditions." I attribute the lack of maintenance of your E&SC measures to be the primary cause of the turbid discharge. Please be reminded that the general permit does not authorize you cause or contribute to a condition in contravention of any water quality standards.

If you have any questions or comments, please feel free to contact me at (999) 456-5432.

Sincerely,

Hector D. Inspector, CPESC
Environmental Program Specialist 2

HDI:ms
Attachment

cc w/att.: Chester Checkdam, (T) Gasper Code Enforcement Officer
Samuel Siltfence, Acme Excavating Co., Inc.

APPENDIX K

CHECKLIST FOR COMPLIANCE INSPECTION

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

This checklist should be used as a supplement to the most recent versions of the General Permit, the local law, technical standards and the updated SWPPP. If any of the control practices installed require corrective actions, maintenance, revision, repair, reinstallation and/or replacement, the inspector must notify the owner or operator and the appropriate contractor or subcontractor within one business day. The inspector must notify the owner or operator which corrective actions are necessary to install, repair, replace and/or maintain the erosion and sediment control practices. The completed inspection report must be signed by the inspector and included with the SWPPP in the project files.

General Information		
Project Name:	**SPDES ID Number:**	
Site Location:		
Municipality:	**County:**	
Date of Inspection:	**Start Time:**	**End Time:**
Type of Inspection: ☐ General ☐ Pre-storm ☐ During storm ☐ Post-storm		

Inspector's Information	
Name:	**Title:**
Company:	**Qualifications:**
Phone No.:	**Address:**

Applicant Information	
Name:	**Title:**
Address:	
Phone No.:	**Fax No.:**
Applicant's e-mail:	
Emergency Contact:	**Phone No.:**

Current Weather Conditions						
☐ Clear	☐ Cloudy	☐ Fog	☐ Rain	☐ Sleet	☐ Snow	☐ High Winds
☐ Other:				Temperature:		
Notes:						

Current Soil Conditions			
☐ Dry	☐ Wet	☐ Saturated	☐ Other:
Notes:			

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Area of Disturbance				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Less than 5 acres of cleared at a time	☐	☐	☐	
Limits of disturbance clearly marked onsite	☐	☐	☐	
Disturbance within limits of approved plans	☐	☐	☐	
Describe the areas that have been disturbed and the areas that have been stabilized (temporary and/or final) since the last inspection:				
Has a sketch of these areas been attached to this report?	☐	☐	☐	

Discharge Conditions
Since the last inspection, have any storm water discharges occurred from any point on the site? ☐ **Yes** ☐ **No** If Yes, describe sources (e.g., overland flow, pipes, culverts, ditches, etc.), conditions (e.g., sediment, floatables, turbidity, oil/grease, etc) and impacts on adjacent properties and waterbodies:
Are there any storm water discharges from any point on the site at the time of the inspection? ☐ **Yes** ☐ **No** If Yes, describe sources (e.g., overland flow, pipes, culverts, ditches, etc.), conditions (e.g., sediment, floatables, turbidity, oil/grease, etc) and impacts on adjacent properties and waterbodies:

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Document Verification				
Are the following documents retained at the construction site?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Updated SWPPP as site conditions change	☐	☐	☐	
SPDES General Permit	☐	☐	☐	
NOI and NYSDEC acknowledgment letter	☐	☐	☐	
MS4 SWPPP Acceptance Form	☐	☐	☐	
Past inspection reports	☐	☐	☐	

Temporary Structural Erosion and Sediment Control Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Check Dams	☐	☐	☐	
Construction Road Stabilization	☐	☐	☐	
Dust Control	☐	☐	☐	
Earth Dike	☐	☐	☐	
Level Spreader	☐	☐	☐	
Perimeter Dike/Swale	☐	☐	☐	
Pipe Slope Drain	☐	☐	☐	
Portable Sediment Tank	☐	☐	☐	
Rock Dam	☐	☐	☐	
Sediment Basin	☐	☐	☐	
Sediment Traps	☐	☐	☐	
Silt Fence	☐	☐	☐	
Stabilized Construction Entrance	☐	☐	☐	
Storm Drain Inlet Protection	☐	☐	☐	
Straw/Hay Bale Dike	☐	☐	☐	
Temporary Access Waterway Crossing	☐	☐	☐	
Temporary Stormdrain Diversion	☐	☐	☐	
Temporary Swale	☐	☐	☐	
Turbidity Curtain	☐	☐	☐	
Water bars	☐	☐	☐	
Other:	☐	☐	☐	

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Erosion and Sediment Control Vegetative Measures				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Brush Matting	☐	☐	☐	
Dune Stabilization	☐	☐	☐	
Grassed Waterway	☐	☐	☐	
Mulching	☐	☐	☐	
Protecting Vegetation	☐	☐	☐	
Recreation Area Improvement	☐	☐	☐	
Seeding	☐	☐	☐	
Sodding	☐	☐	☐	
Straw/Hay Bale Dike	☐	☐	☐	
Streambank Protection	☐	☐	☐	
Temporary Swale	☐	☐	☐	
Topsoiling	☐	☐	☐	
Vegetating Waterways	☐	☐	☐	
Other:	☐	☐	☐	

Permanent Structural Erosion and Sediment Control Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Debris Basin	☐	☐	☐	
Diversion	☐	☐	☐	
Grade Stabilization Structure	☐	☐	☐	
Land Grading	☐	☐	☐	
Lined Waterway (Rock)	☐	☐	☐	
Paved Channel (Concrete)	☐	☐	☐	
Paved Flume	☐	☐	☐	
Retaining Wall	☐	☐	☐	
Riprap Slope Protection	☐	☐	☐	
Rock Outlet Protection	☐	☐	☐	
Streambank Protection	☐	☐	☐	
Other:	☐	☐	☐	

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Biotechnical Erosion and Sediment Control Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Brush Matting	☐	☐	☐	
Wattling	☐	☐	☐	
Other:	☐	☐	☐	

Pollution Prevention and Good Housekeeping BMPs				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Material delivery and storage area	☐	☐	☐	
Hazardous waste storage area	☐	☐	☐	
Stockpile management	☐	☐	☐	
Material management over water	☐	☐	☐	
Waste management	☐	☐	☐	
Dumpsters	☐	☐	☐	
Concrete truck washout area	☐	☐	☐	
Equipment and vehicle maintenance area	☐	☐	☐	
Equipment and vehicle fueling area	☐	☐	☐	
Spill prevention and control	☐	☐	☐	
Dust control	☐	☐	☐	
Temporary/portable sanitary facilities	☐	☐	☐	
Other:	☐	☐	☐	

Ponds: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Micropool Extended Detention	☐	☐	☐	
Wet Pond	☐	☐	☐	
Wet Extended Detention	☐	☐	☐	
Multiple Pond System	☐	☐	☐	
Pocket Pond	☐	☐	☐	
Other:	☐	☐	☐	

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Wetlands: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Shallow Wetland	☐	☐	☐	
Extended Detention Wetland	☐	☐	☐	
Pond/Wetland System	☐	☐	☐	
Pocket Wetland	☐	☐	☐	
Other:	☐	☐	☐	

Filtering: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Surface Sand Filter	☐	☐	☐	
Underground Sand Filter	☐	☐	☐	
Perimeter Sand Filter	☐	☐	☐	
Organic Filter	☐	☐	☐	
Bioretention	☐	☐	☐	
Other:	☐	☐	☐	

Infiltration: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Infiltration Trench	☐	☐	☐	
Infiltration Basin	☐	☐	☐	
Dry Well	☐	☐	☐	
Underground Infiltration System	☐	☐	☐	
Other:	☐	☐	☐	

Open Channels: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Dry Swale	☐	☐	☐	
Wet Swale	☐	☐	☐	
Other:	☐	☐	☐	

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Alternative Practice: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Rain Garden	☐	☐	☐	
Cistern	☐	☐	☐	
Green Roof	☐	☐	☐	
Storm Water Planters	☐	☐	☐	
Permeable Paving (Modular Block)	☐	☐	☐	
Other:	☐	☐	☐	

Verified Proprietary Practice: Post-Construction Storm Water Management Practices				
Do the following BMPs require maintenance, revision, repair, reinstallation and/or replacement?	**Yes**	**No**	**N/A**	**Corrective Action Needed**
Hydrodynamic	☐	☐	☐	
Media Filter	☐	☐	☐	
Wet Vault	☐	☐	☐	
Other:	☐	☐	☐	

Post-Construction Storm Water Management Practices Additional Comments and Notes
Describe the current phase of construction of all Post-Construction Storm Water Management Practices and any construction that is not in conformance with the SWPPP and technical standards:

CHECKLIST FOR COMPLIANCE INSPECTION DURING CONSTRUCTION

Additional Comments and Notes
Describe any incidences of non-compliance that are not described above:

Certification Statement

Check box if:

☐ No incidents of non-compliance were found, and I certify that this inspection found this site to be fully in compliance with the Storm Water Pollution Prevention Plan (SWPPP), the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, and the most current version of NYSDEC technical standards.

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

Print Name and Title: _____

Signature: _____ **Date:** _____

APPENDIX L

COMPLIANCE INSPECTION LOG SHEET

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

COMPLIANCE INSPECTIONS LOG SHEET

#	Project Name	Project Site Address	Date of Inspection	Inspector Name	Notes

APPENDIX M

PUBLIC COMPLAINTS/ COMMENTS
ON
REGULATED CONSTRUCTION PROJECTS LOG SHEET

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

PUBLIC COMPLAINTS/COMMENTS ON REGULATED CONSTRUCTION PROJECTS LOG SHEET

#	Date	Name	Phone Number	Project Name	Comment	Follow-up

APPENDIX N

ENFORCEMENT ACTION LOG SHEET

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 4: CONSTRUCTION SITE STORM WATER RUNOFF CONTROL

YEAR: _____

ENFORCEMENT ACTION LOG SHEET

Case No.	Type of Enforcement Action	Project Site Address	Contact Name	Description of Violation	Corrective Action Deadline	Notes

APPENDIX E

CHAPTER 285A STORM SEWERS – CODE AMENDMENT REGARDING ILLICIT DISCHARGES DETTECTION AND ELIMINATION

PROCEDURES

TRACKING

OUTFALL MAPS

INSPECTION SPREADSHEET

Town of Southampton, NY
Thursday, June 4, 2015

Chapter 285A. Storm Sewers

[HISTORY: Adopted by the Town Board of the Town of Southampton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES
Building construction — See Ch. **123**.
Stormwater management and erosion and sediment control — See Ch. **285**.
Subdivision of land — See Ch. **292**.

Article I. Illicit Discharges and Connections to Municipal Separate Storm Sewer System

[Adopted 1-11-2011 by L.L. No. 1-2011]

§ 285A-1. Legislative authority.

This chapter is enacted pursuant to § 10 of the Municipal Home Rule Law and the New York State Constitution to provide for the health, safety and general welfare of the residents of, and the general public within, the Town of Southampton through the regulation of nonstormwater discharges to the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law.

§ 285A-2. Purpose; intent.

The objectives of this chapter are as follows:

A. To meet the requirements of the New York SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), Permit No. GP-0-10-002, or as amended or revised;

B. To regulate the contribution of pollutants to the MS4, since such systems are not designed to accept, process, or discharge nonstormwater wastes;

C. To prohibit illicit connections, activities, and discharges to the MS4;

D. To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this chapter; and

E. To promote public awareness of the hazards involved in the improper discharge of trash, yard waste, lawn chemicals, pet waste, wastewater, grease, oil, petroleum products, cleaning products, paint products, hazardous waste, sediment and other pollutants into the MS4.

§ 285A-3. Applicability.

The requirements under this chapter shall be applicable to all water entering the Town MS4 generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

§ 285A-4. Definitions.

The terms used in this chapter shall have the meanings as set forth in this section.

BEST MANAGEMENT PRACTICES (BMPs)

Schedules of activities, prohibitions of practices, general good-housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT

The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

CONSTRUCTION ACTIVITIES

Activities requiring authorization under the New York SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-10-001, or as amended or revised. These activities include construction projects resulting in land disturbance of one or more acres. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

HAZARDOUS MATERIAL

Material, including any substance, waste, or combination thereof, which because, of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause or significantly contribute to a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLICIT CONNECTION

Any surface or subsurface drain or conveyance that allows an illegal discharge to enter the MS4, including but not limited to:

A. Conveyances that allow nonstormwater discharge, including treated or untreated sewage, process wastewater, and wash water, to enter the MS4 and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized agency; or

B. A drain or conveyance connected from a commercial or industrial land use to the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

ILLICIT DISCHARGE

Any discharge that is not entirely composed of stormwater. Illicit discharges shall include but are not limited to those sources as identified by § 122.26(b)(2) of the Code of Federal Regulations, sanitary wastewater, effluent from septic tanks, commercial car wash wastewater, petroleum products, antifreeze and radiator flush liquid, laundry wastewater, spills from roadway accidents,

and household and motor vehicle chemicals, but does not include liquids discharged from fire-fighting activities.

INDUSTRIAL ACTIVITIES

Activities requiring authorization under the New York SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity, Permit No. GP-0-06-002, or as amended or revised.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4)

A conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by the Town and designed or used for collecting or conveying stormwater; the MS4 is not a combined sewer or part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

NYSDEC

The New York State Department of Environmental Conservation.

NONSTORMWATER DISCHARGE

Any discharge to the MS4 that is not composed entirely of stormwater.

PERSON

Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

POLLUTANT

A substance that may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards, including but not limited to dredged spoils, filter backwash, solid waste, incinerator residue, treated or untreated sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, and industrial, municipal, agricultural waste and ballast discharged into water.

PREMISES

Any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips.

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

A permit issued by the NYSDEC to regulate discharges from municipal separate storm sewer systems for compliance with EPA-established water quality standards and/or to specify stormwater control standards under Permit No. GP-0-10-002, or as amended or revised.

SPECIAL CONDITIONS

Any of the following:

A. Discharge compliance with water quality standards: the condition that applies where a municipality has been notified that the discharge of stormwater authorized under its MS4 permit may have caused or has the reasonable potential to cause or contribute to the violation of an applicable water quality standard. Under this condition the municipality must take all necessary actions to ensure future discharges do not cause or contribute to a violation of water quality standards.

B. 303(d)-listed waters: the condition in the municipality's MS4 permit that applies where the MS4 discharges to a 303(d)-listed water. Under this condition the stormwater management

program must ensure no increase in the discharge of the listed pollutant of concern to the 303(d)-listed water.

C. Total maximum daily load (TMDL) strategy: the condition in the municipality's MS4 permit where a TMDL, including requirements for control of stormwater discharges, has been approved by the EPA for a waterbody or watershed into which the MS4 discharges. If the discharge from the MS4 did not meet the TMDL stormwater allocations prior to September 10, 2003, the municipality was required to modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

D. The condition in the municipality's MS4 permit that applies if a TMDL is approved in the future by the EPA for any waterbody or watershed into which an MS4 discharges. Under this condition the municipality must review the applicable TMDL to see if it includes requirements for control of stormwater discharges. If an MS4 is not meeting the TMDL stormwater allocations, the municipality must, within six (6) months of the TMDL's approval, modify its stormwater management program to ensure that reduction of the pollutant of concern specified in the TMDL is achieved.

STORMWATER

Rainwater, surface runoff, snowmelt, and drainage.

STORMWATER MANAGEMENT OFFICER (SMO)

An employee or officer designated by the Town to accept and review stormwater pollution prevention plans, forward the plans to the applicable municipal board and inspect stormwater management practices.

303(d) LIST OF IMPAIRED WATERS

The NYSDEC published list, and any amendments thereto, of all surface waters in the state for which beneficial uses of the water (i.e., drinking, recreation, aquatic habitat, and industrial) are impaired by pollutants, as required by Section 303(d) of the Federal Clean Water Act. 303(d)-listed waters include estuaries, lakes, and streams that fall short of state surface water quality standards and are not expected to improve within the next two years.

TOTAL MAXIMUM DAILY LOAD (TMDL)

The maximum amount of a pollutant allowed to be released into a water body so as not to impair uses of the water, allocated among the sources of the pollution.

TOWN

The Town of Southampton.

WASTEWATER

Water that is not stormwater, which is contaminated with pollutants and is, or will be, discarded.

§ 285A-5. Administration.

The Stormwater Management Officer (SMO) shall administer and implement the provisions of this chapter.

§ 285A-6. Discharge prohibitions; exemptions.

A. Prohibition of illegal discharges. No person shall discharge or cause to be discharged into the Town MS4 any materials other than stormwater, except as provided herein. The commencement,

conduct or continuance of any illegal discharge to the Town MS4 is prohibited except as described herein.

B. Exemptions to discharge prohibitions. The following discharges are exempt from discharge prohibitions established by this chapter, unless the discharges are determined to be substantial contributors of pollutants:

(1) Waterline flushing or other potable water sources, landscape irrigation or lawn watering, existing diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains, crawl space or basement sump pumps, air-conditioning condensate, irrigation water, springs, water from individual residential car washing, natural riparian habitat or wetland flows, unchlorinated swimming pool discharges, residential street wash water, water from fire-fighting activities, and any other water source not containing pollutants. Such exempt discharges shall be made in accordance with an appropriate plan for reducing pollutants.

(2) Discharges approved in writing by the SMO to protect life or property from imminent harm or damage, provided that such approval shall not be construed to constitute compliance with other applicable laws and requirements, and further provided that such discharges may be permitted for a specified time period and under such conditions as the SMO may deem appropriate to protect such life and property while reasonably maintaining the purpose and intent of this chapter.

(3) Dye testing in compliance with applicable state and local laws is an allowable discharge but requires a written notification to the SMO prior to the time of the test.

(4) Discharge authorized pursuant to a SPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the NYSDEC, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the Town MS4.

§ 285A-7. Illicit connections prohibited.

A. The construction, use, maintenance or continued existence of illicit connections to the Town MS4 is prohibited.

B. This prohibition expressly includes, without limitation, prior illicit connections, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

C. A person shall be in violation of this chapter if the person connects a line conveying sewage to the Town MS4 or allows such a connection to continue.

§ 285A-8. Failing individual sewage treatment systems prohibited.

No persons shall operate a failing individual sewage treatment system in areas tributary to the Town MS4. A failing individual sewage treatment system is one which has one or more of the following conditions:

A. The backup of sewage into a structure.

B. Discharges of treated or untreated sewage onto the ground surface.

C. A connection or connections to the Town MS4.

D. Liquid level in the septic tank above the outlet invert.

E. Structural failure of any component of the individual sewage treatment system that could lead to any of the other failure conditions as noted in this section.

F. Contamination of off-site groundwater.

§ 285A-9. Activities contaminating stormwater prohibited.

A. Activities that are subject to the requirements of this section include any activity that:

(1) Causes or contributes to a violation of the Town's MS4 SPDES permit.

(2) Causes or contributes to the Town being subject to the special conditions as defined by this chapter.

B. Upon notification to a person that he or she is engaged in activities that cause or contribute to violations of the Town's MS4 SPDES permit, that person shall take all reasonable actions to correct such activities such that he or she no longer causes or contributes to violations of the Town's MS4 SPDES permit.

§ 285A-10. Prevention, control, and reduction of stormwater pollutants by use of best management practices.

Where the SMO has identified illicit discharges under this chapter, or activities contaminating stormwater, the Town may require implementation of best management practices (BMPs) to control those illicit discharges and activities.

A. The owner or operator of a commercial or industrial establishment shall provide, at his or her own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the Town MS4 through the use of structural and nonstructural BMPs.

B. Any person responsible for a property or premises which is, or may be, the source of an illicit discharge or an activity contaminating stormwater may be required to implement, at said person's expense, additional structural and nonstructural BMPs to reduce or eliminate the source of pollutant(s) to the Town MS4.

C. Compliance with all terms and conditions of a valid SPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section.

§ 285A-11. Suspension of MS4 discharge access.

A. The Town may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the Town MS4. The Town shall notify the person, in writing, of such suspension, within a reasonable time thereafter, and of the reasons for the suspension. If the violator fails to comply with a suspension order issued in an emergency, the Town may take such steps as deemed necessary to

prevent or minimize damage to the Town MS4 or to minimize hazardous conditions which may adversely affect the health, safety, welfare, and property of Town residents or the general public.

B. Any person discharging to the Town MS4 in violation of this chapter may have his or her MS4 access terminated if such termination would abate or reduce an illicit discharge. The Town will notify a violator in writing of the proposed termination of its MS4 access and the reasons for the termination. The violator may petition the Town for reconsideration and a hearing. The Town may grant access if it is found that the illicit discharge has ceased and that the violator has taken steps to prevent its recurrence. Access may be denied if the Town determines that the illicit discharge has not ceased or is likely to recur. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section without the prior approval of the Town.

§ 285A-12. Industrial or construction activity discharges.

Any person subject to an industrial or construction activity SPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Town prior to allowing discharges to the Town MS4.

§ 285A-13. Access to facilities; monitoring of discharges.

This section applies to all facilities that the Town must inspect to enforce any provision of this chapter, or whenever the authorized enforcement agency has cause to believe that there exists, or potentially exists, in or upon any premises, any condition which constitutes a violation of this chapter. The Town is authorized to make or cause to be made inspections to determine compliance with the provisions of this chapter and to determine the cause of an illicit discharge, in order to safeguard the health, safety, and welfare of the residents of the Town. The Town is authorized to enter, upon consent of the owner or facility operator, any premises at any reasonable time or, in the event of an emergency, at such other time as may be necessary, without the consent of the owner or facility operator, for the purpose of determining compliance with this chapter.

A. The Town shall be permitted to enter and inspect facilities subject to regulation under this chapter as often as may be necessary to determine compliance with this chapter. If a discharger has security measures in force, the owner or operator of the facility shall take all steps necessary and make arrangement for the Town and any other person(s) deemed necessary to have free and complete access to the facility to make the required inspections.

B. The Town shall be allowed ready access to all parts of the premises for the purposes of inspection, sampling, and examination of the facility, as well as be provided access to and be permitted to copy any and all documents deemed necessary to implement the provisions of this chapter.

C. The Town shall have the right to set up, on any facility subject to this chapter, such devices as are necessary to conduct monitoring and/or sampling of the facility's stormwater discharge.

D. The Town has the right to require facilities subject to this chapter to install monitoring equipment as is reasonably necessary to determine compliance with this chapter. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.

E. If the Town has been refused access to any part of the premises from which stormwater is discharged, or there has been a refusal to allow sampling as part of any routine inspection or sampling program, and the Town has reasonable cause to believe that a violation of this chapter has occurred, then the Town may seek the issuance of a search warrant from any court of

competent jurisdiction. The refusal to allow access to any part of the premises, or to allow for a sample to be taken, shall be deemed presumptive evidence that a violation exists.

F. Unreasonable delays in allowing the Town access to a facility subject to this chapter is a violation of this chapter and shall expose the owner of the facility, as well as the operator or any other person responsible for preventing access to the facility, to prosecution under the provisions provided for in this chapter.

§ 285A-14. Notification of spills.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation, has information of any known or suspected release of materials which results or may result in illegal discharges or pollutants discharging into the Town MS4, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials, said person shall immediately notify the Town of the occurrence via emergency dispatch services (911). In the event of a release of nonhazardous materials, said person shall notify the Town, in person, by telephone or by facsimile, no later than the next business day. Notifications in person or by telephone shall be confirmed by written notice addressed and mailed to the Town within three business days of the nonwritten notification. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall also be retained for at least three years.

§ 285A-15. Enforcement; penalties for offenses.

A. In the event of a violation of this chapter, the Town may order compliance and issue a written notice of violation, to be served personally or by certified mail to the violator and the property owner as shown on the last preceding assessment roll of the Town.

B. The notice of violation shall contain the following:

(1) The location of the violation;

(2) A statement specifying the nature of the violation;

(3) A description of the corrective measures necessary to remediate or abate the illicit discharge, which may include restoration of the property, and a time schedule for the completion of such remedial action;

(4) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and

(5) A statement that the determination of violation may be appealed to the Town by filing a written notice of appeal within 15 days of service of the notice of violation.

C. The notice of violation may further order compliance, including but not limited to the following:

(1) The elimination of illicit connections or discharges;

(2) That violating discharges, practices, or operations shall cease and desist;

(3) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property. If abatement of a violation and/or restoration of affected

property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that should the violator fail to remediate or restore within the established deadline, the work will be done by a designated government agency or contractor and the expense shall be assessed against the property;

(4) The performance of monitoring, analyses, and reporting;

(5) The payment of a fine; and

(6) The implementation of source control or treatment BMPs.

D. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this chapter shall be guilty of a violation punishable by a fine not exceeding $1,000 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for a conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than $1,000 nor more than $2,500 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than $2,500 nor more than $5,000 or imprisonment for a period not to exceed six months, or both. However, for the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors, and, for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each day's continued violation shall constitute a separate additional violation.

E. Any person receiving a notice of violation may appeal the determination of the Town in writing within 15 days of its issuance. The appeal notice shall be directed to the Town. A hearing officer, as designated by the Town Board, shall hear the appeal within 30 days after filing the appeal and, within five days of the completion of the hearing, issue a written decision by certified mail or personal service to the property owner and/or the violator. If the original notice of violation is sustained, the Town shall issue an order, to be served by certified mail or personal service, which shall state the corrective actions to be taken and the required date for completion of all corrective measures. The filing of an appeal shall not stay or prevent the Town from taking all necessary emergency corrective measures.

F. Corrective measures after appeal.

(1) If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or, in the event of an appeal, within five business days of the hearing officer's decision upholding the decision of the Town, then the Town shall request the owner's permission for access to the subject private property to take any and all measures reasonably necessary to abate the violation and/or restore the property, and the cost thereof shall be a charged assessment against the property and lands, to be collected in the same manner as real property taxes.

(2) If refused access to the subject private property, the Town may seek a warrant in a court of competent jurisdiction to be authorized to enter upon the property to determine whether a violation has occurred. Upon determination that a violation has occurred, the Town may seek a court order to take any and all measures reasonably necessary to abate the violation and/or restore the property. The cost of implementing and maintaining such measures shall be the sole responsibility of the discharger and/or property owner and shall be a charge assessed against the property and lands, to be collected in the same manner as real property taxes.

G. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. If a person has violated or continues to violate the provisions of this chapter, the Town Attorney may, upon receipt of a permissive resolution from the Town Board, petition for a preliminary or permanent injunction restraining the person from activities which

would create further violations or compelling the person to perform abatement or remediation of the violation.

H. Alternative remedies.

(1) Where a person has violated a provision of this chapter, he or she may be eligible for alternative remedies in lieu of a civil penalty, upon the approval of the SMO and the concurrence of the Town Attorney, upon a determination that:

(a) The violation was unintentional.

(b) The violator has no history of previous violations of this chapter.

(c) The environmental damage was minimal.

(d) The violator has expeditiously acted to remedy the violation and the premises is now in full compliance with the provisions of this chapter.

(e) The violator has cooperated in the investigation and resolution.

(2) Alternative remedies may consist of one or more of the following:

(a) Attendance at compliance workshops.

(b) Storm drain stenciling or storm drain marking.

(c) Bay, creek, lake, pond or stream cleanup activities.

§ 285A-16. Violations deemed public nuisance.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter that is a threat to public health, safety, and welfare is declared and deemed to be a public nuisance; a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken with the permission of the Town Board.

§ 285A-17. Effect on other remedies.

The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law, and it is within the discretion of the Town to seek cumulative remedies.

TOWN OF SOUTHAMPTON

Phase II Storm Water Management Program

Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination

Prepared by:

November 2011

DVIRKA AND BARTILUCCI CONSULTING ENGINEERS
A DIVISION OF D&B ENGINEERS AND ARCHITECTS, P.C.

3012/Southampton/Jobs/EnvPer(11/16/11)RLA

TOWN OF SOUTHAMPTON

PHASE II STORM WATER MANAGEMENT PROGRAM
WRITTEN PROCEDURES

FOR

MINIMUM CONTROL MEASURE 3
ILLICIT DISCHARGE DETECTION AND ELIMINATION

Prepared by:

DVIRKA AND BARTILUCCI CONSULTING ENGINEERS
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NOVEMBER 2011

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
WRITTEN PROCEDURES
FOR
MINIMUM CONTROL MEASURE 3
ILLICIT DISCHARGE DETECTION AND ELIMINATION

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1.0 INTRODUCTION

This document outlines the procedures for the Town of Southampton (the Town) Illicit Discharge Detection and Elimination (IDDE) program as authorized by Town Local Law Chapter 285A, Storm Sewers, Article I, Illicit Discharges and Connections to Municipal Separate Storm Sewer System (Appendix A). The IDDE program is one of the six Minimum Control Measures required under the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) (Appendix B).

Illicit discharges to the MS4 can contribute significant pollutant loadings to receiving waters in a short period of time. The NYSDEC defines illicit discharges as the release of substances into the MS4 which are not entirely composed of storm water or allowable non-storm water discharges. The Town's MS4 is the storm water conveyance system, which includes Town roads and streets with drainage systems, catch basins, curbs, gutters, ditches, man-made channels or storm drains. Illicit discharges are considered "illicit" because the MS4 is designed to only accept and discharge clean storm water. Typical sources of illicit discharges include sanitary wastewater, vehicle maintenance activities and pet waste.

The aim of the Town IDDE program is to improve surface water quality by identifying, eliminating, reducing and preventing the discharge of pollutants throughout the Town. The NYSDEC SPDES General Permit for Stormwater Discharges from MS4s and Town local law prohibit pollutants and non-storm water discharges from entering the MS4.

This document has been developed in an effort to make illicit discharge identification, inspection, elimination, enforcement, penalization and recordkeeping processes more effective and efficient. This document can assist Town employees in providing thorough and systematic processes that will improve storm water pollution prevention. The written procedures within this document were developed as tools to identify priority areas of concern, locate and eliminate illicit discharges, enforce and penalize violators, and keep records. The Town Storm Water

Management Officer (SMO), as designated by the Town, is responsible for implementing, delegating and enforcing the Town IDDE program.

This document was prepared to be consistent with the Town Illicit Discharges and Connections to Municipal Separate Storm Sewer System Local Law (Appendix A) and the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s and to be part of the Town Storm Water Management Program Plan. This document is intended to serve as a guide for all IDDE activities within the Town's jurisdiction. Further guidance on the procedures contained in this document can be found in the United States Environmental Protection Agency (USEPA) and Center for Watershed Protection (CWP) document entitled, "Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment" (herein referred to as "IDDE Guidance Manual"). Other Federal and NYSDEC approved reference handbooks, manuals and documents should also be used to supplement this document and implement a comprehensive IDDE program.

2.0 PRIORITY AREAS OF CONCERN

Illicit discharge priority areas of concern will differ from one neighborhood to another within the Town depending on land use, drainage areas, water quality conditions, age of infrastructure, etc. The Town SMO can direct the gathering and evaluation of available information related to where in the Town illicit discharges might be occurring. This information can be used to identify priority areas of concern, which should be targeted for further field screenings and investigations.

In order to identify priority areas of concern, a straightforward desktop assessment of available community information can be used. This desktop assessment is meant to provide insight on how to narrow the illicit discharge search, and is helpful when conducting the required Outfall Reconnaissance Inventory (ORI). The desktop assessment can identify subwatersheds, generating sites, and neighborhoods where the Town will focus illicit discharge efforts. The following resources should be collected, reviewed and ranked during the prioritization process:

- Zoning maps – A high priority designation will correlate to industrial/commercial areas with high density development.
- Locations of previous illicit discharges – A high priority designation will correlate to areas with historical illicit discharge reports or complaints.
- Locations with storm water hotspots – A high priority designation will correlate to areas with land use/activities with the potential to generate highly contaminated runoff such as auto repair shops.
- Density of outfalls – A high priority designation will correlate to areas with a high density of outfalls.
- Age of infrastructure/development – A high priority designation will correlate to older areas of the community.
- Location of areas with septic systems – Older areas with septic systems will be considered high priority.
- Water quality information –Water quality classification and 303(d) listed and TMDL waterbodies will be considered when identifying priority areas of concern.

- Areas that drain to important surface waters - A high priority designation will correlate to important drainage areas such as shellfish growing waters or public beaches. These areas will be designated as high priority for public health and economic reasons.

The above information can be used to qualitatively and/or quantitatively assess where illicit discharges may be found and what waterbodies are particularly sensitive. The Town will conduct this process as necessary or as illicit discharges are removed. It should be noted that the above list is adaptive and not exhaustive. Additional Town-specific data pertinent to locating high priority areas in the community can also be used. Similarly, some of this information can be excluded if it is not relevant to identifying priority areas in the community.

Once the available information has been acquired and reviewed, it can be compiled and evaluated to define which portions of the Town should be designated as High, Medium, or Low priority for illicit discharges. Table 2-1 provides a sample prioritization table using a method where criteria are assigned a relative illicit discharge potential value. The scores for each area are then averaged to produce an overall relative score for the area. Further guidance on conducting the desktop assessment can be found in the IDDE Guidance Manual.

Once the IDDE prioritization process is complete and priority areas of concern are identified, the subsequent list can be used to determine the Town IDDE program focus such as which areas should be mapped next; which techniques will be used to develop community-specific detection techniques; and how to prioritize storm drain system maintenance work.

Table 2-1

EXAMPLE
PRIORITIZATION TABLE
ILLICIT DISCHARGE POTENTIAL BENCHMARKS

Priority Designations	Assigned Value	Land Use	Receiving Waters Designation	Outfall Density	Average Age of Development
Low	1	Residential	Not Listed	<10 per mile	<25 years
Medium	2	Commercial	303(d) Impaired: Other Source	10-20 per mile	25-50 years
High	3	Industrial	303(d) Impaired: Illicit Discharge or Storm Water	>20 per mile	>50 years

3.0 IDENTIFYING AND LOCATING ILLICIT DISCHARGES

Detecting and eliminating illicit discharges are complex tasks. Given the variable nature of illicit discharges, it is difficult to establish rigid procedures to proactively correct all illicit connections. There is no single approach to take, but rather a variety of ways to get from detection to elimination. The Town will follow the procedures for illicit discharge detection and elimination described in the above-mentioned IDDE Guidance Manual.

3.1 Illicit Discharge Categories

In developing an inspection schedule for outfalls and the MS4, it is important to identify potential illicit discharge categories. Categorizing illicit discharges according to frequency provides valuable information about its source, which is useful in determining the appropriate tracing technique. The following are three common categories of illicit discharges:

- Transitory illicit discharges: Typically one-time events. These illicit discharges result from spills, breaks, dumping or accidents. They are often reported through a citizen complaint line or following observation by a Town employee during routine field duties. Transitory illicit discharges are the most difficult to identify, trace, and remove because they are not recurring.

- Intermittent illicit discharges: Typically occasional events over a period of time (several hours per day, or a few days per year). These illicit discharges can result from legal connections to the storm drain system that are illegally discharging anything other than storm water or allowable non-storm water discharges. An example is a legal sump pump connection that is illegally discharging anything other than groundwater. Intermittent discharges can also result from activities such as drum washing in exterior areas. These types of discharges are more likely to be discovered, and are less difficult to trace and remove, but can still present significant challenges. These discharges can have large or small impacts on waterbodies depending on pollutant content and the size of the receiving water body.

- Continuous illicit discharges: Typically the result of a direct connection. Examples include overflow from a malfunctioning septic system or an illegal connection from a commercial or industrial facility. Continuous illicit discharges are usually easiest to trace and can have the greatest pollutant load.

Illicit discharges can also be classified as to whether they enter the MS4 directly or indirectly:

- Direct illicit discharges: Typically directly connected to the storm drain pipe system and is usually via a pipe. This type of entry will produce discharges that are either continuous or intermittent. Direct entry usually occurs when there are industrial and commercial cross-connections.

- Indirect illicit discharges: Indirect entry means that flows, which are generated outside the storm drain system, enter through storm drain inlets or by infiltrating through the joints of the pipe. Typically produce intermittent or transitory discharges. This type of entry can include contaminated groundwater seepage into the storm drain pipe, spills, dumping, outdoor washing activities, and irrigation from landscaping or lawns that reaches the storm drain system.

3.2 Outfall Reconnaissance Inventory (ORI)

Long-term, regular inspections of outfalls is a primary part of the Town's IDDE program. According to NYSDEC, an outfall is defined as any point where a MS4 discharges to either surface waters of the State or to another MS4. Outfalls include discharges from pipes, ditches, swales, and other points of concentrated flow. However, areas of non-concentrated (sheet) flow which drain to surface waters of the State or to another MS4 are not considered outfalls.

The Town is required under the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s to conduct an outfall reconnaissance inventory (ORI) that addresses every outfall within the Town's jurisdiction at least once every five years. ORI is a dry-weather field screening technique designed to inventory and measure storm drain outfalls, and find and correct continuous and intermittent discharges without an in-depth laboratory analysis. The Town will follow the procedures for the ORI described in the Town Outfall Reconnaissance Inventory Guidance and Procedures documents and the IDDE Guidance Manual.

The ORI can discover observable discharges that are indicated by flowing outfalls with very high turbidity, strong odors or colors, or an off-the-chart water quality value on a simple field test strip. When obvious discharges are found, field crews will immediately record their

observations and contact the appropriate agency for cleanup. Track down and removal of the source will be conducted according to the procedures described in the IDDE Guidance Manual.

The Town will develop a schedule for the ORI. It is recommended that the ORI starts with the high and medium illicit discharge potential priority areas of concern identified in the desktop analysis described in Section 2. The ORI may be incorporated into other field activities as appropriate. The ORI may include laboratory sampling analysis if necessary and as designated by the Town.

Once the first few ORI surveys are conducted, the Town will analyze the data to revise the desktop analysis that was originally used for targeting illicit discharge potential priority areas of concern. The ORI data analysis will follow these four basic steps:

- Compile data from the ORI
- Develop ORI designation for outfalls
- Characterize the extent of illicit discharge problems
- Develop a monitoring strategy

The monitoring strategy will incorporate, at a minimum, an ORI at every outfall at least once every five years with reasonable progress each year. Various monitoring and sampling methods may be used depending on the types of possible illicit discharges at each outfall. The Town monitoring strategy may include testing problem outfalls to confirm the presence and type of an illicit discharge according to the procedures in the IDDE Guidance Manual. The indicator monitoring strategy described in the IDDE Guidance Manual is designed to concentrate primarily on continuous and intermittent discharges, and will be adapted to isolate the specific flow type found in the discharge. The Town can use contracted lab analytical services as necessary.

3.3 Informal Inspections

Town crews conduct regular duties in and around the storm drain system. In addition to the required ORI, crews will informally "keep a look out" for illicit discharges throughout the Town. If evidence of an illicit discharge is detected, the crew will collect as much information about the potential illicit discharge as possible then contact the relevant department supervisor so that appropriate action can be taken. The Illicit Discharge Field Sheet provided in Appendix C is the suggested format in which to record observed conditions in the field during the investigation of possible illicit discharges. While it is not reasonable to expect all Town employees have copies of all forms at all times, the following are acceptable ways to collect necessary information:

- The person observing the discharge can provide the information verbally to dispatch or the supervisor, who can then complete the form
- The person can log as much information as they can recall onto the form upon returning to the office
- A crew can be sent to the location as soon as possible where the potential illicit discharge was observed to collect the necessary information directly on the form.

It is important to collect as much information as safely possible at the time of initial observation because of the likelihood that a discharge may be transitory or intermittent and may not be present at a later time. Initial identification of the likely or potential sources of the discharge is also very important.

3.4 Resident Call-in

The resident call-in program is an effective way to identify illicit discharges. Residents can report evidence of an illicit discharge to the Suffolk County Office of Ecology or Suffolk County Office of Pollution Control. The Town can request that the County notify the Town if any discharges within Town jurisdiction are reported to the hotline. Upon receipt of a report of a potential illicit discharge, the Town will perform a desktop review of the area. The Town's Geographic Information System (GIS) will be used to locate the area, with all topography,

drainage structures and other conveyance systems visible. The Town will then assign a crew to investigate the complaint.

Citizens provide free surveillance around the clock, and their reports should prompt rapid investigations and enforcement by trained inspectors, usually within 24 hours. The Illicit Discharge Incident Log provided in Appendix C is a suggested format in which to record the information related to the notification. This Incident Log can be used to follow up with the completion of the Illicit Discharge Field Sheet to record observed conditions in the field.

3.5 Isolating Illicit Discharge Sources

Once an illicit discharge has been detected or reported, the next step is to locate the source. The Town will choose among the following four types of illicit discharge investigations, which are discussed in more detail in the IDDE Guidance Manual:

- Storm drain network investigations
- Drainage area investigations
- Onsite investigations
- Septic system investigations

Each type of investigation handles a different type of discharge problem and has its advantages and disadvantages. The Town will select the type of investigation based upon the type of illicit discharge, the information collected during initial observation, and available resources and technology.

These investigations rely on a number of different types of tracing techniques. Depending on the illicit discharge, the Town may use a single tracing technique or combine several techniques to identify the source of the discharge. Tracing techniques include, but are not limited to:

- Visual inspection at manholes/catch basins
- Sampling flowing discharges
- Sandbagging or damming
- Optical brightener monitoring traps
- Dye testing
- Televising
- Smoke testing

3.5.1 Storm Drain Network Investigations

Storm drain network investigations can be used by the Town to narrow the source of a discharge problem to a single segment of a storm sewer. These investigations start at the outfall and explore the upstream pipe network. Once crews choose a method of exploration, they select the most appropriate investigative methods to track down the source. The Manhole Inspection and Catch Basin Inspection forms provided in Appendix C can be used during the investigation of the storm drain network. Refer to the IDDE Guidance Manual for further information and detailed instructions on storm drain network investigations.

3.5.2 Drainage Area Investigations

Drainage area investigations are most appropriate in large or complex drainage areas with flow types specific to a certain type of land use or generating site. These investigations are initially conducted in the office, but quickly move into the field. They involve a parcel by parcel analysis of potential generating sites within the drainage area of a problem outfall. Refer to the IDDE Guidance Manual for further information and detailed instructions on drainage area investigations.

3.5.3 Onsite Investigations

Onsite investigations are conducted after an illicit discharge is isolated to a specific section of storm drain to find the specific source of the discharge. The Building Connection/Drain Inspection form provided in Appendix C can be used to record observations of both the external and internal areas of building during the investigation. Onsite investigations are typically performed by dye testing plumbing systems or inspections of septic tanks and drain fields. The results of dye testing can be recorded on the Tracer Testing Sheet provided in Appendix C. The Septage Holding Tank Inspection form provided in Appendix C can be used to record observations during the inspection of septic tanks.

On-site inspections of sites where concrete trucks are in use may include observation to determine if the concrete residue is inappropriately being discharged to the MS4. The Concrete Truck Washout Inspection form provided in Appendix C can be used to record these observations. If there is an illicit discharge on a roadway that appears to be from a vehicle, the Leaking Truck Inspection form provided in Appendix C can be used to record observations. Refer to the IDDE Guidance Manual for further information and detailed instructions on onsite investigations.

3.5.4 Septic System Investigations

The Town will consider alternative investigatory methods to track illicit discharges that enter streams as indirect discharges, through surface breakouts of septic fields, or through straight pipe discharges from bypassed septic systems. Techniques can involve onsite investigations or imagery analysis (e.g., infrared aerials). Inspection results can be recorded on the Septage Holding Tank Inspection form in Appendix C. Refer to the IDDE Guidance Manual for further information and detailed instructions on septic system investigations.

4.0 ELIMINATING ILLICIT DISCHARGES

Finding and fixing illicit discharges is the major goal of any IDDE program. The process of finding and fixing discharges has several desirable outcomes, such as improved water quality, increased pollution prevention awareness, and maintenance of a recordkeeping system to track repairs and identify repeat offenders.

If the Town uncovers a violation, the Town will attempt to resolve problems with the least intrusive method and at the lowest public expense possible. Quick and efficient correction of illicit discharges begins with having well defined legal authority and responsibilities coupled with strong enforcement and follow-up measures. The Town has adopted the Illicit Discharges and Connections to Municipal Separate Storm Sewer System Local Law to prohibit illicit discharges to the storm drain system. The Town will employ a combination of structural, educational and enforcement methods for removing illicit discharges as necessary.

The Town will follow the sequential process for addressing illicit discharges presented in the IDDE Guidance Manual, which focuses on identifying responsible parties and enforcement procedures. The Town SMO will direct crews to take steps to fix or eliminate the discharge after the source of has been identified. The ultimate responsibility for removing the source of a discharge will be generally that of the property owner or violator.

Illicit discharge corrective actions can involve some form of infrastructure modification or repair. Structural repairs are used to eliminate direct and indirect discharges. Fixes can range from simple plumbing projects to excavation and replacement of sewer lines. Most transitory discharges can be corrected simply with spill containment and clean-up procedures. The Town may eliminate the illicit discharge and then seek payment for repairs or back charge the responsible party. In addition, the Town can require implementation of non-structural best management practices (BMPs) to control illicit discharges and activities.

The Town will confirm the removal and correction of a discharge or connection both at the source to ensure that the correction has been made and downstream to ensure that it is the only local discharge present.

5.0 ENFORCEMENT AND PENALIZATION OF VIOLATORS

Enforcement will be consistent with all existing Town laws, codes and/or policies as well as with new laws, codes and/or policies that are developed. Any violation will be mitigated according to the Illicit Discharges and Connections to Municipal Separate Storm Sewer System Local Law, or cases may be referred to the County, NYSDEC or the United States Environmental Protection Agency (USEPA) as deemed appropriate by the Town. Town local law prohibits polluted storm water discharges from entering the Town's storm drain system, watercourses, outlets or channels. This law provides the Town with the authority to make inspections to enforce the provisions of the law.

The Town will attempt to negotiate a reasonable amount of time for the responsible party to correct the violation. However, any person who violates the provisions of Town local law will be guilty of a violation punishable according to the local law. Enforcement mechanisms may include non-monetary penalties (e.g., Notice of Violation), fines, imprisonment, and/or permit denials for non-compliance.

The Town will administer, implement and enforce all Town local storm water laws. The escalating enforcement approach, as defined by Town local law, will be followed. Voluntary compliance will be considered for first-time, minor offenders. More serious violations or continued non-compliance may warrant a more aggressive, enforcement-oriented approach.

If necessary, a Notice of Violation will be issued, which will include:

- The elimination of illicit connections or discharges;
- That violating discharges, practices or operations shall cease and desist;
- The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- The performance of monitoring, analysis and reporting;
- Payment of the applicable fine; and/or

- The implementation and deadline of source control or treatment BMPs.

An example Notice of Violation letter form is provided in Appendix D. The Town can edit the form on a case by case basis.

For serious violations, the Town can suspend access to the MS4 without prior notice. Suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, to the health or welfare of persons, or to the MS4. The Town will notify the responsible party of the suspension in writing. If the violator fails to comply with a suspension order, the Town will take steps as necessary to prevent or minimize damage to the MS4 or to minimize danger to persons. Suspension may include blocking pipes, constructing dams, or taking other measures on public ways or public property to physically block the discharge.

For further violations, the Town can terminate access to the MS4 if the termination would abate or reduce an illicit discharge. The Town will notify a violator in writing of the proposed termination of its MS4 access. If the Town determines that the illicit discharge has ceased and the discharger has taken steps to prevent it recurrence, access may be granted. Access will be denied if the Town determines in writing that the illicit discharge has not ceased or is likely to recur.

If the Town is refused access to any part of the premises from which storm water is discharged, and is able to demonstrate probable cause to believe that there may be a violation of Town local law, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with Town local law or any order issued, then the Town may seek issuance of a search warrant from any court of competent jurisdiction.

6.0 RECORDKEEPING

Recordkeeping and documentation are essential to each of the Minimum Control Measures of the Town Storm Water Management Program. Keeping Records of inspections, spills, leaks and other discharges can help the Town run more efficiently and cleanly. Records of past spills and illicit discharge identification, track down, elimination and enforcement activities contain useful information for improving operations to prevent future illicit discharges.

Ongoing illicit discharge field investigation, monitoring, track down, elimination and enforcement documents and activities within the Town's jurisdiction should be stored according to a standardized recordkeeping system. The Town will utilize the existing framework for "chain-of-command" reporting of storm water management issues.

Records are to be maintained at Town Hall or at an area designated by the Town. The Town will emphasize communication and coordination across key Town departments and operations and county and state agencies, organizations and institutions. Town facilities will document their progress in the IDDE program. Sample recordkeeping logs and forms for typical IDDE activities are provided in Appendix C. For all illicit discharges detected, record the following minimum information on the reporting form:

- Date/time of the incident
- Location
- Type of material
- Source, if determined
- Action taken
- Date incident was closed

This information should also be included on the Illicit Discharge Summary Sheet provided in Appendix C.

Well-organized documentation is also essential to demonstrating compliance with the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s and evaluating the effectiveness of the Town Storm Water Management Program. The Town is also expected to report on the status of the IDDE program in the Storm Water Management Program Annual Report (SWMPAR) due to NYSDEC by June 1st of each year. To facilitate annual reporting, copies of all inspection forms, logs sheets, inventories, etc. will also be filed with the Town storm water management program files as applicable. While keeping records for the SWMPAR, the Town will give special consideration to the following as applicable:

- Number of outfalls mapped
- Number of outfalls screened for dry weather flow in the ORI
- Types of generating sites/sewersheds targeted for inspection
- Types of illicit discharges found
- Number of illicit discharges/potential illegal connections detected
- Number of illicit discharges confirmed
- Number of illicit discharges/illegal connections eliminated
- Staff trainings

APPENDIX C

ILLICIT DISCHARGE INSPECTION AND RECORDKEEPING FORMS

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

ILLICIT DISCHARGE FIELD SHEET

SECTION A: General Information

Structure ID:	Date:	Time:
Outfall:	Inspected by:	
Location:	GPS Location:	
Outside Air Temperature (°F):	Rainfall (inches) Last 24 hours:	Last 48 hours:
Land Use in Drainage Area: ☐ Residential ☐ Industrial/Commercial ☐ Mixed Use ☐ Other: _____		
Reason for Inspection:	☐ Citizen Notification ☐ Routine/Scheduled Survey ☐ Referral from Agency/Department: _____ ☐ County/State Notification ☐ Observed during Routine Work ☐ Other: _____	

SECTION B: Description of Structure

Type	☐ Outfall ☐ Manhole ☐ Ditch/Swale ☐ Spillway ☐ Catch Basin ☐ Other: _____
Material	☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Steel ☐ Other: _____
Shape	☐ Circular ☐ Elliptical ☐ Box ☐ Other: _____
Size	*If circular,* Diameter:_____inches *If square or rectangular,* Height: _____inches Width: _____inches
Structure Bottom	Submerged: ☐ No ☐ Yes, Partially ☐ Yes, Fully Blocked: ☐ No ☐ Yes, Partially ☐ Yes, Fully

SECTION C: Location Sketch

Draw diagram and indicate closest streets (including address), nearby landmarks, etc.

SECTION D: Discharge Characteristics

Flow Present? ☐ Yes ☐ No *If No, skip the rest of this section.*		**Description**	Check one: ☐ Trickle ☐ Moderate ☐ Substantial Check one: ☐ Steady ☐ Intermittent ☐ Single Occurrence
Flow Rate (*If possible, measure time it takes to fill a 5-gallon container*)		**Temperature**	_____°F
Volume of Container Used	_____ Gallons	Gallons ÷ Minutes = _____ gpm	**pH** _____pH Units
Time to fill Container	_____ Minutes		**Ammonia** (*If measured in field*) _____mg/L

Indicator	Description	Severity			
Odor	☐ None ☐ Rancid/sour ☐ Petroleum/gas ☐ Sweet ☐ Sewage ☐ Other: _____	☐ Faint	☐ Easily detected	☐ Noticeable from a distance	
Color	☐ Clear ☐ Gray ☐ Red ☐ Orange ☐ Yellow ☐ Green ☐ Blue ☐ Brown ☐ Black ☐ Other: _____	☐ Faint colors in sample bottle	☐ Clearly visible in sample bottle	☐ Clearly visible in outfall flow	
Floatables	☐ None ☐ Sewage (toilet paper, etc.) ☐ Suds ☐ Petroleum (oil sheen) ☐ Other: _____	☐ Few/slight; origin not obvious	☐ Some; indications of origin (e.g., possible suds or oil sheen)	☐ Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)	
Turbidity	See severity	☐ Clear	☐ Slight cloudiness	☐ Cloudy	☐ Opaque
Viscosity	Similar to:	☐ Water	☐ Oil (Vegetable/Motor)	☐ Molasses	☐ Other: _____

Structure ID:	Outfall:	Date:	Time:

SECTION E: Physical Condition

Condition	Present	If Present, Nature:	Comments
Structure Damage	☐ Yes ☐ No	☐ Peeling Paint ☐ Spalling, Cracking or Chipping ☐ Corrosion	
Deposits/Stains	☐ Yes ☐ No	☐ Oily ☐ Flow Line ☐ Paint ☐ Other: _____	
Abnormal Vegetation	☐ Yes ☐ No	☐ Excessive ☐ Inhibited	
Poor pool quality	☐ Yes ☐ No	☐ Odor ☐ Color ☐ Floatables ☐ Excessive Algae ☐ Suds ☐ Oil Sheen ☐ Other: _____	
Pipe growth	☐ Yes ☐ No	☐ Brown ☐ Orange ☐ Green ☐ Other: _____	

SECTION F: Sample Collection

Sample Collected: ☐ Yes ☐ No ***If No, skip the rest of this section.***	Sample Submitted to Laboratory: ☐ Yes ☐ No
Date of Collection:	Laboratory Sample ID:
Time of Collection:	Sample Bottle IDs:
Laboratory Information	Name: Address: Phone:
Analyses Requested:	☐ Fecal Coliform MPN ☐ Color ☐ Conductance ☐ Turbidity ☐ Dissolved Oxygen ☐ Fluoride ☐ Methylene Blue Activated Substances ☐ Other: _____
Collected from: ☐ Flow ☐ Pool	Method of Collection: ☐ Direct collection ☐ Sampling Equipment Used Specify type: _____
Gloves used: ☐ Yes ☐ No	Laboratory Sample Forms Completed: ☐ Yes ☐ No *(attach copy)*
Samples Placed on Ice: ☐ Yes ☐ No	Chain of Custody Initiated: ☐ Yes ☐ No *(attach copy)*

SECTION G: Comments/Notes

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

ILLICIT DISCHARGE INCIDENT LOG

SECTION A: General Information

Incident ID:			
Information taken by:	Rainfall (inches)	Last 24 hours:	Last 48 hours:
Notification date/time:	Incident date/time:		
Notification made by:	Department:		
Contact information:			

SECTION B: Location

Location/address:	Structure ID:	
	Outfall:	
Nearby landmark:	GPS Location:	

Primary Location	Secondary Location		
☐ Upland area (*Land not adjacent to stream*)	☐ Near Storm Drain	☐ Near other water source (storm water pond, wetland, etc.)	
☐ Stream Corridor (*In or adjacent to stream*)	☐ Outfall	☐ In-stream flow	☐ Along banks

Comments/Notes:

SECTION C: Description

Upland Area					
☐ Dumping	☐ Oils/solvents/chemicals	☐ Sewage	☐ Wash water, suds, etc.	☐ Other: _____	

Stream Corridor							
Odor	☐ None	☐ Rancid/sour	☐ Petroleum/gas	☐ Sulfide (rotten eggs)	☐ Sewage	☐ Other: _____	
Color	☐ Clear	☐ Brown	☐ Gray	☐ Yellow	☐ Green	☐ Orange	☐ Red	☐ Other: _____
Turbidity	☐ Slight cloudiness	☐ Cloudy	☐ Opaque				
Floatables	☐ None	☐ Sewage (toilet paper, etc.)	☐ Suds	☐ Petroleum (oil sheen)	☐ Algae	☐ Dead fish	☐ Other: _____

Possible/Suspected Source: (Name, description of person or vehicle, license plate #, address, etc.)

SECTION D: Investigation

Performed by:	Date began:	Date completed:

Results	
☐ No investigation made.	Reason:
☐ Referred.	Department/Agency:
☐ Investigated; no further action necessary.	
☐ Investigated; requires further action.	Description:

Comments/Notes:

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

MANHOLE INSPECTION

Inspected By:		Date:	Time:
Structure ID:		Location Sketch (*Indicate address, streets, nearest intersections, etc.*)	
Address:			
Nearest Intersection:			
GPS Location:			
Location: ☐ Roadway ☐ Gutter ☐ Private Property ☐ Easement ☐ Other: _____			
Sewer Type: ☐ Sanitary ☐ Storm			
Material: ☐ Brick ☐ Concrete			
Cover Size: ☐ 24-in. ☐ 30-in.	Invert Depth: _____in.		

Structure					
	Satisfactory	**Unsatisfactory**	**Not Applicable**	**Not Visible**	**If Unsatisfactory or Not Visible, Describe:**
Cover	☐	☐	☐	☐	
Ring/Frame	☐	☐	☐	☐	
Rungs	☐	☐	☐	☐	
Cone	☐	☐	☐	☐	
Riser	☐	☐	☐	☐	
Shelf	☐	☐	☐	☐	
Channel	☐	☐	☐	☐	

Channels/Connections				
A	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		Draw channels/connections (A, B, C, D) in manhole and indicate direction of flow.
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	
B	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	
C	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	
D	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	

Inflow/Surcharge Indications	Debris/Grease on: ☐ Sides ☐ Rungs ☐ Shelf ☐ Not Applicable ☐ Not Visible		
Flow	☐ Trickle ☐ Moderate ☐ Substantial ☐ None	**Appearance/Clarity**	☐ Clear Water ☐ Turbid Sewage ☐ Not Applicable
Rate	☐ Steady ☐ Intermittent ☐ Not Applicable	**Flow Depth Compared to Adjacent Manholes**	☐ Same ☐ Lower ☐ Higher
Comments/Notes:			

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

CATCH BASIN INSPECTION

Inspected By:	Date:	Time:
Structure ID:	Location Sketch (*Indicate address, streets, nearest intersections, etc.*)	
Address:		
Nearest Intersection:		
GPS Location:		
Location: ☐ Roadway ☐ Curb ☐ Private Property ☐ Easement ☐ Gutter ☐ Other: _____		
Material: ☐ Brick ☐ Concrete	Bottom Depth: _____in.	
Size: *If circular,* Diameter:_____in. *If square or rectangular,* Length: _____in., Width: _____in.		

Structure					
	Satisfactory	**Unsatisfactory**	**Not Applicable**	**Not Visible**	**If Unsatisfactory or Not Visible, Describe:**
Cover	☐	☐	☐	☐	
Ring/Frame	☐	☐	☐	☐	
Rungs	☐	☐	☐	☐	
Walls	☐	☐	☐	☐	
Bottom	☐	☐	☐	☐	

Channels/Connections				
A	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		Draw channels/connections (A, B, C, D) in catch basin and indicate direction of flow.
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	
B	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	
C	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	
D	☐ Inlet ☐ Outlet	Material: ☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Other: _____		
	Pipe Diameter:_____in.	Connects To/From: _____(Structure ID)	Invert Depth:_____in.	

Condition	☐ Clean/Dry ☐ Standing Water ☐ Flowing Water ☐ Sediment ☐ Organic Matter ☐ Trash/Debris ☐ Not Visible ☐ Other:_____				
Flow	☐ Trickle	☐ Moderate	☐ Substantial	☐ None-Standing Water	☐ None-Dry
Rate	☐ Steady	☐ Intermittent	☐ Not Applicable	**Sump Present**	☐ Yes ☐ No
Illicit Discharge Indications Present? (dry weather flow, odor, color, floatables, turbidity, viscosity)	☐ Yes ☐ No	***If Yes, Complete Illicit Discharge Field Sheet (Form A).***			
Comments/Notes:					

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

BUILDING CONNECTION/DRAIN INSPECTION

Inspected By:	Date:	Time:
Address:		
Property Type: ☐ Single-family Residence ☐ Multi-family Residence ☐ Apartment Building ☐ Industrial/Commercial ☐ School ☐ Municipal ☐ Other: _____		
Property Owner: (*Name/address/phone*)		
Occupant: (*Name/phone*)		
On-site Representative: (*Name/address/phone*)		

Building Information		**Diagram**
Basement Present:	☐ Yes ☐ No	Draw diagram of building indicating location of observed connections, drains, sumps, etc. (*Include streets and nearest intersection*)
Does Water Enter Basement?	☐ Yes ☐ No	
Basement Floor Type:	☐ Concrete ☐ Hardwood Flooring ☐ Dirt/Unfinished ☐ Carpet ☐ Other: _____	

External Inspection

Type	Present
Roof Downspouts Entering Ground	☐ Yes ☐ No
Driveway Drain	☐ Yes ☐ No
Yard Drain	☐ Yes ☐ No
Window Well Drain	☐ Yes ☐ No

Describe any other connections/drains, areas of concern, etc.:

Internal Inspection

Type	Present	If Present, Description:
Floor Drains	☐ Yes ☐ No	Number: _____ Frequency of use: _____ Discharge location: ☐ Sanitary Sewer ☐ Storm Sewer ☐ Unknown
Internal Foundation Drains	☐ Yes ☐ No	Frequency of use: _____ Discharge location: ☐ Sanitary Sewer ☐ Storm Sewer ☐ Unknown
Sewer Connection Cleanout	☐ Yes ☐ No	Relationship to Basement Floor: ☐ Above ☐ Below Cleanout Sealed: ☐ Yes ☐ No
Sump Pump	☐ Yes ☐ No	Horsepower of pump:_____ Frequency of pump cycling: _____ Pump capacity : _____(gpm) Pump always adequate: ☐ Yes ☐ No Pump hard piped: ☐ Yes ☐ No Discharge location: ☐ Sanitary Sewer ☐ Storm Sewer ☐ Unknown

Describe any other connections/drains, areas of concern, etc.:

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

TRACER TESTING SHEET

Test Performed By:	Date:
Type of Test: ☐ Dye ☐ Smoke ☐ Other: _____	
Address:	
Property Type: ☐ Residential ☐ Industrial/Commercial ☐ Municipal ☐ School ☐ Other: _____	
Location of Structure Tested on Property:	
Structure Type: ☐ Catch Basin ☐ Manhole ☐ Sink ☐ Sump ☐ Toilet ☐ Other: _____	
Time of Initial Application:	Sewer System Type: ☐ Sanitary ☐ Storm ☐ Septic

Inspection Point A	**Diagram**
Location:	Draw diagram and indicate address, location of initial application, inspection points, etc.
Type: ☐ Catch Basin ☐ Outfall ☐ Sanitary Sewer Manhole ☐ Storm Sewer Manhole ☐ Other: _____	
Tracer Observed: ☐ Yes ☐ No ***If Yes, Date/Time observed:*** _____	
Inspection Point B	
Location:	
Type: ☐ Catch Basin ☐ Outfall ☐ Sanitary Sewer Manhole ☐ Storm Sewer Manhole ☐ Other: _____	
Tracer Observed: ☐ Yes ☐ No ***If Yes, Date/Time observed:*** _____	

Results	
☐ Connection okay; no further action necessary.	
☐ Illicit connection detected.	Description:
☐ Inconclusive; requires further action.	Description:
Comments/Notes:	

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

SEPTAGE HOLDING TANK INSPECTION

Inspected By:	Date:	Time:
Tank ID Number:	Tank Manufacturer/Model:	
Tank Location:		
Tank Type:	Tank Capacity:	
Date of Last Pumpout:	Approximate Pumpout Frequency:	

Diagram
Draw diagram including location of septage tank, buildings, etc.

Inspection			
Alarm functioning properly:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
No visible leaks/cracks:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Septage level below tank capacity:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Tank in proper working order:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Maintenance/repairs needed:			
Comments/Notes:			

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

CONCRETE TRUCK WASHOUT INSPECTION

Inspected By:	Date:
Site:	
Site Contact:	
Truck Identification:	
Truck Owner:	Truck Operator:

Description	Diagram
Briefly describe the concrete truck washout system and method of waste disposal:	Draw diagram of concrete truck washout area and indicate site boundaries, storm drains, streams, etc.

Inspection			
Washout performed in designated area:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Sediment prevented from entering storm drain system, streams, open ditches, or streets:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Washout area properly maintained, emptied as necessary:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Proper disposal of concrete waste:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Wet/dry concrete materials stored under cover and away from drainage:	☐ Satisfactory	☐ Unsatisfactory	☐ Not Applicable
Corrective measures needed:			
Comments/Notes:			

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

LEAKING TRUCK INSPECTION

Inspected By:	Date:	Time:
Location:		
Lane: ☐ Left ☐ Center ☐ Right	Direction: ☐ Northbound ☐ Southbound ☐ Westbound ☐ Eastbound	
Description of Truck:		
License Plate Number:	State:	
Truck Owner:	Truck Operator:	
DOT Placard Present: ☐ Yes ☐ No *If Yes, identify type*: _____	Placard ID Number:	
Driver Information (Name, address, phone):		

Description of Leak	Diagram
Rate: ☐ Trickle ☐ Moderate ☐ Substantial	Draw diagram of truck indicating leak and area impacted by leak including roadway, storm drains, etc.
Frequency: ☐ Intermittent ☐ Steady	
Impacted Area(s): *Check all that apply* ☐ Roadway Surface ☐ Catch Basin ☐ Stream ☐ Earthen Material (Grass, soil, etc.) ☐ Other: _____	
Comments/Notes:	

Actions			
☐ Notified driver; truck stopped and leak attended to.			
☐ Notified driver; truck refused to stop.	Police notification made:	☐ Yes	☐ No
☐ Unable to notify driver.	Police notification made:	☐ Yes	☐ No
☐ Unable to obtain truck information.	Police notification made:	☐ Yes	☐ No
☐ No truck/source observed; only impacts of leak observed.	Police notification made:	☐ Yes	☐ No
☐ Other:			
Comments/Notes:			

Form Completed By:

Name (print):	Date:
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

ILLICIT DISCHARGE INCIDENT SUMMARY

INCIDENT ID	DATE	TIME	LOCATION	SOURCE	STATUS	COMMENTS

APPENDIX D

EXAMPLE OF NOTICE OF VIOLATION

CERTIFIED MAIL

Date

Name
Address 1
Address 2
City, NY Zip

Re: NOTICE OF VIOLATION
Violation Case No. _____

Dear _____:

IT HAS COME TO THE ATTENTION OF THE TOWN OF SOUTHAMPTON YOU ARE IN VIOLATION OF THE FOLLOWING: Town Code Chapter 285A, Article I: Illicit Discharges and Connections to Municipal Separate Storm Sewer System

IN THAT YOU {Insert description of violation}.

TO BE IN COMPLIANCE WITH TOWN CODE, YOU MUST {Insert description of corrective actions and deadlines}.

OWNER: _____

AT THE PREMISES LOCATED AT: _____

ALSO KNOWN AS: SECTION ___, BLOCK ____, LOT ____

YOU ARE HEREBY DIRECTED AND ORDERED TO CEASE AND DESIST THIS (THESE) VIOLATING DISCHARGE(S), PRACTICE(S) AND/OR OPERATION(S) AND VACATE THE ABOVE NOTED VIOLATION(S) IMMEDIATELY.

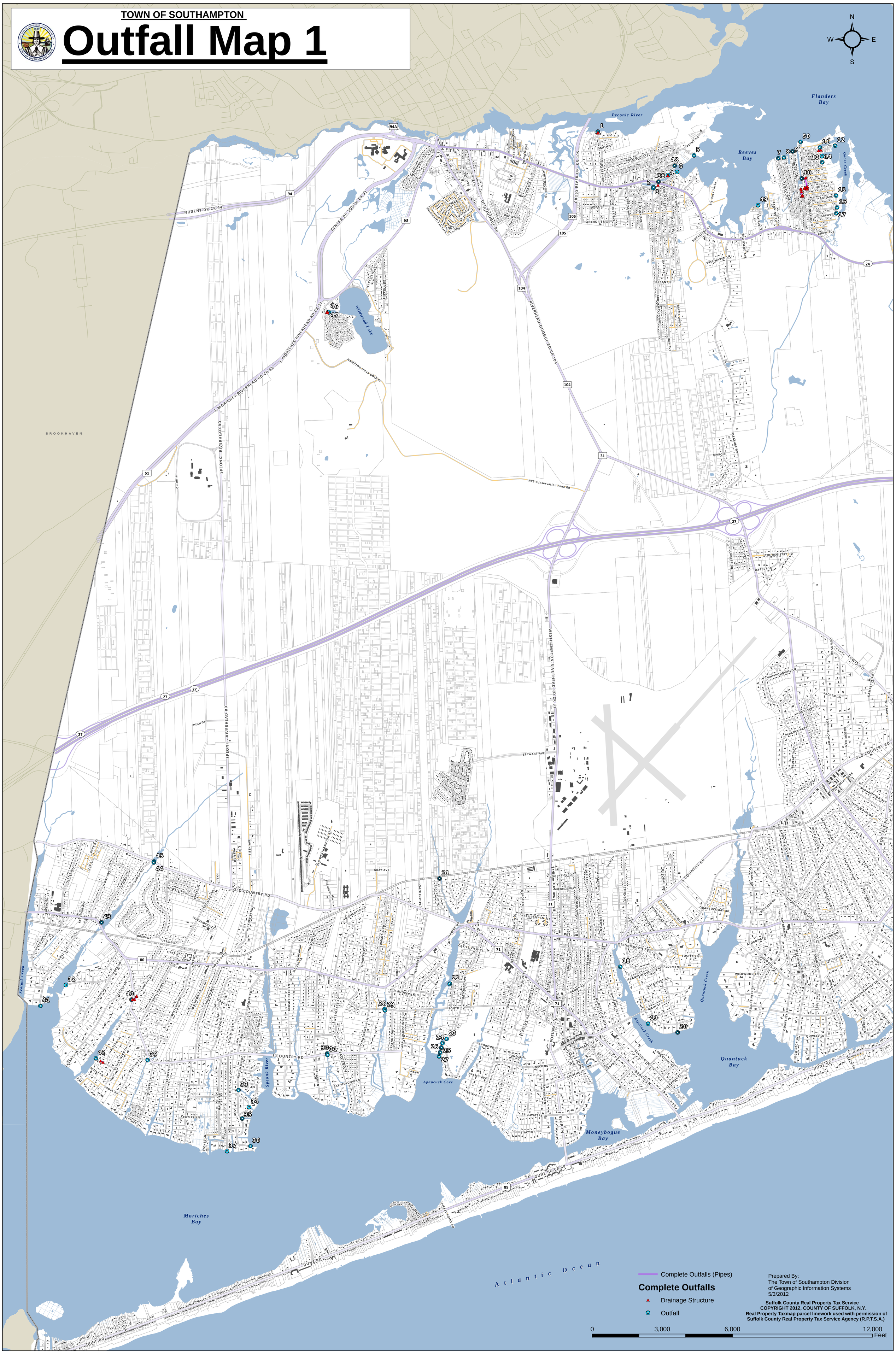
YOUR FAILURE TO COMPLY WILL RESULT IN THE ISSUANCE OF SUMMONS(ES) AND THE POSSIBLE IMPOSITION OF FINES AND/OR IMPRISONMENT.

Sincerely,

Name
Title

TOWN OF SOUTHAMPTON

Outfall Map 1



Complete Outfalls (Pipes)

Complete Outfalls

Drainage Structure

Outfall

Prepared By:
The Town of Southampton Division
of Geographic Information Systems
5/3/2012

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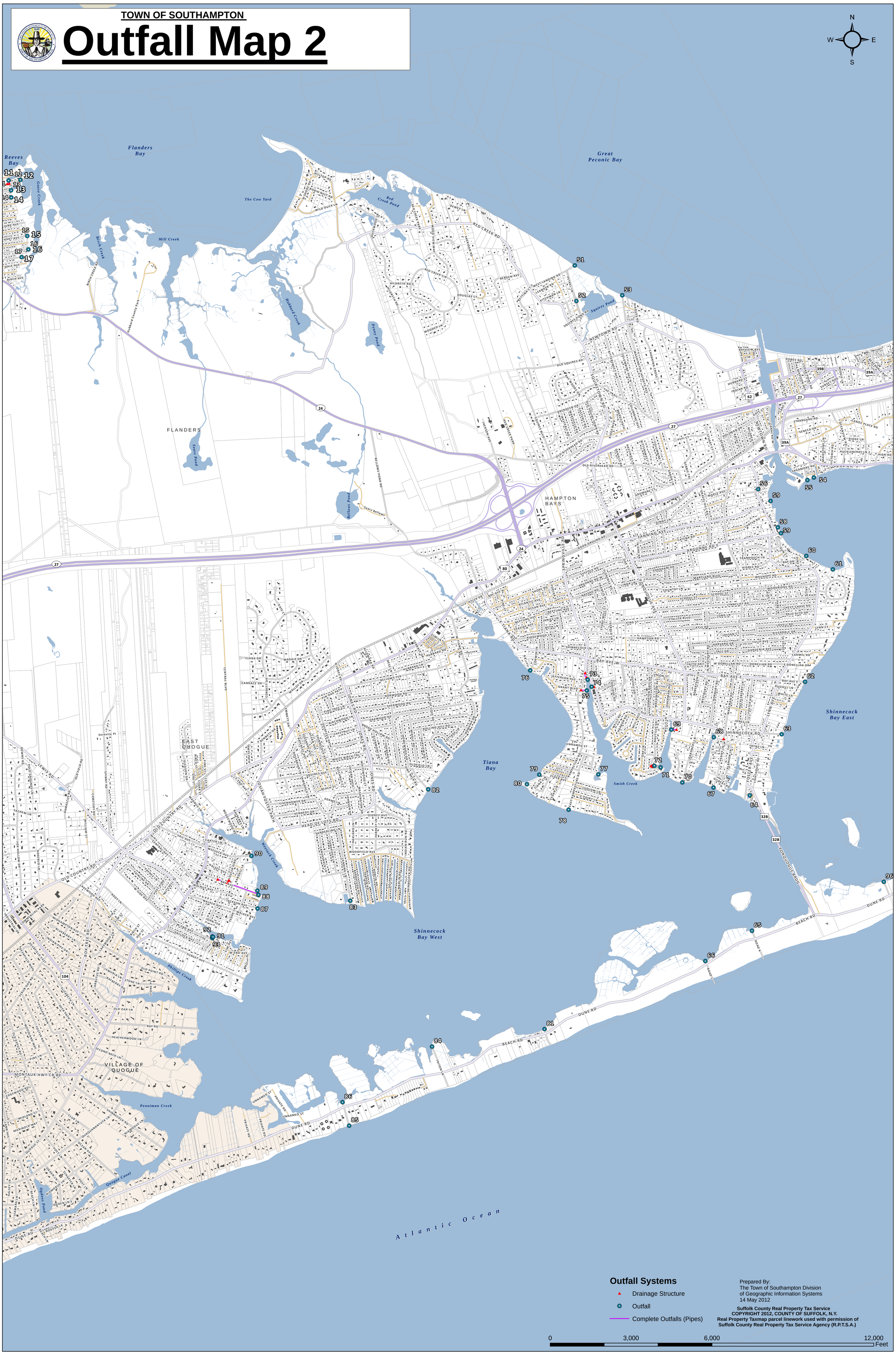
0 3,000 6,000 12,000 Feet

TOWN OF SOUTHAMPTON

Outfall Map 2



Outfall Systems

- Drainage Structure
- Outfall
- Complete Outfalls (Pipes)

Prepared By:
The Town of Southampton Division
of Geographic Information Systems
14 May 2012

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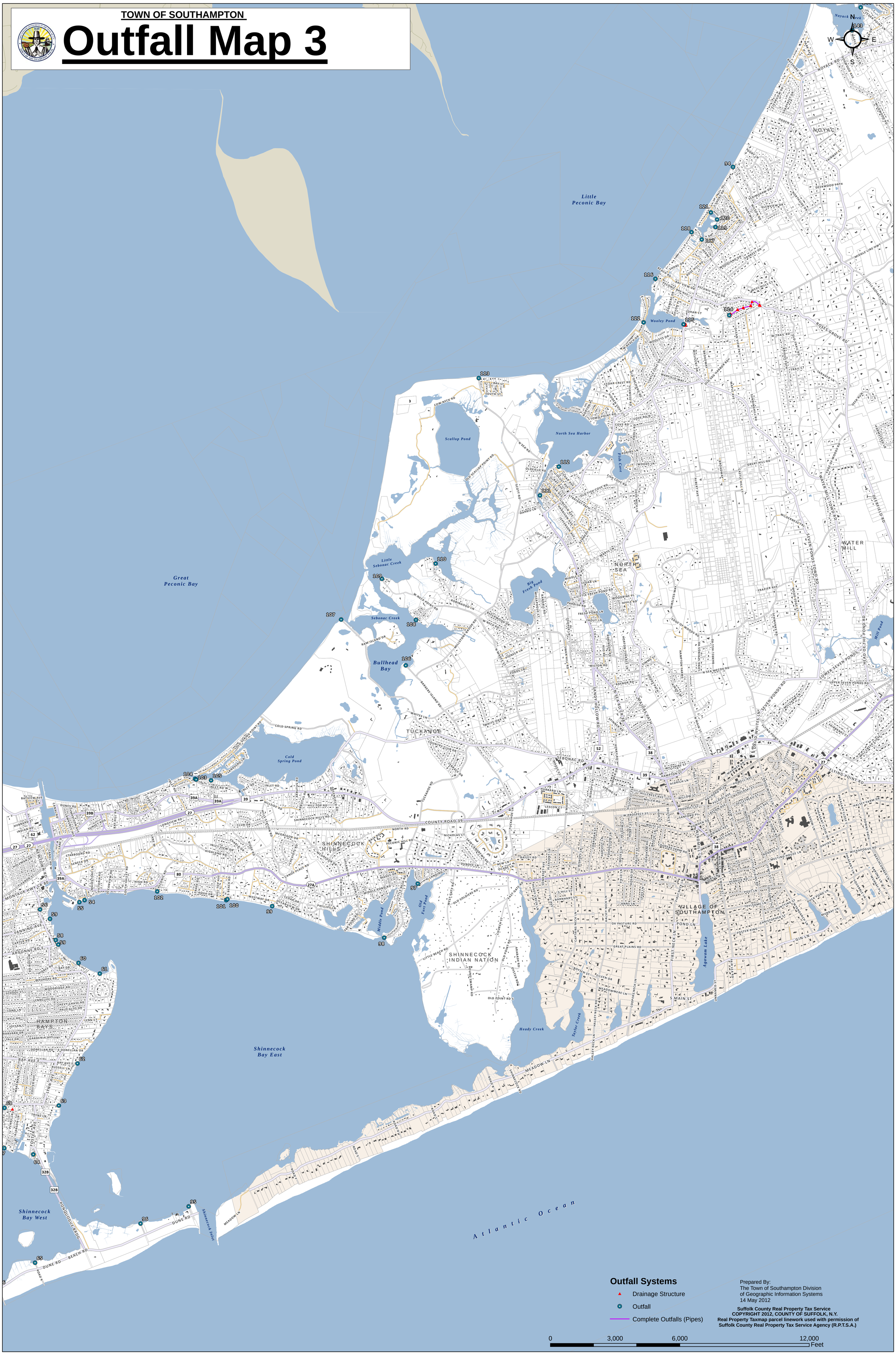
Suffolk County Real Property Tax Service Agency (R.P.T.S.A.)

0 3,000 6,000 12,000 Feet

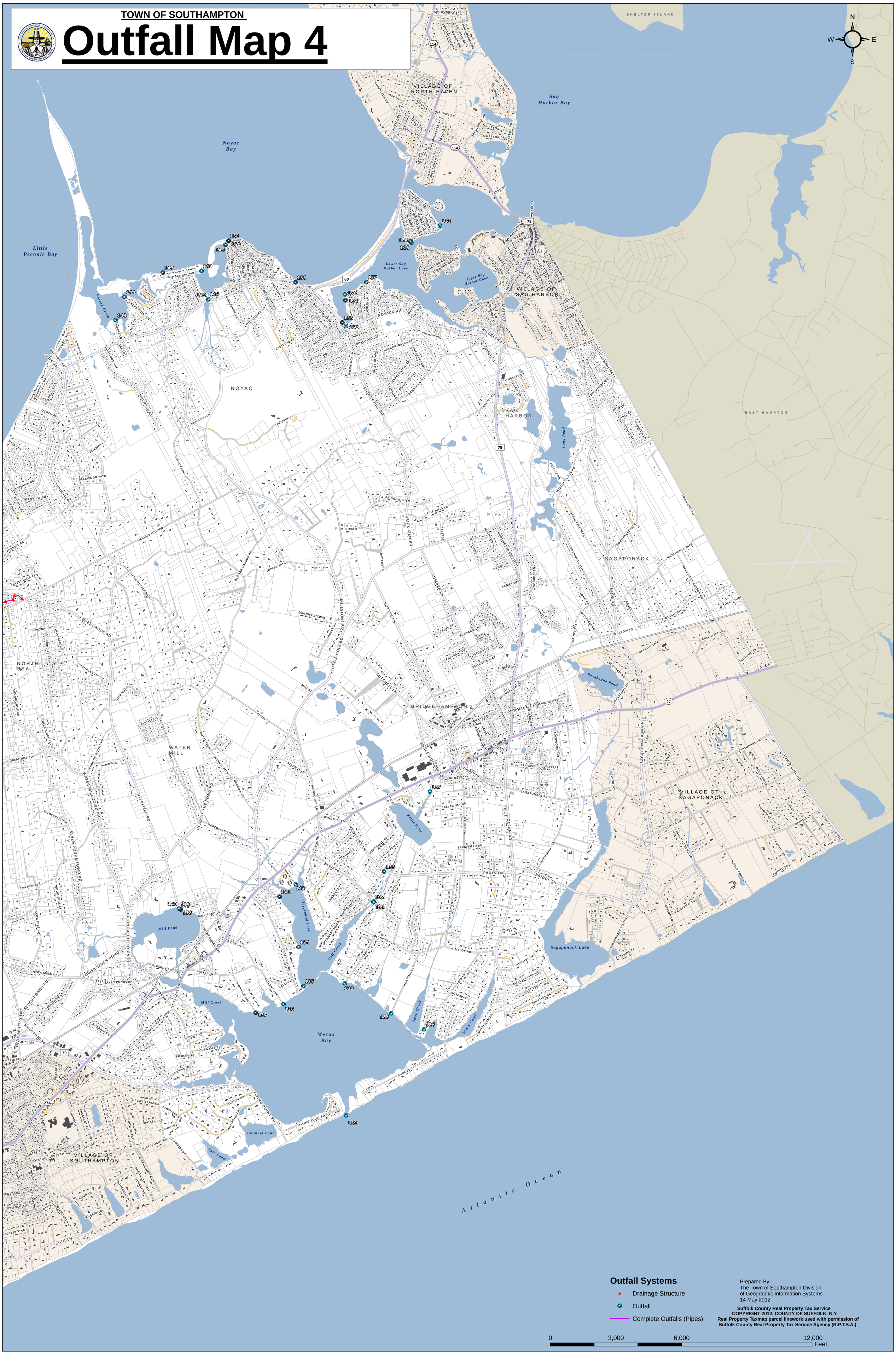
TOWN OF SOUTHAMPTON

Outfall Map 3



TOWN OF SOUTHAMPTON

Outfall Map 4



STORMWATER OUTFALL DATA FOR SOUTHAMPTON TOWN - 2012

STRUCTURE No.	Map No.	Road Name	Outfall Type	DESC	PHOTO	SITE	Latitude	Longitude
1	1	Evergreen Rd.	outfall	pipe	1642-1643, 2172-2174	2 - 12" dia.HDPEP thru PVC bulkhead @ N/end	40° 54' 36.423" N	72° 37' 42.604" W
2	1	Silverbrook Dr.	outfall	pipe	2170	1 - 12" dia. CMP from rod into pond 7 1 - 24" dia. CMP across road @ S/side	40° 54' 39.086" N	72° 37' 37.287" W
3	1	Silverbrook Dr.	outfall	pipe	2171	1 - 24" dia. CMP from road into pond @ N/side	40° 54' 43.097" N	72° 37' 33.476" W
4	1	Dam Trail	outfall	pipe	1640, 16412168, 2169	1 - 12" dia. HDPEP thru wood bulkhead @ N/side (tidal only)	40° 54' 25.865" N	72° 36' 47.312" W
5	1	Point Rd.	road end	wash	2268	asphalt paved boat launch ramp E/end - high point 300' +/- west	40° 54' 45.489" N	72° 36' 35.640" W
6	1	Peconic Trail	road end	wash	2275	flow into wetland - high point @ Dam Trail	40° 54' 49.724" N	72° 36' 12.371" W
7	1	Temple Ave.	road end	wash	2276	flow onto beach - high point 150' +/- south @ drainage structures	40° 54' 43.495" N	72° 36' 11.190" W
8	1	Sylvan Ave.	road end	wash	2277	flow onto beach - high point 200' +/- south @ drainage structures	40° 54' 29.303" N	72° 36' 3.754" W
9	1	Royal Ave.	road end	sand berm	2278	flow thru sand berm onto beach - high point 500' +/- soth @ drainage dtructures	40° 54' 24.356" N	72° 36' 3.316" W
10	1	Longneck Blvd.	outfall	pipe	0234, 0235	1 - 18" dia. CMP (aluminum) thru wood bulkhead	40° 48' 52.294" N	72° 43' 33.707" W
11	1	Pine Ave.	outfall	pipe	2162, 2163	1 - 12" dia. HDPEP thru wood bulkhead	40° 49' 27.147" N	72° 42' 59.051" W
12	1	Pine Ave.	road end	wash	2280	flow @ S/side of cul-de-sac - high point 400' +/- west	40° 49' 52.164" N	72° 42' 29.452" W
13	1	Oaks Ave.	road end	wash	2281	flow to wetland @ N/side - high point 750' +/- west @ Long Neck Blvd. (2 - corroded CMP's	40° 48' 54.357" N	72° 42' 42.929" W
14	1	Nash Ave.	road end	wash	2282	flow to wetland across road end - high point 650' +/- west @ Long Neck Blvd.	40° 48' 29.842" N	72° 43' 3.258" W
15	1	Hart Ave.	road end	wash	2287	flow to wetland across road end - high point 800' +/- west	40° 47' 49.762" N	72° 41' 51.063" W
16	1	Fern Ave.	road end	wash	2288	flow into swale to wetland @ S/side of road end - high point 75'+/- west	40° 47' 51.769" N	72° 41' 37.975" W
17	1	Elm Ave.	road end	wash	2289	flow to wetland across road end - high point 300'+/- west	40° 48' 15.487" N	72° 41' 44.147" W
18	1	Brook Rd.	outfall	pipe	2160, 2161	12" dia. CMP thru bulkhead @ S/E corner on curb line	40° 48' 48.802" N	72° 40' 22.209" W
19	1	Sheppard St.	road end	wash	2301	flow across road end - high point @ Homan's Ave.	40° 48' 48.275" N	72° 40' 22.064" W
20	1	Delafield St.	road end	wash	2302	flow across road end - high point @ Homan's Ave.	40° 49' 43.521" N	72° 39' 50.499" W
21	1	Beaver La. West	road end	soil berm	2297	soil berm @ cul-de-sac end - high point 500'+/- south	40° 48' 59.063" N	72° 39' 45.725" W
22	1	#19 Bishop's Ave.	outfall	pipe	2203, 2204	12" dia. HDPEP to water thru wood bulkhead	40° 48' 35.789" N	72° 39' 47.947" W
23	1	Baycrest Ave. E/side	outfall	probable pipe	1660, 2211, 2212	unseen pipe below water level thru wood bulkhead	40° 48' 34.021" N	72° 39' 50.187" W
24	1	Baycrest Ave. E/side	outfall	probable pipe	1658, 2009, 2010	unseen pipe below water level thru wood bulkhead	40° 48' 32.177" N	72° 39' 50.970" W
25	1	Baycrest Ave. E/side	outfall	probable pipe	1658, 2007, 2008	unseen pipe below water level thru wood bulkhead	40° 48' 30.075" N	72° 39' 51.621" W
26	1	Baycrest Ave. E/side	outfall	probable pipe	1658, 2005, 2006	unseen pipe below water level thru wood bulkhead	40° 48' 28.436" N	72° 39' 52.332" W
27	1	Baycrest Ave. E/side	road end	wash	2263, 4JPG	asphalt paved boat launch ramp S/end - high point 150' +/- north	40° 49' 5.132" N	72° 38' 10.680" W
28	1	South Country Rd.	outfall	pipes	2198, 2199	3 - 12" dia. CMP's into Pond @ conc.box culvert headwall from paved swale at edge of	40° 48' 40.843" N	72° 37' 55.744" W

29	1	South Country Rd.	outfall	pipe	2201, 2202	1 - 12" dia. CMP into Pond @ conc.box culvert headwall from paved swale at edge of road S/side	40° 48' 37.046" N	72° 37' 39.395" W
30	1	South Country Rd. @ N/Side	outfall	pipe	1656, 2194, 2195	1 - 8" dia. HDPEP in concrete entry at road edge to water in swale	40° 53' 43.283" N	72° 40' 47.404" W
31	1	South Country Rd. @ S/side	outfall	pipe	1657, 2196, 2197	1 - 12" dia. HDPEP in asphalt entry at road edge to water in swale	40° 53' 43.472" N	72° 40' 47.417" W
32	1	Dock Rd.	road end	wash	2429	wash @ road end into creek	40° 48' 3.598" N	72° 41' 42.588" W
33	1	Ringneck Rd. E/side	outfall	pipe	1654, 1655, 2191-2193	12" dia. CMP thru collapsing wood bulkhead into Bay fed from connected C.B.'s on E & W sides of road	40° 48' 8.245" N	72° 41' 38.508" W
34	1	Bob White La. E/side	outfall	pipe	1653, 2189, 2190	12" dia. HDPEP thru wood bulkhead into Bay from concrete apron & headwall	40° 48' 29.813" N	72° 40' 54.266" W
35	1	Ringneck Rd. E/side	outfall	pipes	1652, 2187, 2188	1 - 8" dia. & 3 - 6" dia. HDPEP's to rear of deteriorated wood bulkhead fed by concrete apron & headwall@ road edge-note that 8" pipe inside a CMP Sleeve	40° 48' 30.429" N	72° 40' 54.496" W
36	1	Duck Point Rd.	outfall	pipe	1651, 2185, 2186	1 - 12" dia. HDPEP thru bulkhead from C.B. @ w/s of cul-de-sac - note that exiting C.B. is CMP	40° 54' 34.105" N	72° 37' 45.490" W
37	1	Speonk Shore Rd.	road end	wash	2292	flow @ centerline of road onto beach - high point is @ centerline of Yacht Club Dr.	40° 54' 45.807" N	72° 36' 32.512" W
38	1	Oak Ave.	outfall	pipe	2432	1 - 36" RCCP w/end section carrying Silver Brook pond to N/side of NY 24	40° 54' 46.098" N	72° 36' 11.243" W
39	1	S.Country Rd. S/side	outfall	pipe	1650	C.B. w/12" square concrete box culvert into earth swale	40° 54' 48.280" N	72° 36' 27.638" W
40	1	Clay Pit Rd.& Old Country Road S/side	outfall	cyclonic saver system	1648-1649, 2181-2182	exits @ 1 - 24" dia. HDPEP into settlement area thence overflow to earth swale to creek	40° 54' 52.237" N	72° 36' 23.067" W
41	1	South Bay Ave.	road end	wash	2261	concrete boat launch ramp - high point 325'+/- north @ L.C.B. on W/side of road	40° 54' 57.959" N	72° 38' 16.074" W
42	1	Fish Creek La.	outfall	bubbler	2410	bubbler structure	40° 54' 33.703" N	72° 37' 45.533" W
43	1	East Pond La.	road end	curb removed	2262	asphalt curb removed allows flow into pond - high point @ CR80 - 150'+/+ south	40° 54' 36.812" N	72° 36' 22.703" W
44	1	Old Country Rd. S/side	outfall	pipe	1646, 2175-2178	1 - 12" DIA. HDPEP overflow from N/side into earth swale @ S/side of road, and paved swale at road low point into same earth swale	40° 54' 2.194" N	72° 31' 39.174" W
45	1	Old Country Rd. N/side	outfall	pipe	1646, 2179-2180	1 - 12" dia. HDPEP pipe collecting flow from paved swale and exiting into pond	40° 54' 15.206" N	72° 31' 39.635" W
46	1	Wildwood Trail E/side	outfall	pipe	2431	pipe from C.B. in top lake (pipe exit not visible)	40° 54' 3.994" N	72° 31' 16.986" W
47	1	Wildwood Trail E/side	outfall	pipe	2430	pipe from C.B. in top lake (pipe exit not visible)	40° 52' 56.160" N	72° 29' 46.003" W
48	1	Reeves Bay Trail	road end	wash	2433	wash over low part of berm behind 2 drainage castings into bay - high point @ Dam Trail	40° 52' 55.293" N	72° 29' 49.141" W
49	1	Bay Ave.	road end	wash	2434	wash off left end of cul-de-sac into wetland - high point @ dam Trail	40° 52' 52.227" N	72° 30' 12.954" W
50	1	Long Neck Blvd.	road end	wash	2435	wash thru W/side of sand berm onto beach - high point @ Moon Ave.	40° 52' 38.134" N	72° 30' 3.826" W
51	2	West Landing Rd.	road end	wash	2330	flow @ road end onto beach - high point 250' +/- s/w @ drainage structures on Petrel	40° 52' 36.012" N	72° 30' 2.346" W
52	2	Petrel Rd.	outfall	pipe	2134, 2138, 2139	1 - 18" dia. CMP from rear of C.B. on E/side of road to wetlands	40° 52' 27.472" N	72° 29' 50.299" W

53	2	East Landing Rd.	road end	wash	2331	flow @ road end to wetland - high point @ Squiretown Rd.	40° 52' 22.420" N	72° 29' 37.571" W
54	2	Pawnee St.	road end	wash	2329	flow @ road end to beach - high point @ Sagamore Rd. drainage structures	40° 51' 47.356" N	72° 32' 4.427" W
55	2	Tepee St.	road end	wash	2328	flow @ road end to beach - high point 50' +/- north @ drainage structure on w/side	40° 51' 43.613" N	72° 31' 36.772" W
56	2	Canoe Place Rd.	outfall	alledged pipe	none	pipe not yet found	40° 51' 40.994" N	72° 31' 34.935" W
57	2	Canoe Place Rd. #27	outfall	pipe	2425 - 2427	1 - 24" dia. RCP to edge of creek - appears to connect to C.B. @ road low point	40° 51' 8.900" N	72° 31' 32.428" W
58	2	Canoe Place Rd. #49	outfall	pipe	2419 & 2420	1 - 18" dia. HDPEmostly submerged pipe thru PVC bulkhead at water's edge	40° 50' 56.147" N	72° 31' 47.029" W
59	2	Argonne Rd. East	road end	wash	2327	flow @ road end - high point @ drains N/side of Canoe Pl. Rd. & S/side of Lynn Ave.	40° 51' 5.733" N	72° 32' 6.964" W
60	2	Bay Dr.	outfall	wash	2326	flow @ road end onto beach - high point 550' +/- west	40° 51' 9.100" N	72° 32' 0.910" W
61	2	Greenbelt @ end	outfall	drainage structure	2414 - 2418	found broken 6" dia. X 6" thick broken top slab w/iron cover @ S/side of path 10' +/- from waters edge	40° 51' 11.667" N	72° 31' 5.327" W
62	2	Bay Dr. East	road end	wash	2325	flow @ road end - high point 40' +/- west	40° 51' 11.040" N	72° 31' 2.306" W
63	2	Shinnecock Rd.	road end	wash	2324	flow @ road end - high point 120' +/- west	40° 51' 5.461" N	72° 30' 51.951" W
64	2	Lighthouse Rd. #30	outfall	pipe	2421, 2422	1 - 15" dia. HDPE thru corner of PVC bulkhead behind house #30A	40° 51' 24.824" N	72° 30' 56.853" W
65	2	Road 'K'	road end	wash	2340	flow @ road end into Bay - high point @ Dune Rd.	40° 51' 21.764" N	72° 30' 36.386" W
66	2	Road 'L'	road end	wash	2338	flow @ road end into Bay - high point @ Dune Rd.	40° 51' 3.363" N	72° 30' 36.967" W
67	2	Penny La.	road end	wash	2323	flow @ road end - high point 30' +/- north @ drainage structures	40° 51' 0.287" N	72° 30' 19.521" W
68	2	Penny La. W/side	outfall	pipe	2140, 2141	1 - 12" dia. HDPE thru bulkhead connected to C.B @ W/side of road	40° 51' 22.424" N	72° 30' 3.662" W
69	2	Beatrice Dr.	outfall	pipe	2142 - 2144	1 - 12" dia. HDPE thru bulkhead @ W/side of cul-de-sac connected to C.B. in cul-de-sac	40° 51' 41.493" N	72° 29' 51.955" W
70	2	Gardner's La.	road end	wash	2322	flow @ road end - high point 10' +/- north @ drainage structures	40° 50' 10.705" N	72° 30' 19.593" W
71	2	Nautilus Ct. E/end	outfall	pipe	2147, 2148	1 - 12" dia. HDPE @ E/end - pipe flows to wetlands - pipe not exposed at this time	40° 49' 59.916" N	72° 30' 42.332" W
72	2	Nautilus Dr. E/side	outfall	pipe	2145, 2146	1 - 12" dia. HDPE thru bulkhead @ W/end of boat basin	40° 49' 36.025" N	72° 32' 0.419" W
73	2	Springville Rd. S/side	outfall	pipe	1667, 2149, 2150	1 - 15" dia. HDPE from C.B to water's edge (across from Flocee La.)	40° 49' 30.337" N	72° 32' 54.788" W
74	2	Springville Rd. #124	outfall	pipe	2411 - 2413	1 - 12" dia. HDPE thru wood bulkhead @ N/edge of travel lift slip	40° 49' 10.519" N	72° 33' 38.396" W
75	2	Rampasture Rd. #11	outfall	pipe	2410	1 - 12" dia. CMP (aluminum) thru wood bulkhead	40° 49' 1.918" N	72° 33' 35.413" W
76	2	Corwin La.	road end	wash	2320 & 2321	flow @ road end & boat launch ramp onto beach - high point 150' +/- N/E @ drainage strctrs.	40° 50' 11.327" N	72° 34' 39.907" W
77	2	Rampasture Rd. ROW	outfall	pipe	2404 - 2409	1 - 12" dia. CMP from M.H. @ corner of ROW w/Hampton Harbor Rd. S/side into wetland	40° 50' 11.872" N	72° 34' 39.884" W
78	2	East Rampasture Rd.	road end	wash	2319	flow @ road end - high point W/S @ drainage structure 300' +/- N; E/S @ Ludlow La.	40° 50' 11.750" N	72° 34' 39.582" W
79	2	Elder Ave.	road end	wash	2318	flow @ road end - high point @ Tiana Circle 300' +/- east	40° 50' 21.911" N	72° 34' 17.870" W
80	2	R.O.W. @ Tiana Circle	outfall	alledged bubbler	2401 - 2403	bubbler not found in field	40° 50' 26.877" N	72° 34' 17.334" W

81	2	Mermaid La.	road end	wash	2336	flow @ road end into bay - high point @ Dune Rd.	40° 50' 28.442" N	72° 34' 17.860" W
82	2	Squires Ave.	road end	wash	2316	flow @ road end - high point 250' +/- N/W @ drainage structues	40° 50' 41.183" N	72° 34' 20.404" W
83	2	Landing La.	outfall	pipe	2151 - 2153	1 - 12" dia. HDPE thru bulkhead from W/side of C.B.	40° 50' 24.184" N	72° 33' 33.090" W
84	2	Triton La.	road end	wash	2334	flow @ road end into bay - high point @ dune Rd.	40° 51' 4.486" N	72° 32' 54.633" W
85	2	Dolphin La. S/end	road end	wash	2333	flow @ road end onto beach - high point @ Dune line	40° 51' 39.640" N	72° 31' 37.319" W
86	2	Dolphin Rd. N/end	road end	wash	2332	flow @ road end into bay - high point @ Dune Rd.	40° 50' 27.821" N	72° 29' 15.587" W
87	2	Jackson Ave.	road end	wash	2306	flow across road end - high point 75' +/- N @ drainage structures	40° 50' 35.248" N	72° 28' 46.341" W
88	2	Bay Ave.	road end	wash	2266	flow across boat launch ramp @ road end - high point 250' +/- N @ L.C.B.'s	40° 52' 59.601" N	72° 29' 2.052" W
89	2	Bay Ave.	outfall	pipe	2428	1 - 24" dia. RCP thru wood builkhead @ corner of Town's Marine Park & E/side of road fed	40° 52' 55.020" N	72° 28' 20.504" W
90	2	Weesuck Ave.	road end	wash	2307	flow across road end - high point 75' +/- west @ drainage structures	40° 52' 55.456" N	72° 28' 19.750" W
91	2	Rugby Rd. S/side	outfall	pipes	1663, 1664, 2157	2 - 12" dia. CMP's exiting berm @ road end into wetland	40° 52' 51.922" N	72° 27' 52.845" W
92	2	Rugby Rd. N/side	outfall	pipe	1663. 1664, 2158-2159	1 - 12" dia. CMP thru paved berm @ road end into wetland	40° 52' 36.582" N	72° 26' 45.568" W
93	2	Rugby Rd. S/side	road end	paved flow line	2265	paved flow line @ road end into wetland - High Point @ W. End Ave. 125' +/- west	40° 53' 1.006" N	72° 26' 24.723" W
94	3	Whale Bone Landing Rd.	outfall	pipes	1628, 2116, 2117	2 - 18" dia. CMP's thru asphalt berm @ road end onto beach	40° 53' 50.729" N	72° 28' 38.082" W
95	3	Road "H"	road end	wash	2343	flow @ road end to rear of bulkhead - high point @ Dune Rd.	40° 53' 50.389" N	72° 28' 37.396" W
96	3	Road "I"	road end	wash	2342	flow @ road end thru sand berm to beach - high point @ Dune Rd.	40° 53' 49.916" N	72° 28' 28.385" W
97	3	Landing La.	road end	wash	2351	flow @ N/side of road into bay - high point is drainage @ Rebadam La.	40° 55' 2.390" N	72° 27' 8.194" W
98	3	Little Neck Rd.	road end	wash	2350	flow @ road end to bay - high point 1,900' +/- north	40° 55' 1.639" N	72° 26' 23.016" W
99	3	Atterbury Rd.	road end	wash	2348	flow @ road end to beach - high point 150' +/- @ drainage structures	40° 55' 27.208" N	72° 26' 10.566" W
100	3	South Beach Rd.	road end	wash	2347	flow over dirt berm behind drainage castings - high point 300' +/- north @ drainage	40° 56' 51.723" N	72° 25' 42.506" W
101	3	South Beach Rd.	outfall	pipe	1675, 1676, 2131-2133	1 - 24" dia. CMP w/entry end section @ road end berm above L.C.B's as overflow onto beach	40° 55' 57.619" N	72° 25' 6.806" W
102	3	Peconic Rd.	road end	wash	2345	flow @ road end onto beach stone area - high point 175' +/- N/W at drainage	40° 56' 10.579" N	72° 24' 55.104" W
103	3	Inlet Rd.	road end	wash	2352	flow across road end onto sand & drainage behind bulkhead - high point @ Inlet Rd. West	40° 57' 15.830" N	72° 24' 2.294" W
104	3	Inlet Rd.	outfall	pipe	1638, 2129, 2130	NON-VISIBLE pipe thru wood bulkhead below littoral drift sand	40° 57' 35.632" N	72° 23' 54.685" W
105	3	Boathouse Rd.	outfall	stone lined swale	2269	swale - high point 150' +/- west	40° 57' 14.643" N	72° 23' 38.205" W
106	3	Barker's Island Rd.	road end	wash	2356	flow along E/S of road near end - high point 250' +/- on E/side @ drainage structure	40° 57' 18.400" N	72° 23' 10.523" W
107	3	Sebonac Inlet Rd.	road end	wash	2355	beach - high point - along W/side of road	40° 57' 53.226" N	72° 23' 26.295" W
108	3	West Neck Rd.	road end	wash	2270	boat launch ramp - high point 200' +/- N/E	40° 57' 56.697" N	72° 23' 32.393" W
109	3	West Neck Point Rd.	road end	wash	2357	flow across road end - high point 125' +/- S/E	40° 57' 58.818" N	72° 23' 17.856" W
110	3	Island Creek Rd.	road end	wash	2358	flow @ road end into wetland - high point 250' +/- S/E	40° 58' 2.234" N	72° 23' 16.782" W

111	3	Shore Rd.	outfall	lined ditch	1633, 2126-2128	stone rip-rap lined ditch into N.Sea Creek - this is general low point for several hundred feet in both directions	40° 58' 26.189" N	72° 23' 6.595" W
112	3	Shore Rd.	road end	wash	2359	flow @ road end into harbor - high point 300' +/- N/E	40° 54' 40.945" N	72° 26' 29.670" W
113	3	North Sea Rd.	road end	wash	2360	flow @ W/side of road end onto beach - high point 200' +/- south	40° 58' 5.550" N	72° 23' 20.468" W
114	3	Widener La.	outfall	lined swale	1683	stone lined swale into pond - high point @ Widener La.	40° 54' 5.252" N	72° 18' 57.604" W
115	3	Noyac Rd.	outfall	pipe	1630, 1631	1 - 12" dia. CMP @ E/end of PVC bulkhead - fed from 3 C.B's @ N & S sides of Noyac Rd.	40° 54' 12.718" N	72° 19' 16.972" W
116	3	Peconic Bay Ave.	road end	wash	2362	flow @ E/side of road end where traffic enters beach - high point 100' +/- south @ drainage	40° 54' 26.669" N	72° 19' 44.190" W
117	3	Oak Grove Rd.	outfall	pipe	1629, 2120-2125	1 - 18" dia. CMP thru wood bulkhead fedthru M.H. & pipe from S/W side of road	40° 54' 17.793" N	72° 20' 20.921" W
118	3	Oak Grove Rd.	road end	wash	2363	flow @ road end - high point 50' +/+ south	40° 54' 14.139" N	72° 20' 37.676" W
119	3	Lake Dr.	outfall	pipe	1680	1 - 15" dia. HDPE thru bulkhead @ W/S of boat ramp	40° 54' 25.716" N	72° 20' 9.001" W
120	3	Lake Dr.	outfall	pipe	1681, 2118, 2119	1 - 12" dia. HDPE to water - from exist. C.B. @ house #59	40° 54' 43.367" N	72° 20' 11.415" W
121	3	E. Shore Dr. @ Lake Dr.	outfall	pipe	1682	1 - 15" dia. HDPE from C.B. into pond	40° 55' 11.715" N	72° 20' 12.289" W
122	3	E. Beach Rd. E/side	outfall	swale		lined swale @ E/side of road into pond	40° 55' 6.262" N	72° 20' 22.063" W
123	4	Bay View Dr. E/end	road end	wash	2377	flow @ road end onto beach - high point 100' +/- east @ drainage	40° 55' 1.345" N	72° 21' 21.116" W
124	4	Cliff Dr.	road end	wash	2376	flow @ road end over slope onto beach - high point 200' +/- north	40° 55' 1.652" N	72° 21' 21.821" W
125	4	Cliff Dr.	outfall	pipe	1604, 2111, 2112	1 - 12" dia. CMP flowing from C.B @ end of asphalt onto slope above beach	40° 55' 1.711" N	72° 21' 22.143" W
126	4	Pointe Mecox La.	outfall	bubbler	1595, 1596	bubbler @ E/S of cul-de-sac to watershed - size not measureable due to debris	40° 55' 3.251" N	72° 19' 26.134" W
127	4	NONE	outfall	pipe	NONE YET	DISCHARGE PIPE FROM SYSTEM THAT BEGINS IN OPEN DITCH ALONG S/S OF LIRR track at S/W corner of Snake Corner of Snake Hollow Road & LIRR Underpass	40° 55' 3.043" N	72° 19' 26.333" W
128	4	Horse Mill La.	road end	wash	2396	flow @ road end on E/side onto beach - high point 1,000' +/- N/E	40° 55' 52.300" N	72° 18' 51.345" W
129	4	Cameron Beach	road end	beach access	2379	access from parking lot across dune to beach	40° 59' 27.654" N	72° 21' 53.193" W
130	4	Bay La.	road end	wash	2395	flow @ last 25' to E/S onto wetland - balance of road is pitched down-gradient to north	40° 59' 48.718" N	72° 21' 24.622" W
131	4	Mecox Rd. S/side	outfall	drop inlet & pipes	1614, 1615, 2078	flow from road edge into concrete D.I., thence into 2 - HDPE pipes, thence into channel	40° 59' 49.178" N	72° 21' 1.556" W
132	4	Mecox Rd. N/side	outfall	drop inlet & pipes	1614, 1615. 2077	flow from road edge into concrete D.I., thence into 2 - HDPE pipe culverts	40° 59' 36.087" N	72° 20' 57.970" W
133	4	Newlight La.	outfall	swale, pipe & bubbler system	2083 - 2085	flow thru syatem along S/side of road - see asbuilt plans	40° 59' 36.387" N	72° 20' 57.852" W
134	4	Cove Ave./Rd.	road end	wash	2392	flow across road end to N/side - high point @ rose Hill Rd.	41° 0' 0.732" N	72° 20' 47.022" W
135	4	Trustee Rd.	road end	wash	2390, 2391	flow across road end @ boat launch ramp to bay - high point @ Rose Hill Rd.	41° 0' 2.463" N	72° 20' 45.137" W
136	4	Crescent Ave.	road end	wash	2388	flow @ road end to back of bulkhead - high point is drainage @ road end	41° 0' 2.545" N	72° 20' 45.095" W

137	4	Mohawk Ave.	road end	wash	2387	flow @ road end into bay - high point 350' +/- N/W @ drainage	40° 59' 43.171" N	72° 20' 5.648" W
138	4	Deerfield Rd.	outfall	pipe	2070	1 - 12" dia. CMP partially buried adjacent to shed @b house #340 flows into pond	40° 59' 24.662" N	72° 19' 38.195" W
139	4	Deerfield Rd.	outfall	pipe	1626, 2071-2073	1 - 12" dia. CMP from surface of road to pond edge	40° 59' 34.593" N	72° 19' 36.083" W
140	4	Deerfield Rd.	outfall	pipe	1627, 2075	1 - 18" +/- dia. CMP (visible only under flow condition) from 2 LCB's into pond	40° 59' 37.260" N	72° 19' 36.293" W
141	4	Rosewood La. South	road end	wash	2393	flow across road end to wetland - high point @ start of circle	40° 59' 42.685" N	72° 19' 23.477" W
142	4	Bay Ave.	road end	wash	2394	flow across road end to E/S into wetland - high point @ Montauk Hwy.	40° 59' 23.023" N	72° 19' 36.026" W
143	4	Maple La.	road end	wash	2366	flow @ road end into bay - high point 125' +/- south	41° 0' 7.384" N	72° 18' 38.872" W
144	4	Cedar Point La.	road end	wash	2367	flow @ road end boat launch ramp area - high popint @ Noyac Rd.	40° 59' 59.990" N	72° 18' 56.220" W
145	4	Noyac Rd. SW/S	gutter & overflow	road edge flow & overflow	1610, 2097, 2098	road edge runoff into gutter to Trout Pond overflow into concrete box culvert beneath road to N/s	41° 0' 0.697" N	72° 18' 56.571" W
146	4	Noyac Rd. NE/S	outfall	headwall & pipe	1609, 2099-2101	flow from Noyac Rd. NE/side & from Trout Pond thru concrete headwall & irregular pipe (5' wide x 2' +/- high) into bay	40° 52' 47.854" N	72° 30' 7.076" W
147	4	Noyac Bay Ave. W/end	road end	wash	2368	flow @ road end W/S - high point 250' +/- south @ drainage structures	40° 55' 15.846" N	72° 19' 16.276" W
148	4	Noyac Bay Ave. E/end	road end	wash	2369	flow @ road end N/S @ beach access - high point 12' +/- west @ drainage structures	40° 53' 36.744" N	72° 19' 34.789" W
149	4	Pine Nek Ave. W/S	road end	wash	2370	vehicle & foot access point onto beach - high point adjacent to access point	40° 54' 47.395" N	72° 37' 22.462" W
150	4	Pine Neck Ave. E/S	road end	wash	2371	vehicle & foot access point onto beach - high point adjacent to access point	40° 55' 20.376" N	72° 26' 42.893" W
151	4	Pine Neck Ave. E/S	outfall	pipe	1608, 2102-2104	1 - 15" dia. HDPE thru wood bulkhead onto beach	40° 48' 28.717" N	72° 42' 34.426" W
152	4	Noyac Rd.	outfall	pipe	1597, 1598, 2108-2110	1 - 12" dia. HDPE exiting thru wood bulkhead fed from CB @ edge of road	40° 54' 40.447" N	72° 37' 32.202" W
153	4	Noyac Rd.	outfall	pipe	1600 - 1602, 2106, 2107	1 - 18" dia. CMP & end section to earth swale to water's edge	40° 49' 52.502" N	72° 42' 29.297" W
154	4	Marjorie La.	road end	wash	2375	flow @ road end S/side into wetland - high point 200' +/- east @ drains	40° 49' 1.144" N	72° 43' 17.574" W
155	4	Noyac Rd.	outfall	open swale	1606, 2105	flow from Noyac Rd. into open swale between Homes # 3615 & 3605 onto beach	40° 54' 21.731" N	72° 36' 4.211" W
156	4	Crescent St.	road end	wash	2373	flow @ road end to wetland & creek - high point 450' +/- east @ drainage structures	40° 54' 49.469" N	72° 36' 6.290" W
157	4	Whitney Rd.	road end	wash	2374	flow @ road end to wetland & creek - high point 100' +/- south @ drainage structures	40° 59' 38.046" N	72° 21' 47.037" W
161/162		Mecox Road	culvert		2.01209E+12	culvert at low point in road that also takes some road runoff		
158		Huntington Road	road end					
159/160		W. Mecox Road	culvert					

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TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

ILLICIT DISCHARGE FIELD SHEET

SECTION A: General Information

Structure ID:	Date: 7/12/2013	Time: 2:51
Outfall:	Inspected by: C. Fetten	
Location: Scrimshaw Landing near Whalebone Landing	GPS Location:	
Outside Air Temperature (°F): 77 F	Rainfall (inches) Last 24 hours: 0	Last 48 hours:

Land Use in Drainage Area: ☒ Residential ☐ Industrial/Commercial ☐ Mixed Use ☐ Other: _____

Reason for Inspection: ☒ Citizen Notification ☐ Routine/Scheduled Survey ☐ Referral from Agency/Department: _____ ☐ County/State Notification ☐ Observed during Routine Work ☐ Other: _____

SECTION B: Description of Structure

Type	☐ Outfall ☐ Manhole ☐ Ditch/Swale ☐ Spillway ☒ Catch Basin ☐ Other: ____
Material	☐ RCP ☐ CMP ☐ PVC ☐ HDPE ☐ Steel ☐ Other: ____
Shape	☐ Circular ☐ Elliptical ☐ Box ☐ Other: concrete CB
Size	*If circular,* Diameter: ____ inches; *If square or rectangular,* Height: 48 inches, Width: 60 inches
Structure Bottom	Submerged: ☐ No ☒ Yes, Partially ☐ Yes, Fully; Blocked: ☐ No ☐ Yes, Partially ☐ Yes, Fully

SECTION C: Location Sketch

Draw diagram and indicate closest streets (including address), nearby landmarks, etc.

see attached

pavement/curb had green staining, smell of garbage leachate. evidence of small liquid trail to LCB on north side of Scrimshaw at Stop sign at Whalebone Lnding. ~~Standing stormwater in LCB1 below all inverts, no sheen~~ present

SECTION D: Discharge Characteristics

Flow Present? ☐ Yes ☒ No not active *If No, skip the rest of this section.*		**Description**	Check one: ☐ Trickle ☐ Moderate ☐ Substantial; Check one: ☐ Steady ☐ Intermittent ☐ Single Occurrence
Flow Rate (*If possible, measure time it takes to fill a 5-gallon container*)		**Temperature**	____ °F
Volume of Container Used	____ Gallons	Gallons ÷ Minutes = ____ gpm	**pH** ____ pH Units
Time to fill Container	____ Minutes		**Ammonia** (*If measured in field*) ____ mg/L

Indicator	Description	Severity			
Odor	☐ None ☐ Rancid/sour ☐ Petroleum/gas ☐ Sweet ☐ Sewage ☒ Other: MSW	☐ Faint	☒ Easily detected	☐ Noticeable from a distance	
Color	☐ Clear ☐ Gray ☐ Red ☐ Orange ☐ Yellow ☒ Green ☐ Blue ☐ Brown ☐ Black ☐ Other: ____	☐ Faint colors in sample bottle staining no flow present	☐ Clearly visible in sample bottle	☐ Clearly visible in outfall flow	
Floatables	☒ None ☐ Sewage (toilet paper, etc.) ☐ Suds ☐ Petroleum (oil sheen) ☐ Other: ____	☐ Few/slight; origin not obvious	☐ Some; indications of origin (e.g., possible suds or oil sheen)	☐ Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)	
Turbidity	n/a See severity	☐ Clear	☐ Slight cloudiness	☐ Cloudy	☐ Opaque
Viscosity	n/a Similar to:	☐ Water	☐ Oil (Vegetable/Motor)	☐ Molasses	☐ Other: ____

Structure ID:	Outfall:	Date:	Time:

SECTION E: Physical Condition

Condition	Present	If Present, Nature:	Comments
Structure Damage	☐ Yes ☒ No	☐ Peeling Paint ☐ Spalling, Cracking or Chipping ☐ Corrosion	
Deposits/Stains	☒ Yes ☐ No	☐ Oily ☒ Flow Line ☐ Paint ☐ Other: _____	no liquid present upon insp. it was small flow line and had infiltrated into pavement by time of insp.
Abnormal Vegetation	☐ Yes ☐ No	☐ Excessive ☐ Inhibited	
Poor pool quality	☐ Yes ☒ No	☐ Odor ☐ Color ☐ Floatables ☐ Excessive Algae ☐ Suds ☐ Oil Sheen ☐ Other: _____	
Pipe growth	☐ Yes ☒ No	☐ Brown ☐ Orange ☐ Green ☐ Other: _____	

SECTION F: Sample Collection

Sample Collected: ☐ Yes ☒ No *If No, skip the rest of this section.*	Sample Submitted to Laboratory: ☐ Yes ☐ No
Date of Collection:	Laboratory Sample ID:
Time of Collection:	Sample Bottle IDs:
Laboratory Information Name: Address: Phone:	
Analyses Requested: ☐ Fecal Coliform MPN ☐ Color ☐ Conductance ☐ Turbidity ☐ Dissolved Oxygen ☐ Fluoride ☐ Methylene Blue Activated Substances ☐ Other: _____	
Collected from: ☐ Flow ☐ Pool	Method of Collection: ☐ Direct collection ☐ Sampling Equipment Used Specify type: _____
Gloves used: ☐ Yes ☐ No	Laboratory Sample Forms Completed: ☐ Yes ☐ No *(attach copy)*
Samples Placed on Ice: ☐ Yes ☐ No	Chain of Custody Initiated: ☐ Yes ☐ No *(attach copy)*

SECTION G: Comments/Notes

It appeared that a vehicle (most likely garbage truck) may have stopped by side of roadway for a brief amount of time, and a very small amount of waste liquid had escaped the vehicle and traveled towards the drainage grate. There was a 1/8" flow line that had dried on the casting and had infiltrated into the pavement so that the wetness was evident but no liquid. There was a smell of garbage.

Form Completed By:

Name (print): Christine Fetten, Town Engineer	Date: 7/12/2013
Signature:	

TOWN OF SOUTHAMPTON
PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 3: ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE)

ILLICIT DISCHARGE FIELD SHEET

SECTION A: General Information

Structure ID:	Date: 7/12/13	Time: 2:51
Outfall:	Inspected by: C. FRETTREN	
Location: SCRIMSHAW LANDING	GPS Location:	
Outside Air Temperature (°F): 77°	Rainfall (inches) Last 24 hours:	Last 48 hours:

Land Use in Drainage Area: ☒ Residential ☐ Industrial/Commercial ☐ Mixed Use ☐ Other: _____

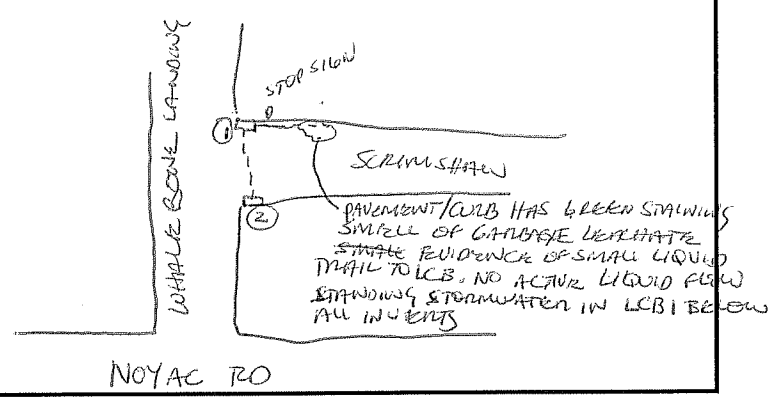
Reason for Inspection:	☒ Citizen Notification	☐ Routine/Scheduled Survey	☐ Referral from Agency/Department: _____
	☐ County/State Notification	☐ Observed during Routine Work	☐ Other: _____

SECTION B: Description of Structure

Type	☐ Outfall	☐ Manhole	☐ Ditch/Swale
	☐ Spillway	☒ Catch Basin	☐ Other: _____
Material	☐ RCP	☐ CMP	☐ PVC
	☐ HDPE	☐ Steel CONCRETE CB	☐ Other: _____
Shape	☐ Circular	☐ Elliptical	☐ Box
	☐ Other: _____		
Size	*If circular,* Diameter: _____ inches	*If square or rectangular,* Height: _____ inches	Width: _____ inches
Structure Bottom	Submerged: ☐ No	☐ Yes, Partially	☐ Yes, Fully
	Blocked: ☐ No	☐ Yes, Partially	☐ Yes, Fully

SECTION C: Location Sketch

Draw diagram and indicate closest streets (including address), nearby landmarks, etc.



SECTION D: Discharge Characteristics

Flow Present? ☐ Yes ☒ No NOT ACTIVE *If No, skip the rest of this section.*	**Description**	Check one: ☐ Trickle ☐ Moderate ☐ Substantial	
		Check one: ☐ Steady ☐ Intermittent ☐ Single Occurrence	

Flow Rate (*If possible, measure time it takes to fill a 5-gallon container*)			**Temperature**	_____ °F
Volume of Container Used	_____ Gallons	Gallons ÷ Minutes = _____ gpm	**pH**	_____ pH Units
Time to fill Container	_____ Minutes		**Ammonia** (*If measured in field*)	_____ mg/L

Indicator	Description	Severity		
Odor	☐ None ☐ Rancid/sour ☐ Petroleum/gas ☐ Sweet ☐ Sewage ☐ Other: _____	☐ Faint	☐ Easily detected	☐ Noticeable from a distance
Color	☐ Clear ☐ Gray ☐ Red ☐ Orange ☐ Yellow ☐ Green ☐ Blue ☐ Brown ☐ Black ☐ Other: _____	☐ Faint colors in sample bottle	☐ Clearly visible in sample bottle	☐ Clearly visible in outfall flow
Floatables	☐ None ☐ Sewage (toilet paper, etc.) ☐ Suds ☐ Petroleum (oil sheen) ☐ Other: _____	☐ Few/slight; origin not obvious	☐ Some; indications of origin (e.g., possible suds or oil sheen)	☐ Some; origin clear (e.g., obvious oil sheen, suds, or floating sanitary materials)
Turbidity	See severity	☐ Clear	☐ Slight cloudiness	☐ Cloudy ☐ Opaque
Viscosity	Similar to:	☐ Water	☐ Oil (Vegetable/Motor)	☐ Molasses ☐ Other: _____

Structure ID:	Outfall:	Date:	Time:

SECTION E: Physical Condition

Condition	Present	If Present, Nature:	Comments
Structure Damage	☐ Yes ☐ No	☐ Peeling Paint ☐ Spalling, Cracking or Chipping ☐ Corrosion	
Deposits/Stains	☒ Yes ☐ No	☐ Oily ☒ Flow Line ☐ Paint ☐ Other: ____	GREEN IN COLOR
Abnormal Vegetation	☐ Yes ☐ No	☐ Excessive ☐ Inhibited	
Poor pool quality	☐ Yes ☐ No	☐ Odor ☐ Color ☐ Floatables ☐ Excessive Algae ☐ Suds ☐ Oil Sheen ☐ Other: _____	
Pipe growth	☐ Yes ☐ No	☐ Brown ☐ Orange ☐ Green ☐ Other: ____	

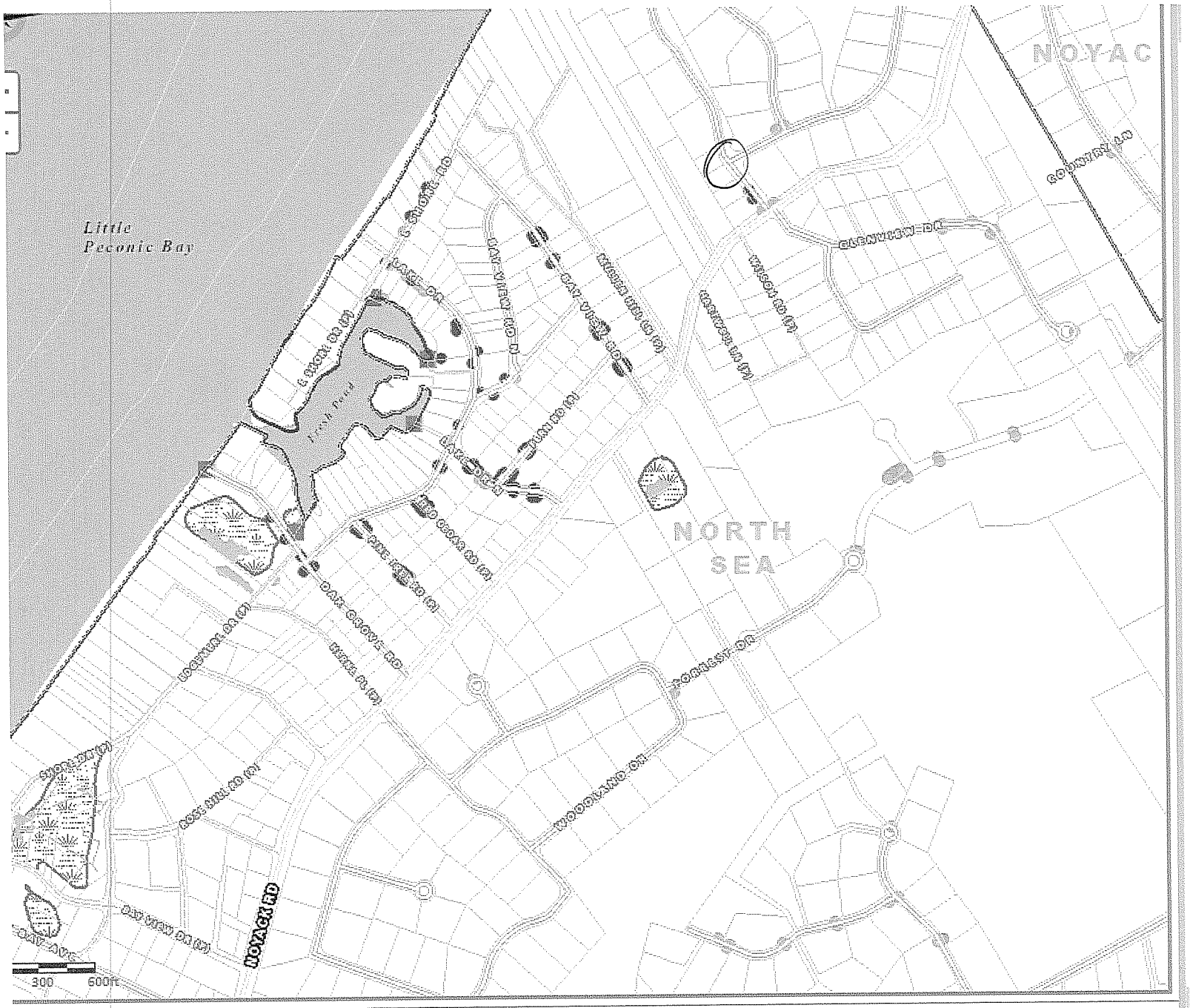
SECTION F: Sample Collection

Sample Collected: ☐ Yes ☒ No *If No, skip the rest of this section.*	Sample Submitted to Laboratory: ☐ Yes ☐ No
Date of Collection:	Laboratory Sample ID:
Time of Collection:	Sample Bottle IDs:
Laboratory Information Name: Address: Phone:	
Analyses Requested: ☐ Fecal Coliform MPN ☐ Color ☐ Conductance ☐ Turbidity ☐ Dissolved Oxygen ☐ Fluoride ☐ Methylene Blue Activated Substances ☐ Other: _____	
Collected from: ☐ Flow ☐ Pool	Method of Collection: ☐ Direct collection ☐ Sampling Equipment Used Specify type: _____
Gloves used: ☐ Yes ☐ No	Laboratory Sample Forms Completed: ☐ Yes ☐ No *(attach copy)*
Samples Placed on Ice: ☐ Yes ☐ No	Chain of Custody Initiated: ☐ Yes ☐ No *(attach copy)*

SECTION G: Comments/Notes

Form Completed By:

Name (print): CHRISTINA PETTEN	Date: 7/12/13
Signature: [illegible]	



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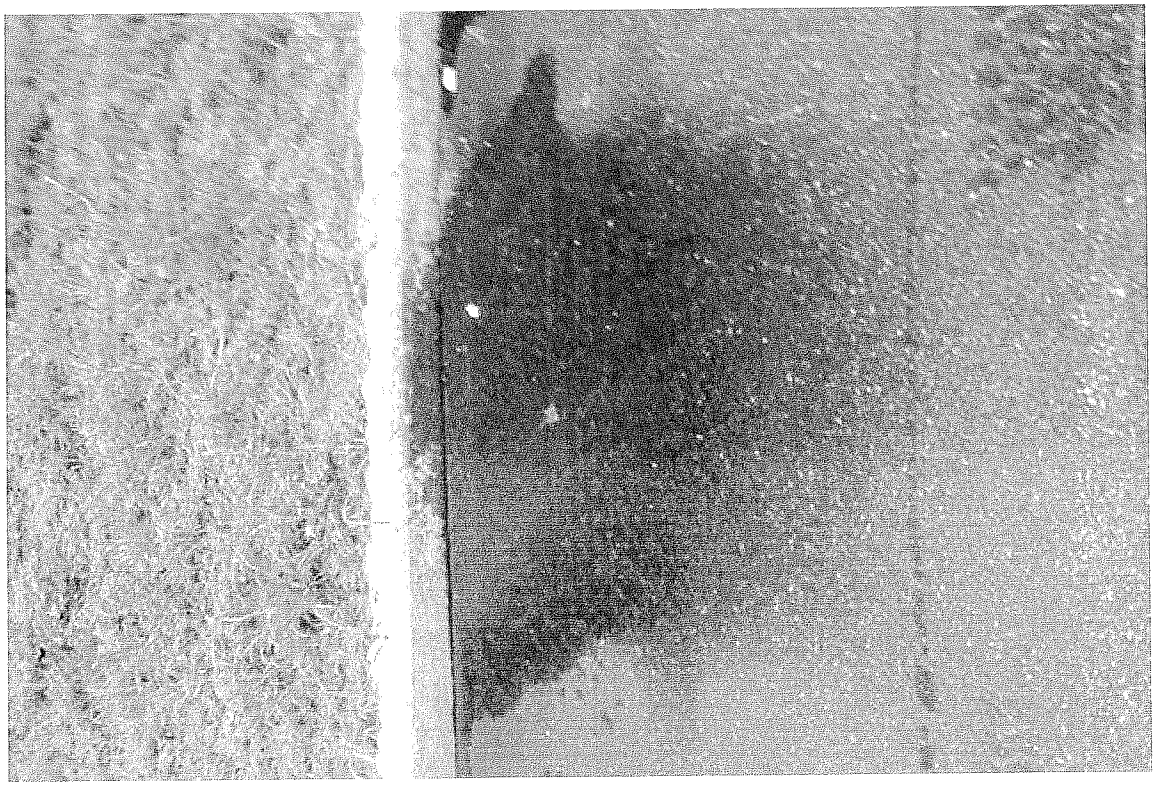

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APPENDIX F

POST CONSTRUCTION MANAGEMENT

PRESERVATION PARCELS

TOWN OF SOUTHAMPTON
SWPP INVENTORY

t	PROJECT NAME	HAMLET	TYPE	PREPARER	Address	SCTM No.	SWPPP ACCEPTANCE	NOI ACKN.	SPDES #	Post Construction C&R	NOT
30	BILLFISH	HB	SITE	CONDON		900-230-01-35	10/26/2012	11/6/2012	10W092	9/6/2013	9/16/2013
31	BRIDGE LABOR HOUSING		SITE	RAYNOR GROUP			12/11/2009	1/4/2010	10S045	6/18/2013	6/27/2013
34	BUTTER LANE NURSERY	BH	SITE	D.B. BENNETT		900-52-1-35	6/24/2010	7/6/2010	10S744	12/24/2013	3/18/2014
46	GREEK ORTHODOX CHURCH	SH	SITE	ARAIYS	111 ST. ANDREWS RD., SH	900-211-01-10.4	4/1/2009	5/12/2009	10R091	10/9/2013	10/25/2014
48	HBD-220 ROGERS WAY	WH	SITE	DTS	214 WH RIVERHEAD RD	900-312-01-4.2	7/12/2013	8/23/2013	10X081	12/18/2014	12/19/2014
58	MIACO (BULL HEAD INN)	BH	SITE	RAYNOR GROUP		900-71-3-7&8	12/6/2010	12/23/2010	10T484	5/14/2013	5/30/2013
69	PUPPY MONGO	HB	SITE	RAYNOR GROUP		900-253-1-27	11/18/2008	12/11/2008	10Q658	8/30/2011	9/14/2011
79	SOUTHAMPTON MASONRY (TOSCANO)	SH	SITE	ED ARMUS	1500 CR 39	900-134-1-46.1	5/7/2012	6/1/2012	10V491	6/24/2014	6/26/2014
83	TWO TREES FARM	BH	SUB	YOUNG & YOUN	POLO CT	900-67-1-(321.10/2.12)	9/14/2012	9/21/2012	10V952	8/30/2013	10/1/2013
87	WATERMILL STATION	WM	SITE	RAYNOR GROUI	50 STATION ROAD, WM	900-114-01-52	6/22/2010	7/6/2010	10S774	3/13/2013	5/8/2013

Declaration of Covenants and Restrictions

THIS DECLARATION, made the ___ day of _____, 20___, by NAME, of ADDRESS, party of the first part (hereinafter called the "**Declarant**").

W I T N E S S E T H:

WHEREAS, the Declarant is the fee owner of certain real property situate in the Town of Southampton, County of Suffolk, State of New York, identified as SCTM #: _____; and

WHEREAS, the Declarant has made an application for Site Plan/Subdivision and received approval from the Town of Southampton to _____, as shown on the Site Plan/Subdivision of _____, prepared by _____, said map was filed in the Office of the Clerk of the County of Suffolk, State of New York on _____, 2011 as Map No._____, and said description attached hereto as **Schedule "A"**; and

WHEREAS, as part of that Site Plan approval, a Stormwater Pollution Prevention Plan ("SWPPP") was required, accepted and reviewed by the Town of Southampton Department of Engineering ensuring compliance with federal and state guidelines for stormwater control; and

WHEREAS, Declarant has completed construction and installed the requisite stormwater control management practices and shall keep such improvements private rather than dedicating them to the Town of Southampton; and

WHEREAS, Declarant must therefore ensure the continued operation and maintenance of the required stormwater control improvements in accordance with the approved operational and maintenance plan in the SWPPP; and

WHEREAS, the Town of Southampton, pursuant to Town Code §285-11(E)(3), requires that the within Covenants and Restrictions be imposed on said property and recorded in the Suffolk County Clerk's Office; and

WHEREAS, the Declarant has considered the foregoing and has determined that same will be in the best interests of the Declarant and subsequent owners of said property;

NOW, THEREFORE, THIS DECLARATION WITNESSETH:

That the Declarant for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the subject property shall hereafter be subject to the Covenants and Restrictions as herein cited, which shall run with the land and shall be binding upon all purchasers and holders of said lots, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

1) Pursuant to Town Code §285-11(E)(3), Termination of Permit Coverage, the privately owned post-construction stormwater management practices shall be

SAMPLE

implemented and maintained by Declarant in accordance with the operation and maintenance plan, as set forth in Declarant's approved SWPPP.

2) The Town Engineer, or his designee, shall have the continuing right to inspect the subject property, for the purpose of monitoring compliance with the conditions, covenants, agreements and provisions of this Declaration.

3) Declarant's failure to maintain the post-construction stormwater management practices in accordance with the approved operation and maintenance plan shall be considered a violation of Chapter 285 and this Declaration shall be enforceable by all remedies set forth in Town Code §285-13.

The Covenants and Restrictions contained herein shall be construed to be in addition to and not in derogation or limitation upon any local, state or federal laws, ordinances, regulations or provisions in effect at the time of execution of this agreement, or at the time such laws, ordinances, regulations and/or provisions may hereafter be revised, amended or promulgated.

The Covenants and Restrictions contained herein shall be enforceable by the Town of Southampton, by injunctive relief or by any other remedy in equity or at law. The failure of the Town of Southampton or any of its agencies to enforce same shall not be deemed to affect the validity of this covenant nor to impose any liability whatsoever upon the Town of Southampton or any officer or employee thereof.

If any section, subsection, paragraph, clause, phrase or provision of these covenants and restrictions shall, by a Court of competent jurisdiction, be adjudged illegal, unlawful, invalid or held to be unconstitutional, the same shall not affect the validity of these covenants as a whole, or any other part or provisions hereof other than the part so adjudged to be illegal, unlawful, invalid or unconstitutional.

The within Declaration is made subject to the provisions of all laws required by law or by their provisions to be incorporated herein, and they are deemed to be incorporated herein and made a part hereof, as though fully set forth.

The within Declaration shall run with the land and shall be binding upon the Declarant, its successors and assigns, and upon all persons or entities claiming under them, and may not be annulled, waived, changed, modified, terminated, revoked or amended by subsequent owners of the premises unless and until approved by a majority plus one vote of the Planning Board of the Town of Southampton or its successor, following a public hearing.

IN WITNESS WHEREOF, the Declarant above named has executed the foregoing Declaration the day and year first above written.

_____

Declarant

STATE OF NEW YORK) :
COUNTY OF SUFFOLK) : ss.:

On the ___ day of _____, in the year 20___, before me, the undersigned personally appeared _____ and _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals or the person upon behalf of which the individuals acted, executed the instrument.

_____
NOTARY PUBLIC

Town of Southampton
Preserved Parcels - Incl Villages

Waterbody -Large	Waterbody-small	SCTM No.	Acreage	Address	Owner
Moriches Bay-W	East River	900-367-1-1.2	17	38 Dock Road	TOS
Moriches Bay - W	Seatuck Creek	900-351-2-12.7	0.9	open space	TOS
Moriches Bay - W	East River	900-352-1-13.9	0.2	Park Area, Eastport	TOS Trustees
Moriches Bay - W	East River	900-367-1-2.6	0.2	Laila Court	TOS
Moriches Bay - W	East River	900-367-2-1	0.7	25 Laila Lane	TOS
Moriches Bay - W	East River	900-350-2-10.5	15	330 Montauk Hwy, Remsenburg	TOS
Moriches bay - W	East River	900-35-2-10.4	10.4	Open Space	TOS
Moriches Bay - W	East River	900-350-4-44	5.2	Park Area, Eastport	TOS
Moriches Bay - W	East River	900-350-4-43	19.2	Open Space	Longtree Pond HOA
Moriches bay - W	East River	900-350-4-82	3	Park	Longtree Pond HOA
Moriches Bay - W	East River	900-350-4-46	1.7	open space	Longtree Pond HOA
Moriches Bay - W	East River	900-350-4-49	7.6	open space	Longtree Pond HOA
Moriches bay - W	East River	900-350-4-48	4.4	open space	Longtree Pond HOA
Moriches Bay - W	East River	900-350-1-64.9	1.1	21 East Pond Ln, Eastport	TOS
Moriches Bay - W	East River	900-350-1-6.17	6.7	Park	TOS
Moriches bay - W	East River	0900-350-4-42	6.7	Open Space	Longtree Pond HOA
Moriches Bay - W	East River	900-350-3-80.16	1.1	Laura Ct., Remsenburg	TOS
Moriches bay - W	East River	900-325-1-1.2	70.4	252 Old Ctry Rd., Eastport	SC
Moriches Bay - W	East River	900-325-1-1.1	7.7	252 Old Ctry Rd., Eastport	SC
Moriches bay - W	East River	900-300-2-7	5.3	Scrub Property	SC
Moriches Bay - W	East River	900-300-2-1.1	31.1	Wild Conservation Land	SC
Moriches bay - W	East River	900-300-2-3.1	4.3	Wild Conservation Land	TOS
Moriches Bay - W	East River	900-300-2-5.1	9.4	landlocked, Eastport	TOS
Moriches bay - W	East River	900-300-2-6.2	9.4	landlocked, Eastport	SC
Moriches Bay - W	East River	900-274-1-2	10.5	Sunrise Hwy	SC
Moriches bay - W	East River	900-274-1-1.1	129.1	Wild Conservation Land	SC
Moriches Bay - W	East River	900-235-1-3	58	Scrub Property	SC
Shinnecock Bay-W	Weesuck Creek	900-342-2-44	1.6	33 Bay Avenue, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-342-2-42	10.6	14 Randall Ln, E. Quogue	TOS Trustees
Shinnecock Bay-W	Weesuck Creek	900-315-2-5.22	1.8	16 Carters Rd., E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-317-1-25	1.1	383 Montauk Hwy, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-317-1-26	4.8	6 Josiah Foster Path, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-317-1-27	21.7	22 Josiah Foster Path	TOS
Shinnecock Bay-W	Weesuck Creek	900-343-2-1.2	2.6	51 Head of Lots Rd., E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-361-1-1.3	64.7	35 Head of Lots Rd, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-317-2-2.2	8	379 Montauk HWY, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-361-1-4.3	2.2	5 Widgeon Ln, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-290-1-1	9.6	361 Montauk Hwy, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-290-1-13	2.3	24 Evergreen Ln, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-289-4-16	0.5	Open Space A, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-289-4-17	1.2	Open Space B, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-314-2-20.4	1.2	Open Space B, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-314-2-48	6.5	Scrub Property, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-289-1-1	5.7	landlocked, E. Quoge	TOS
Shinnecock Bay-W	Weesuck Creek	900-250-4-1	37.8	landlocked, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-250-4-3	22.6	landlocked, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-250-4-4	9.5	landlocked, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-250-4-5	21.8	landlocked, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-250-4-15	69.1	76 Old Country Rd., E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-289-3-34	15.3	Open Space, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-289-3-33	146.3	Open Space, E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-289-2-8.1	2.9	66 Old Country Rd., E. Quogue	TOS
Shinnecock Bay-W	Weesuck Creek	900-315-2-5.24	3.4	77 Old Country Rd., E. Quogue	TOS
Shinnecock Bay	Penny Pond	900-322-4-1.17	0.9	26 Gardeners Ln., HB	HOA

Town of Southampton
Preserved Parcels - Incl Villages

Shinnecock Bay	Penny Pond	900-297-5-3	1.9	8 Wakemand Rd., HB	TOS
Shinnecock Bay	Penny Pond	900-297-5-1.1	1.4	10 Wakemand Rd., HB	Richard Casabianca
Shinnecock Bay	Penny Pond	900-323-1-5	0.1		TOS
Mecox Bay	Burnett Creek	900-160-3-52.11	8.9	70C Cobb Rd., Watermill	Rarthur Rabin
Mecox Bay	Burnett Creek	900-160-3-52.4	6.2	70A Cobb Rd, Watermill	Selma Rabin
Mecox Bay	Burnett Creek	900-160-1-36.2	0.9	891 Cobb Rd.,W, Watermill	Nancy Halsey
Mecox Bay	Burnett Creek	900-160-1-36.21	0.9	905 Cobb Rd., W, Watermill	Charlton Halsey
Mecox Bay	Burnett Creek	900-133-1-1.15	17.4	65 Montauk Hwy, Watermill	John Verderber
Mecox Bay	Mill Creek	900-133-1-26	1.5	511 Cobb Rd., Watermill	TOS
Mecox Bay	Mill Pond	0900-113-3-5.8	0.7	5 Millfarm Ln, Watermill	Geoffrey Manna
Mecox Bay	Mill Pond	900-99-2-4.7	31.7	185 Edge of Woods Rd, NS	TOS
Mecox Bay	Mill Pond	900-99-2-4.3	9.2	173 Edge of woods Rd., NS	TOS
Mecox Bay	Mill Pond	900-98-3-60	8.1	Landlocked, NS	TOS
Mecox Bay	Mill Pond	900-100-1-2	7	landlocked, NS	TOS
Mecox Bay	Mill Pond	900-98-3-61.14	0.6	scrub property, NS	TOS
Mecox Bay	Mill Pond	900-98-3-52.1	0.2	scrub property, NS	TOS
Mecox Bay	Mill Pond	900-100-1-25.2	0.4	scrub property, NS	TOS
Mecox Bay	Mill Pond	900-100-1-27.1	0.1	scrub property, NS	TOS
Mecox Bay	Mill Pond	900-99-3-5	2.2	645 NS/Mecox Rd, NS	Glenn Pagan
Mecox Bay	Mill Creek	900-99-3-4.3	38.1	210 Edge of Woods Rd, NS	Leslie Barker
Mecox Bay	Mill Creek	900-132-2-9.2	12	530 NS/Mecox Rd, NS	Robert Schaefer
Mecox Bay	Mill Creek	900-132-2-9.1	11.3	474 N. Main St., NS	Robert Schaefer
Mecox Bay	Mill Creek	900-132-2-15.1	62	615 David Whites Ln, NS	Paul Corwith
Mecox Bay	Hayground Creek	900-65-2-3.72	0.2	995 Deerfield Rd., Watermill	TOS
Mecox Bay	Mill Pond	900-101-1-11	6.9	674 Head of Pond Rd., Watermill	This Little Farm LLC
Mecox Bay	Hayground Creek	900-82-2-10.4	11.4	1366 Montauk Hwy, Watermill	David Osborn LLC
Mecox Bay	Hayground Creek	900-82-2-25.1	0.9	1388 Montauk HWY, Watermill	David Osborn LLC
Mecox Bay	Hayground Creek	900-102-3-4.8	5	1361 Montauk HWY, Watermill	TOS
Mecox Bay	Hayground Creek	900-102-3-4.7	2	1321 Montauk HWY, Watermill	TOS
Mecox Bay	Hayground Creek	900-102-3-4.6	2	1301 Montauk HWY, Watermill	TOS
Mecox Bay	Mill Creek	900-102-2-2.1	2.7	1011 Montauk HWY, Watermill	GTFour LLC
Mecox Bay	Mill Creek	900-102-2-1.5	7.1	961 Montauk HWY	GTFour LLC
Mecox Bay	Mill Creek	900-115-1-1.9	17.1	Agricultural Reserve, Watermill	TOS DR
Mecox Bay	Mill Creek	900-115-2-10.7	12.2	51 Davids Ln, Watermill	TOS DR
Mecox Bay	Kellis Pond	900-83-1-26	11.4	1918 Montauk HWY, BH	TOS DR
Mecox Bay	Calf Creek	900-84-1-8.18	19.8	1851 Montauk Hwy, BH	Hayground Farms, Inc.
Mecox Bay	Calf Creek	900-84-1-8.13	1.5	65 Newlight Ln, BH	TOS DR
Mecox Bay	Kellis Pond	900-69-2-13.5	5.4	93 Butter Ln, BH	TOS
Mecox Bay	Calf Creek	900-84-1-8.14	1.6	67 Newlight Ln, BH	TOS DR
Mecox Bay	Calf Creek	900-84-1-8.16	1.6	71 Newlight Ln, BH	Peconic Land Trust
Mecox Bay	Kellis Pond	900-87-1-9	23.6	318 Halsey Ln, BH	Raymond Topping
Mecox Bay	Kellis Pond	900-87-1-10	10.6	342 Halsey Ln, BH	Raymond Topping
Mecox Bay	Calf Creek	900-84-1-46	0.6	Park Area, BH	TOS
Mecox Bay	Calf Creek	900-104-1-1.9	20	212 Pauls Ln, BH	TOS
Mecox Bay	Kellis Pond	900-88-1-1.1	5.5	2539 Montauk HWY, BH	TOS
Mecox Bay	Mill Creek	900-160-3-20	3.1	Open Space, Watermill	Nature Conservancy, Inc.
Wooley Pond		900-45-1-5.017	7.62	Open Space	TOS
Wooley Pond		900-45-1-5.018	0.93	Open Space	TOS
Wooley Pond		900-45-2-6.012	8.52	Agricultural Reserve, NS	Richard W. King
Wooley Pond		900-45-2-107.0	0.09182	Scrub Property	TOS
Wooley Pond		900-45-2-124	0.060605		Trustees
Wooley Pond		900-64-2-50.27	23.17	29 Deer Ridge Trl, NS	TOS
Wooley Pond		900-45-2-109	0.73	Scrub Property	SC
Wooley Pond		900-45-2-108	0.64	Scrub Property	SC
Wooley Pond		900-45-2-113	0.102	Scrub Property	SC

Town of Southampton
Preserved Parcels - Incl Villages

Wooley Pond		900-45-2-110	0.406	Scrub Property	SC
Wooley Pond		900-45-2-8	0.183	Scrub Property	SC
Wooley Pond		900-45-1-49	0.921	39 Ocean View Pkwy, NS	SC
Wooley Pond		900-45-1-47	0.183	33 Ocean View Pkwy, NS	SC
Wooley Pond		900-45-1-77	0.467	Scrub Property	SC
Wooley Pond		900-45-1-90	0.5	Old Sag Harbor Rd, NS	Trustees
Wooley Pond		900-33-2-13.1	2.6	109 Roses Grove Rd., NS	SC Parks
Wooley Pond		p/o 900-33-2-5.0	19.5	75 Roses Grove Rd., NS	TOS
Reeves Bay		900-119-2-4.25	5.3		TOS
Reeves Bay		900-119-2-4.24	2.52		TOS
Reeves Bay		900-121-1-5.1	51.7	114 Evergreen Road	TOS
Reeves Bay		900-121-1-6	5.1		TOS
Reeves Bay		900-121-1-3.002	81.7		TOS
Reeves Bay		900-122-3-37.1	1.5		TOS
Reeves Bay		900-120-3-19	0.23		TOS
Reeves Bay		900-143-2-52	0.8	706 Flanders Road	TOS
Reeves Bay		900-120-3-6	0.38		TOS
Reeves Bay		900-120-3-19	0.23	166 Priscilla Ave	TOS
Reeves Bay		900-143-3-41	1	underwater land	Trustees
Reeves Bay		900-144-1-13.1	2.79	825 Flanders Road	TOS
Reeves Bay		900-144-1-4	0.09	14 Silver Brook Drive	SC
Reeves Bay		900-144-1-18.4	1.8	8 Havens Drive	TOS
Reeves Bay		900-144-2-27	0.1	63 Flanders Blvd	TOS
Reeves Bay		900-144-2-67		33 Maple Ave	TOS
Reeves Bay		900-144-3-7	0.71	949 Flanders Road	TOS
Reeves Bay		900-146-1-41.3	13.47	1012 Flanders Road	TOS
Reeves Bay		900-146-1-41.4	28.97	1030 Flanders Road	TOS
Reeves Bay		900-168-1-29.2	2.4	1170 Flanders Road	TOS
Reeves Bay		900-147-1-6.5	7.9	1234 Flanders Road	TOS
Reeves Bay		900-147-2-23	1.28	63 Fanning Road	SC Parks
Reeves Bay		900-147-2-22	1.4	underwater	TOS
Reeves Bay		900-147-2-28.1	0.72	37 Pierson Road	SC
Reeves Bay		900-147-2-31.	1.31	96 Fanning Road	TOS
Reeves Bay		900-148-1-75	2.8	Temple Ave	TOS
Reeves Bay		900-148-1-74	1.01	57 Temple Ave	TOS
Reeves Bay		900-148-1-76.2	8.35	Fanning Road	TOS
Reeves Bay		900-123-1-2.1	5	193 Temple Ave	TOS
Reeves Bay		900-150-1-9	86.3	Flanders Park	SC
Reeves Bay		900-150-1-10	2.5	Flanders Park	SC
Reeves Bay		900-150-1-11	197.4	Flanders Park	SC
Reeves Bay		900-150-1-14	7.5	Flanders Park	SC
Reeves Bay		900-150-1-15	314.17	Flanders Park	SC
Reeves Bay		900-150-1-12	16.3	Flanders Park	SC
Reeves Bay		900-150-1-19	33	Flanders Park	SC
Reeves Bay		900-150-1-17	118.4	Flanders Park	SC
Reeves Bay		900-148-5-24	0.69	59 Elm Ave	TOS
Reeves Bay		900-148-5-12.3	0.59	50 Elm Ave	SC
Reeves Bay		900-148-4-33	1.33	44 Fern Ave	SC
Reeves Bay		900-123-2-58	0.27	35 Fantasy Dr	HTFC
Reeves Bay		900-123-2-21	0.27	52 Pine Ave	HTFC
Reeves Bay		900-123-3-12	4.1	underwater land	SC
Reeves Bay		900-149-2-35	0.7	33 Birch Ave	SC
Reeves Bay		900-150-1-20	210.8	Mill Creek	SC
Reeves Bay		900-172-1-49	363	195 Red Creek Road	SC
Reeves Bay		900-172-1-1	15	10 Hilltop Rd	Nature Conservancy, Inc.

Town of Southampton
Preserved Parcels - Incl Villages

Reeves Bay		900-125-2-16	0.38	Red Cedar Point Road	SC
Reeves Bay		900-172-1-53	1.28	14 Hilltop Rd	SC
Reeves Bay		900-185-1-3.	144.46	Flanders Rd	SC
Reeves Bay		900-171-1-22	402.6	3051 Flanders Rd	SC
Reeves Bay		900-167-3-9.1	127.1	302 Pleasure Dr	SC
Sagaponack Pond	Poxabogue Pond	908-1-1-18.4	4.15	28 Poxabogue Ln, VO Sagaponack	TOS
Moriches Bay	Tanners Neck Creek	900-354-4-76	9.61	41 Old Country Rd., WH	
Moriches Bay	Beaver Dam Creek	900-356-2-1.9	28.5	42 Montauk HWY, WH	TOS
Moriches Bay	Tanners Neck Creek	900-354-4-77/ 900-354-4-78	9.35	39 Old Country Road, WH	TOS
Moriches Bay	Tanners Neck Creek	900-354-4-81.4	3.65	31 Old Country Rd., WH	TOS
Mecox Bay	Mill Pond	900-80-1-9	20.59	602 Deerfield Rd., WM	TOS
Mecox Bay	Hayground Cove	900-66-1-10 / 900-81-2-6.1	33.08	landlocked, WM	
		900-51-1-3	9.03	864 Lumber Ln, BH	
Mecox Bay	Hayground Cove	900-84-1-40	4.62	1616 Montauk Hwy, WM	
Weesuck Creek	Little Weesuck Creek	900-317-1-21.2/900-317-1-22	4.33	395 Montauk Hwy, EQ	
Quantuck Bay	Aspatuck Creek	900-359-1-24.1	0.18	Scrub Property, Quiogue	
Lower Sag Harbor Cove	Lower Sag Harbor Cove	900-39-1-45.1	10.41	Landlocked, BH	
Lower Sag Harbor Cove	Staff Paynes Creek	900-24-4-1	8.7	940 Brick Kiln Rd., Noyac	
Reeves Bay	Goose Creek	900-170-1-40.1	2.19	2021 Flanders Rd., Flanders	
Lower Sag Harbor Cove	Staff Paynes Creek	900-23-1-79.7	4.88	141 Stoney Hill Rd., Noyac	
Shinnecock Bay West	Shinnecock Bay West	900-386-2-31.1	2.4	70 Dune Road	
Red Creek Pond	Wehrman Pond	900-151-1-6.1	9.94	165 Upper Red Creek Rd., HB	
Great Peconic Bay	Squires Pnd	900-175-1-41.6	1.35	11 East Landing Rd., HB	
		Multiple lots - 24	12.13		
		900-79-1-118	0.05	Scrub Property, NS	
		900-79-1-31	3.2	landlocked, NS	
Weesuck Creek	Weesuck Creek	900-316-1-53&54	1.64	454 Montauk Hwy, EQ	
Shinnecock Bay West	Shinnecock Bay West	900-386-1-15	0.2	39 Dune Rd., HB	
Shinnecock Bay East	Old Fort Pond	900-211-1-11.24	1.53	208 Parrish Pond Ct. W., Shinnecock Hills	
Lower Sag Harbor Cove	Crooked Pond	900-39-1-31.2&31.1	4.09	1095 BH SH Turnpike, BH	
Lower Sag Harbor Cove	Long Pond	900-40-2-26	0.89	157 Widow Gavits Rd., SH	
Shinnecock Bay West	Shinnecock Bay West	902-16-1-20	4.2	201 Dune Rd., VO Quogue	
Tiana Bay	Tiana Bay	900-256-1-31	2.39	41 West Tiana Rd., HB	
Tiana Bay	Hidden Cove	900-258-1-12.2	1.08	18 East Tiana Rd., HB	
Tiana Bay	Tiana Bay	900-256-1-41	1.43	59 West Tiana Rd., HB	
Moriches Bay	Beaver Dam Creek	900-355-2-6	1.96	14 Lakeside Ln, WH	
North Sea Harbor	North Sea Harbor	900-60-3-8.2	1.35	319 Noyack Rd., NS	
North Sea Harbor	Fish Cove	900-61-1-61 thru 63	1.66	29 Cove Rd., South, NS	
Mecox Bay	Mill Creek	900-113-3-6.1	16.4	140 Upper Seven Ponds Rd., WM	
Moriches Bay	Beaver Dam Creek	900-306-1-28.1	1.72	Scrub Property, WH	
Little Peconic Bay		900-3-1-21	0.8	12 PECONIC AVE, NOY	lawrence D Amato
Noyac Bay		900-8-1-1	0.5	Long & Short Beach Hwy, Noy	TOS
Noyac Bay	Trout Pond	900-14-1-11	8.3	101 Ruggs Path, Noy	TOS
Noyac Bay	Trout Pond	900-14-1-31	20.3	3110 Noyack Rd., Noy	TOS
Noyac Bay	Trout Pond	900-14-1-36.5	1.5	560 Ruggs Path, Noy	TOS
Noyac Bay	Trout Pond	900-14-1-36.6	0.7	59 Old Noyack Path, Noy	TOS
Noyac Bay	Trout Pond	900-14-1-66.21	8.7	Open Space Noyac	TOS
Noyac Bay		900-14-3-29	3.1	Open Space Noyac	TOS
Lower Sag Harbor Cove	Staff Paynes Creek	900-16-2-91	1.1	3905 Noyack Rd, Noy	TOS Trustees
Lower Sag Harbor Cove	Staff Paynes Creek	900-18-1-33.1	1.1	3980 Noyack Rd, Noy	Aven Development

Town of Southampton
Preserved Parcels - Incl Villages

Lower Sag Harbor Cove		900-18-50.7	21.4	4170 Noyack Rd., Noy	Martin & Judith Shepard F
Little Peconic Bay		900 - 20 - 1 - 1.34	6.1	Whalebone Landing Homeowners	Whalebone Landing Home
Little Peconic Bay		900-20-1-1.76	2.9	Recharge Area, NS	Whalebone Landing Home
		900-21-2-50	0.2	Wildwood Road, Noy	SC
		900-22-1-50.15	25.6	327 Middle Line HWY, Noy	TOS
		900-22-1-55.6	6.3	397 Middle Line Hwy, Noy	Sabin Conservation Fund
Noyac Bay		900-23-1-4.1	30.8	729 Middle Line Hwy, Noyac	TOS
Lower Sag Harbor Cove		900-23-1-55	5.1	75 Stoney Hill Road, Noy	TOS
Lower Sag Harbor Cove		900-23-1-80.1	58.8	743 Middle Line Hwy, Noy	TOS
Lower Sag Harbor Cove		900-24-1-5	5.1	76 Stoney Hill Road, Noy	TOS
Long Pond	Long Pond	900-26-1-104	3.5	landlocked, SH	TOS
Little Peconic Bay		900-29-2-38.42	9.2	28 Rolling Hill Ct., West	TOS
		900-29-2-38.102	4.4	9 Rolling Hill Ct., West, Noy	TOS
		900-30-1-1.15	4.9	785 Lopers Path, BH	TOS
		900-30-1-4.3	3.7	830 Lopers Path, BH	TOS
		900-30-1-6	11.4	landlocked, BH	

APPENDIX G

INVENTORY AND DESCRIPTION OF TOWN OWNED FACILITIES

FACILITY ASSESSMENTS

Town of Southampton
Municipal Facilities

Department	Name of Site	Address	Hamlet	Lot Area (Ac)	SCTM No.	Waterfront (Y/N)	Sanitary System (Y/N)
HWY	Jackson Ave. Garage	32 Jackson Ave.,	HB	38.7	900-205-1-4/900-205-1-2	N	Y
HWY	Jackson Ave. HWY Shop	32 Jackson Ave.,	HB	19.9	900-205-1-4/900-205-1-2	N	Y
HWY	Jackson Ave Salt Barn	32 Jackson Ave.,	HB	19.9	900-205-1-4/900-205-1-2	N	N
HWY	Jackson Ave HWY Office	32 Jackson Ave.,	HB	38.7	900-205-1-4/900-205-1-2	N	Y
HWY	Majors Path Salt Barn & Fueling Station	1370 Majors Path	NS	131.6	900-78-2-74.1	N	N
HWY	Bridgehampton HWY Shop & Fueling Station	131 Corwith Ave.	BH	1.1	900-69-3-3	N	Y
HWY	Westhampton HWY Shop & Fueling Station	116 Old Riverhead Rd	WH	1	905-2-2-1	N	Y
HWY	Westhampton Salt Barn	66 Old Country Rd	WH	28.7	900-332-2-9	N	N
HWY	Narrow Ln Site 15	Merchants Path	SAGA	4.9	900-54-2-42	N	N
HWY	Noyack Barn	30 Club Lane	NOY	9.1	900-13-1-76	N	Y
HWY	North Sea Barn	1524 North Sea Rd	NS	3.1	900-77-4-32	N	Y
HWY	Fueling Station	32 Jackson Avenue	HB		dup		
Comm. Pres. Fu	Bauer Property	399 Mill Road	WHB	5.4	900-357-2-(14.1 thru 14.4)	N	Y
Comm. Pres. Fu	Hadly Property 186	186 Newtown Road	HB	0.5	900-175-1-36.1	N	Y
Comm. Pres. Fu	Prosper King House 116	116 W. Montauk Hwy	HB		0900-223-1-18.3	N	Y
Comm. Pres. Fu	National Rogers House (Marders)	2539 Montauk Hwy	BH	5.5	0900-88-1-1.1	N	Y
Comm. Pres. Fu	CPF Office (Barkas)	24 W. Montauk Highway	HB	2	0900-223-2-18	N	Y
FM BLDG	Bridgehampton Community Center	585 BH SH Turnpike	BH	3	0900-54-1-1.2	N	Y
FM BLDG	Westhampton Community Center	406 Mill Road	WH	0.5	0900-357-3-5.1	N	Y
FM BLDG	Animal Shelter	102 Old Riverhead Rd	HB	38.7	900-205-1-4	N	Y
FM BLDG	Hampton Bays Community Center	25 Ponquogue Ave.	HB	8.6	0900-263-3-20.2	N	Y
FM BLDG	David W. Crohan Flanders Community Center	655 Flanders Rd. (Rt. 24)	FLA	2	900-142-2-3	N	Y
FM BLDG	Noyac School House	3010 Noyack Rd.	NOY	1.5	900-14-1-27.1	N	Y
FM BLDG	Town Hall	116 Hampton Rd.	SH	2.5	904-7-4-1.2	N	Y
FM BLDG	Public Safety Building	18 Jackson Ave.	HB	38.7	0900-205-1-4	N	Y
FM BLDG	Justice Court	32 Jackson Ave.,	HB	19.9	0900-205-1-2	N	Y
FM BLDG	HB Chamber of Commerce	140 W. Montauk Hwy	HB	0.8	0900-223-1-12.1	N	Y
FM BLDG	Head Start	271 Flanders Rd (Rt. 24)	FLA	1.7	0900-141-1-16	N	Y
FM BLDG	Fire Training Facility		HB	38.7	0900-205-1-4	N	?
FM BLDG	Bridgehampton Community House	2357 Montauk Hwy	BH	2	0900-86-1-8.1	N	Y
FM BLDG	Beebe Windmill	25 Hildreth Avenue	WM	19.9	900-88-2-1	N	N
FM BLDG	Shuttle Office Trailer	Jackson Avenue	HB		900-205-1-2	N	Y
Waste Mana	NS Landfill & Transfer Sta. & Composting Facility	1370 Majors Path	NS	131.6	900-78-2-74.1	N	Y

Town of Southampton
Municipal Facilities

Waste Mana	Sag Harbor Transfer Station	1310 BH SH Tpke	SH	24.1	900-40-1-3.1	N	Y
Waste Mana	WH Transfer Sta. & Composting Faciltiy	66 Old Country Rd	WH	dup	900-332-2-9	N	Y
Waste Mana	HB Transfer Sta. & Composting Facility	32 Jackson Ave.,	HB	dup	900-205-1-2	N	Y
MW	Central Garage	110 Old Riverhead Rd.	HB	38.7	900-205-1-4	N	Y
PD	Headquarters & Fueling Faciltiy	110 Old Riverhead Rd.	HB	38.7	900-205-1-4	N	Y
PD	Shooting Range	66 Old Country Rd	WH	dup	900-332-2-9	N	Y
HBWD	Main Office & Maint. Shop & Fueling Facility	18B Ponquogue Ave.	HB		900-224-2-36.1	N	Y
HBWD	PUMP STATION PLANT 4	60 BELLOWS POND RD	HB				
HBWD	PUMP STATION PLANT 3	26 BELLOWS POND RD	HB				
HBWD	PUMP STATION - PLANT 2	102 Old Riverhead Rd	HB				
HBWD	PUMP STATION 0 PLANT 5	JONES ROAD	HB				
Parks & Rec	Red Creek Park	102 Old Rvhd Rd.	HB		900-205-1-5 & p/o 900-205-1-4	N	Y
Parks & Rec	SYS	1370 Majors Path	SH		900-78-2-74.1	N	Y
Parks & Rec	Bay Ave., Marina	33 Bay Avenue	EQ	1.6	900-342-2-44	Y	Y
Parks & Rec	Conscience Point Park and Boat Fueling Facility	1976 North Sea Rd.	NOY	3.9	900-60-2 -8	Y	Y
Parks & Rec	Shinnecock Commercial Fishing Dock	333 Beach Rd/Dune Rd	HB	13.6	900-364-1-2	Y	Y
Parks & Rec	Tiana Beach	90 Dune Rd.	HB	16.1	900-386-2-34	Y	Y
Parks & Rec	Tiana Bayside	89 Dune Rd	HB	7.9	900-386-1-29	Y	
Parks & Rec	Tiana Beach Activity Center	72 Dune Rd	HB	3.7	900-386-2-33.1	Y	Y
Parks & Rec	Life Guard Museum	70 Dune Rd	HB	3	900-386-2-31.1	Y	
Parks & Rec	Ponquoge Beach	276 Beach Rd	HB	9.7	900-379-2-6.1	Y	Y
Parks & Rec	Foster Memorial Beach	1000 Long Beach Rd	NOY	28.1	900-7-1-2	Y	Y
Parks & Rec	Flying Point Beach	1055 Flying Point Rd.	WM	2.6	900-178-2-3	Y	Y
Parks & Rec	W. Scott Cameron Beach	425 Dune Rd.	BH	6.7	900-179-2-15	Y	Y
Parks & Rec	Mecox Beach	535 Jobs Lane	BH	3.8	900-134-4-1	Y	Y
Parks & Rec	Sag Main Beach	315 Surfside Drive	SAGA	13.6	908-8-1-34	Y	Y
Parks & Rec	Tuckahoe Park	2 Summer Drive, Park	TUCK				
Parks & Rec	Pikes Beach	769 Dune Rd.	WHD	1.7	907-3-2-1.1	Y	Y
Parks & Rec	Emma Rose Elliston Park	40 Millstone Brook Road	NS	132.9	900-77-1-31	Y	Y
Parks & Rec	Hampton West Park	700 Steward Ave	WH	17.7	900-308-4-1.3	N	
Parks & Rec	Ludlam Ave. Park	239 Ludlam Ave.	RIVER	4.5	900-140-2-57.1		
Parks & Rec	Iron Point Park	114 Evergreen Rd., or Wood Ro	FLA	144	900-121-1-5.1	Y	
Parks & Rec	Wildwood Lake Park	3939 Lake Ave.	NH	3.1	900-164-4-1.2	Y	Y
Parks & Rec	E.Q. Village Green	630 Montauk Hwy	EQ	3.5	900-340-3-18.2	N	Y
Parks & Rec	Foster Ave.	43 Foster Ave.	HB	8.9	900-324-1-24		
Parks & Rec	Squiretown Park	62 Red Creek Rd.	HB	17.5	900-153-1-8.1	Y	Y

Town of Southampton
Municipal Facilities

Parks & Rec	Sayre Park	156 Snake Hollow Rd.	BH	6.6	900-83-1-11	Y	N
Parks & Rec	Poxabogue Golf Course	3356 Montauk Hwy	SAGA	38.9	900-2-3-23.1	N	Y
Parks & Rec	Pine Neck Marina	22 Josiah Foster Path	EQ	21.5	900-317-1-27	Y	Y
Parks & Rec	Administration Office / Shinnecock Canal Park	6 Newtown Road	HB	3	900-207-5-5	Y	Y
Parks & Rec	Facilities Admin Office	24 Jackson Ave	HB		dup	N	Y
Parks & Rec	Facilities Maintenance Shop	20 Jackson Avennue	HB		dup		
Parks & Rec	Sand Bar Beach	32 Dune Road	HB	3.8	900-386-2-12	Y	N
Parks & Rec	Triton Beach	35 Dune Road	HB	9	900-385-2-76.1	Y	N
Parks & Rec	BiG Duck Ranch	1012 Flanders Road	FL	11	900-146-1-41.3	Y	Y
Parks & Rec	Flanders Mem Park	No address					

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY/OPERATION SUMMARY SHEET

Facility/Operation Location	
Facility Name: CONSCIENCE POINT MARINA	Unique Site ID: 18474 / 900-60-2-8
Facility Type: DOCKING FACILITY	
Facility Street Address: 1976 NORTH SEA ROAD	
Latitude:	Longitude:
Facility Phone Number: 631-204-1576	
Receiving Water Bodies: NORTH SEA HARBOR	
Location of Site Plans: ENGINEERING DEPARTMENT	

Facility Manager	
Name: CHRIS (1) BEAN / JON (2) ERWIN	Title: (1) PARKS & RECREATION DEPT HEAD / (2) FACILITIES MAN
Direct Phone Number: (1) 631-728-8585 x 206	Emergency Phone Number: (1) 631-921-5592 / (2) 631-786-5844
Email: CBEAN@SOUTHAMPTONTOWN.NY.GOV / JERWIN@SOUTHAMPTONTOWN.NY.GOV	

Facility Operations					
ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No	ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No
Catch Basin Maintenance	☑	☑	Vehicle Washing	☐	☑
Storm Drain Maintenance	☑	☑	Building Maintenance	☑	☐
Other Storm Water Structure Maintenance	☑	☑	Landscape Maintenance IRRIGATION / MOWING	☑	☐
Street/Parking Lot Maintenance	☑	☐	Pest Management PURDUE MAINTENANCE INTEGRATED PEST MAN	☑	☐
Right of Way Maintenance	☑	☐	Material Storage	☑	☐
Bridge Maintenance	☐	☑	Solid Waste Management	☑	☐
Street Sweeping	☑	☐	Construction/Land Disturbance	☐	☑
Winter Road Maintenance	☐	☑	Marine Operations	☑	☐
Salt Storage	☐	☑	Hydrologic Habitat Modification	☐	☑
Vehicle Maintenance	☐	☑	Swimming Pool Maintenance	☐	☑
Vehicle Fueling BOAT FUELING STATION	☑	☐	Employee Training	☑	☐
Other:	☐	☐	Other:	☐	☐
Other:	☐	☐	Other:	☐	☐
Other:	☐	☐	Other:	☐	☐
Other:	☐	☐	Other:	☐	☐

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY SELF-ASSESSMENT CHECKLIST FORM

Directions: This Facility Self-Assessment Checklist Form should be used as a supplement to the most recent version of the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s; any relevant local laws; the Town's SWMP Plan and associated/supplemental documents; and State and Federal technical standards and guidance documents.

Operations conducted at and/or from the facility should be included on this Facility Self-Assessment Checklist Form. Attach photographs, maps, aerial photographs, site plans, etc. to this Form. If a section or question is not applicable, leave blank and skip to the next section or question.

Date: 12/30/13	Assessed by: CHRIS FRITTER
Camera ID Number:	Photo Numbers:

A. Basic Facility Information	
Facility Name: CONSCIENCE POINT MARINA	Unique Site ID: 18474/900-60-2-8
Facility Type: DOCKING FACILITY - PUBLIC, RESTROOMS, FUELING, BLDG	
Facility Street Address: 1976 NORTH SEA ROAD	
Receiving Water Bodies (if known): NORTH SEA HARBOR	
Facility Manager: JON FERWIN	Phone Number: 631 7865844
Basic Description of Operations: PUBLIC DOCKING FACILITY - HAS 64 BOAT SLIPS, RESTROOMS, FUELING FOR GAS, DIESEL, POWER & WATER	

B. Street/Parking Lot Maintenance ☐ N/A *(Skip to Section C)*			Potential Pollutant Source?
Condition of paved surfaces: ☑ Clean ☐ Stained ☐ Debris Accumulation ☐ Cracked ☐ Broken			☐
Is a regular street sweeping program conducted for municipal roads/properties?	☑ Yes	☐ No	☐
Are logs kept on the miles of streets and acres of parking lots swept?	☑ Yes	☐ No	☐
What percentage of public streets are swept at least once a month?	_____ %		☐
Are streets swept in the early spring to clean winter sand/sediment accumulation?	☑ Yes	☐ No	☐
Is there a management plan for collected sweepings?	☑ Yes	☐ No	☐
Is the street sweeping equipment capable of picking up a range of sediment particles?	☑ Yes	☐ No	☐
Is the street sweeping equipment regularly maintained?	☑ Yes	☐ No	☐
Are herbicides and/or pesticides applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are fertilizers applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are maintenance, paving and resurfacing conducted during dry weather?	☑ Yes	☐ No	☐
Are procedures followed to protect storm drains during maintenance operations?	☑ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored indoors or covered?	☐ Yes	☒ No	☐
Are stockpiles (e.g., sand/salt) stored on paved surfaces?	☐ Yes	☒ No	☐
Are stockpiles (e.g., sand/salt) bermed and placed away from storm drains? N/A	☐ Yes	☐ No	☐
Have anti-icing programs been considered?	☐ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

C. Vehicle and/or Equipment Maintenance ☑ N/A *(Skip to Section D)*		**Potential Pollutant Source?**
Types of Vehicles/ Equipment:	☐ Fleet ☐ Construction ☐ Garbage ☐ Concrete ☐ Emergency ☐ Sweeper ☐ Vactor ☐ Mower ☐ Others: _____	☐
Approximate Number of Vehicles Maintained on Site:	#_____	☐
Vehicle Activities:	☐ Stored ☐ Fueled ☐ Washed ☐ Maintained ☐ Repaired	☐
Are vehicles/equipment maintained and/or repaired inside?	☐ Yes ☐ No	☐
If they are maintained/repaired outside, do they have runoff diversion methods?	☐ Yes ☐ No	☐
Is there evidence of spills/leakages from vehicles/equipment on the pavement?	☐ Yes ☐ No	☐
Are fueling areas covered?	☐ Yes ☐ No	☐
Are fueling areas connected to storm drains?	☐ Yes ☐ No	☐
Are "Do Not Top Off" signs posted at the fueling area?	☐ Yes ☐ No	☐
Are vehicles/equipment washed indoors?	☐ Yes ☐ No	☐
Does the wash area discharge to the storm drain?	☐ Yes ☐ No	☐
Are detergents used to wash vehicles/equipment?	☐ Yes ☐ No	☐
Are all floor drains connected to the sanitary sewer?	☐ Yes ☐ No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?	☐ Yes ☐ No	☐

D. Building/Yard Maintenance ☐ N/A *(Skip to Section E)*		**Potential Pollutant Source?**
Approximate Age of Building:	VARIABLE WARDE BLDG 80 YRS. OTHERS 6 yrs.	☐
Condition of Surfaces:	☐ Clean ☐ Stained ☐ Discoloration ☐ Dirty ☐ Damaged	☐
Is there evidence of maintenance discharges to the storm drains?	☐ Yes ☑ No	☐
Are downspouts discharging to impervious surfaces or directly connected to storm drains?	☐ Yes ☑ No	☐
Are procedures followed to protect the storm drains during maintenance operations?	☑ Yes ☐ No	☐
Are loading/unloading operations conducted under covered and bermed?	☐ Yes ☑ No	☐
Are materials stored indoors or under cover with secondary containment?	☑ Yes ☐ No	☐
Are storage areas or loading/unloading operations directly connected to the storm drain?	☐ Yes ☑ No	☐
Is there an up-to-date inventory of all stored materials?	☐ Yes ☐ No	☐
Are storage containers missing labels or in poor condition (e.g., rusting)?	☐ Yes ☑ No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?	☐ Yes ☑ No	☐
Condition of Dumpsters:	☑ Good ☐ No cover/Open lid ☐ Damaged ☐ Leaking ☐ Overflowing	☐
Are dumpsters located near a storm drain inlet?	☐ Yes ☑ No	☐
Are General Permit/SWPPP procedures followed for applicable municipal construction?	☑ Yes ☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

E. Parks/Landscape Maintenance SITE = 3.9 ACRES ☐ **N/A** *(Skip to Section F)*			**Potential Pollutant Source?**
% of Site with: 28 Impervious Surfaces ___ Trees 50 Turf 22 Plantings/Landscaping ___ Bare Soil			☐
Are grasses cut shorter than 4 inches in height?	☑ Yes	☐ No	☐
Are herbicides and/or pesticides applied?	☐ Yes	☑ No	☐
Are fertilizers applied?	☐ Yes	☑ No	☐
Are there areas of compacted or bare soils?	☐ Yes	☑ No	☐
Intensity of Turf Management: ☐ High ☑ Medium ☐ Low			☐
Is there evidence of non-target irrigation (runoff to impervious surfaces)?	☐ Yes	☑ No	☐
Does runoff from the landscaped areas lead to the storm drain?	☐ Yes	☑ No	☐
Are native plants used?	☑ Yes	☐ No	☐

F. Storm Water System Maintenance NO SIGNS OF ILLICIT DISCHARGE AND NO OVERFLOW TO SURFACE WATER 12/29/13 - 1.4 INCH RAINFALL FILLED ALL LEACHING STRUCTURES. ☐ **N/A** *(Skip to Section G)*			**Potential Pollutant Source?**
Complete and attach the CATCH BASIN INSPECTION FORM for two on-site or municipally-owned catch basins.			
Is Catch Basin #1 in satisfactory condition?	☐ Yes	☐ No	☐
Is there evidence of illicit discharges in Catch Basin #1?	☐ Yes	☐ No	☐
Is Catch Basin #2 in satisfactory condition?	☐ Yes	☐ No	☐
Is there evidence of illicit discharges in Catch Basin #2?	☐ Yes	☐ No	☐
Is there a regular inspection and maintenance program for catch basins?	☐ Yes	☐ No	☐
Are catch basins cleaned out when they are 1/3 or more filled with sediment/debris?	☐ Yes	☐ No	☐
Is there a management plan for materials and wastewater collected from catch basins?	☐ Yes	☐ No	☐
Are the catch basin cleaning trucks regularly maintained?	☐ Yes	☐ No	☐
Have all outfalls been inspected during dry weather in the last five years?	☐ Yes	☐ No	☐
Is there an inspection and maintenance program for other engineered storm water structures?	☐ Yes	☐ No	☐

G. Marine Operations ☐ **N/A** *(Skip to Section G)*			**Potential Pollutant Source?**
Are maintenance activities performed on land?	☐ Yes	☑ No	☐
Are vessels taken out of the water before hull scraping? NO MAINTENANCE ON SITE PERFORMED	☐ Yes	☐ No	☐
Are vessels maintained in working order?	☑ Yes	☐ No	☐
Are no-wake zones established and enforced? – BAY CONSTABLES ENFORCED BY SIGNS	☑ Yes	☐ No	☐
Are "dry" cleaning methods used?	☐ Yes	☑ No	☑
Are signs posted on best management practices?	☑ Yes	☐ No	☐
Is a spill response plan in place?	☑ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

H. Operation/Facility Potential Pollutant Status: Self-Assessment Results

☒ Not a Source ☐ Potential Source of Pollutants ☐ Confirmed Source of Pollutants ☐ Severe Source of Pollutants

Recommended Follow-up Actions:

- ☐ Immediate remediation action required
- ☐ Review pollution prevention/good housekeeping procedures
- ☐ Revise pollution prevention/good housekeeping procedures
- ☐ Include in pollution prevention/good housekeeping program
- ☒ Track down answers to unknown questions
- ☒ Include in future employee education efforts
- ☐ Search for illicit discharges
- ☐ Schedule an in-depth/comprehensive inspection
- ☐ Other:_____

Notes:

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY/OPERATION SUMMARY SHEET

Facility/Operation Location	
Facility Name: Southampton Police Dept, Maintenance Garage & Fire Marshals Office	Unique Site ID: 33061/900-205-1-4
Facility Type: Police Dept., Central Garage & Fueling Sta. Public Safety Bld1g (Fire Marshals Office), Impound Yard	
Facility Street Address: 110 Old Riverhead Road, Hampton Bays	
Latitude:	Longitude:
Facility Phone Number: PD: 631-728-5000; Garage: 631-725-5013; Fire Marshal Office 631-702-2919	
Receiving Water Bodies: Not Applicable	
Location of Site Plans: On Site; Town Hall	

Facility Manager	
Name: Peter Gaudiello/ Chris Fetten	Title: Building Maint.& Facilities Management Supervisor
Direct Phone Number: 631-702-1703/ 631-283-5210	Emergency Phone Number: 631-790-4567 / 631-766-4939
Email: pgaudiello@southamptontownny.gov/ cfetten@southamptontownny.gov	

Facility Operations					
ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No	ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No
Catch Basin Maintenance	☐	☐	Vehicle Washing	X	☐
Storm Drain Maintenance	☐	☐	Building Maintenance	X	☐
Other Storm Water Structure Maintenance	☐	☐	Landscape Maintenance	X	☐
Street/Parking Lot Maintenance	X	☐	Pest Management	☐	X
Right of Way Maintenance	X	☐	Material Storage	X	☐
Bridge Maintenance	☐	X	Solid Waste Management On site closed dumpster	X	☐
Street Sweeping	X	☐	Construction/Land Disturbance	☐	X
Winter Road Maintenance	X	☐	Marine Operations	☐	X
Salt Storage	☐	X	Hydrologic Habitat Modification	☐	X
Vehicle Maintenance	X	☐	Swimming Pool Maintenance	☐	X
Vehicle Fueling	X	☐	Employee Training	X	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐

8/6/13

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY/OPERATION SUMMARY SHEET

Facility/Operation Location	
Facility Name: Red Creek Park	Unique Site ID:
Facility Type: Park	
Facility Street Address: 100 old Riverhead Rd W Hampton Bays NY 11946	
Latitude: 40.88899	Longitude: -72.536051
Facility Phone Number: 631-728-4170 (Parks & Rec)	
Receiving Water Bodies:	
Location of Site Plans:	

Facility Manager	
Name: Jon Erwin	Title: Parks Maintenance Supervisor
Direct Phone Number: 631-728-4170	Emergency Phone Number: 631-786-5844
Email: Jerwin@southamptontownny.gov	

Facility Operations

ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No	ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No
Catch Basin Maintenance	✓		Vehicle Washing		✓
Storm Drain Maintenance	✓		Building Maintenance	✓	
Other Storm Water Structure Maintenance		✓	Landscape Maintenance	✓	
Street/Parking Lot Maintenance	✓		Pest Management	✓	
Right of Way Maintenance	✓		Material Storage	✓	
Bridge Maintenance		✓	Solid Waste Management	✓	
Street Sweeping	✓		Construction/Land Disturbance		✓
Winter Road Maintenance	✓		Marine Operations		✓
Salt Storage		✓	Hydrologic Habitat Modification		✓
Vehicle Maintenance		✓	Swimming Pool Maintenance		✓
Vehicle Fueling		✓	Employee Training	✓	
Other:			Other:		
Other:			Other:		
Other:			Other:		
Other:			Other:		

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY SELF-ASSESSMENT CHECKLIST FORM

Directions: This Facility Self-Assessment Checklist Form should be used as a supplement to the most recent version of the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s; any relevant local laws; the Town's SWMP Plan and associated/supplemental documents; and State and Federal technical standards and guidance documents.

Operations conducted at and/or from the facility should be included on this Facility Self-Assessment Checklist Form. Attach photographs, maps, aerial photographs, site plans, etc. to this Form. If a section or question is not applicable, leave blank and skip to the next section or question.

Date: 8/6/13	Assessed by: Kyle McDonald
Camera ID Number: 002852	Photo Numbers:

A. Basic Facility Information	
Facility Name: Red Creek Park	Unique Site ID:
Facility Type: Park	
Facility Street Address: 100 Old Riverhead Rd W Hampton Bays NY 11946	
Receiving Water Bodies (if known):	
Facility Manager: Jon Erwin	Phone Number: 631-728-4170
Basic Description of Operations:	

B. Street/Parking Lot Maintenance ☐ N/A *(Skip to Section C)*			Potential Pollutant Source?
Condition of paved surfaces: ☑ Clean ☐ Stained ☐ Debris Accumulation ☑ Cracked ☐ Broken			☐
Is a regular street sweeping program conducted for municipal roads/properties?	☑ Yes	☐ No	☐
Are logs kept on the miles of streets and acres of parking lots swept?	☑ Yes	☐ No	☐
What percentage of public streets are swept at least once a month?	_____ %		☐
Are streets swept in the early spring to clean winter sand/sediment accumulation?	☑ Yes	☐ No	☐
Is there a management plan for collected sweepings?	☑ Yes	☐ No	☐
Is the street sweeping equipment capable of picking up a range of sediment particles?	☑ Yes	☐ No	☐
Is the street sweeping equipment regularly maintained?	☑ Yes	☐ No	☐
Are herbicides and/or pesticides applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are fertilizers applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are maintenance, paving and resurfacing conducted during dry weather?	☑ Yes	☐ No	☐
Are procedures followed to protect storm drains during maintenance operations?	☑ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored indoors or covered? N/A	☐ Yes	☑ No	☑
Are stockpiles (e.g., sand/salt) stored on paved surfaces? N/A	☐ Yes	☑ No	☐
Are stockpiles (e.g., sand/salt) bermed and placed away from storm drains?	☑ Yes	☐ No	☐
Have anti-icing programs been considered?	☑ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

C. Vehicle and/or Equipment Maintenance ☑ N/A *(Skip to Section D)*							**Potential Pollutant Source?**
Types of Vehicles/ Equipment:	☐ Fleet	☐ Construction	☐ Garbage	☐ Concrete	☐ Emergency	☐ Sweeper	☐
	☐ Vactor	☐ Mower	☐ Others: _____				
Approximate Number of Vehicles Maintained on Site:						#_____	☐
Vehicle Activities:	☐ Stored	☐ Fueled	☐ Washed	☐ Maintained	☐ Repaired		☐
Are vehicles/equipment maintained and/or repaired inside?					☐ Yes	☐ No	☐
If they are maintained/repaired outside, do they have runoff diversion methods?					☐ Yes	☐ No	☐
Is there evidence of spills/leakages from vehicles/equipment on the pavement?					☐ Yes	☐ No	☐
Are fueling areas covered?					☐ Yes	☐ No	☐
Are fueling areas connected to storm drains?					☐ Yes	☐ No	☐
Are "Do Not Top Off" signs posted at the fueling area?					☐ Yes	☐ No	☐
Are vehicles/equipment washed indoors?					☐ Yes	☐ No	☐
Does the wash area discharge to the storm drain?					☐ Yes	☐ No	☐
Are detergents used to wash vehicles/equipment?					☐ Yes	☐ No	☐
Are all floor drains connected to the sanitary sewer?					☐ Yes	☐ No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?					☐ Yes	☐ No	☐

D. Building/Yard Maintenance ☐ N/A *(Skip to Section E)*							**Potential Pollutant Source?**
Approximate Age of Building:						20 yrs.	☐
Condition of Surfaces:	☑ Clean	☐ Stained	☐ Discoloration	☐ Dirty	☐ Damaged		☐
Is there evidence of maintenance discharges to the storm drains?					☐ Yes	☑ No	☐
Are downspouts discharging to impervious surfaces or directly connected to storm drains?					☐ Yes	☑ No	☐
Are procedures followed to protect the storm drains during maintenance operations?					☑ Yes	☐ No	☐
Are loading/unloading operations conducted under covered and bermed? N/A					☐ Yes	☐ No	☐
Are materials stored indoors or under cover with secondary containment?					☑ Yes	☐ No	☐
Are storage areas or loading/unloading operations directly connected to the storm drain?					☐ Yes	☑ No	☐
Is there an up-to-date inventory of all stored materials?					☑ Yes	☐ No	☐
Are storage containers missing labels or in poor condition (e.g., rusting)?					☐ Yes	☑ No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?					☑ Yes	☐ No	☐
Condition of Dumpsters:	☑ Good	☐ No cover/Open lid	☐ Damaged	☐ Leaking	☐ Overflowing		☐
Are dumpsters located near a storm drain inlet?					☐ Yes	☑ No	☐
Are General Permit/SWPPP procedures followed for applicable municipal construction?					☑ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

E. Parks/Landscape Maintenance	☐ **N/A** *(Skip to Section F)*	**Potential Pollutant Source?**
% of Site with: 15 Impervious Surfaces 5 Trees 70 Turf 5 Plantings/Landscaping 5 Bare Soil		☐
Are grasses cut shorter than 4 inches in height?	☑ Yes ☐ No	☐
Are herbicides and/or pesticides applied?	☐ Yes ☑ No	☐
Are fertilizers applied? Only on Baseball fields	☑ Yes ☐ No	☐
Are there areas of compacted or bare soils? " "	☑ Yes ☐ No	☐
Intensity of Turf Management: ☑ High ☐ Medium ☐ Low for fields only		☐
Is there evidence of non-target irrigation (runoff to impervious surfaces)?	☐ Yes ☑ No	☐
Does runoff from the landscaped areas lead to the storm drain?	☑ Yes ☐ No	☑
Are native plants used?	☑ Yes ☐ No	☐

F. Storm Water System Maintenance	☐ **N/A** *(Skip to Section G)*	**Potential Pollutant Source?**
Complete and attach the CATCH BASIN INSPECTION FORM for two on-site or municipally-owned catch basins.		
Is Catch Basin #1 in satisfactory condition?	☑ Yes ☐ No	☐
Is there evidence of illicit discharges in Catch Basin #1?	☐ Yes ☑ No	☐
Is Catch Basin #2 in satisfactory condition?	☑ Yes ☐ No	☐
Is there evidence of illicit discharges in Catch Basin #2?	☐ Yes ☑ No	☐
Is there a regular inspection and maintenance program for catch basins?	☑ Yes ☐ No	☐
Are catch basins cleaned out when they are 1/3 or more filled with sediment/debris?	☑ Yes ☐ No	☐
Is there a management plan for materials and wastewater collected from catch basins?	☑ Yes ☐ No	☐
Are the catch basin cleaning trucks regularly maintained? N/A	☐ Yes ☐ No	☐
Have all outfalls been inspected during dry weather in the last five years?	☑ Yes ☐ No	☐
Is there an inspection and maintenance program for other engineered storm water structures? N/A	☐ Yes ☐ No	☐

G. Marine Operations	☑ **N/A** *(Skip to Section G)*	**Potential Pollutant Source?**
Are maintenance activities performed on land?	☐ Yes ☐ No	☐
Are vessels taken out of the water before hull scraping?	☐ Yes ☐ No	☐
Are vessels maintained in working order?	☐ Yes ☐ No	☐
Are no-wake zones established and enforced?	☐ Yes ☐ No	☐
Are "dry" cleaning methods used?	☐ Yes ☐ No	☐
Are signs posted on best management practices?	☐ Yes ☐ No	☐
Is a spill response plan in place?	☐ Yes ☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

H. Operation/Facility Potential Pollutant Status: Self-Assessment Results

☑ Not a Source ☐ Potential Source of Pollutants ☐ Confirmed Source of Pollutants ☐ Severe Source of Pollutants

Recommended Follow-up Actions:

- ☐ Immediate remediation action required
- ☐ Review pollution prevention/good housekeeping procedures
- ☐ Revise pollution prevention/good housekeeping procedures
- ☐ Include in pollution prevention/good housekeeping program
- ☐ Track down answers to unknown questions
- ☐ Include in future employee education efforts
- ☐ Search for illicit discharges
- ☐ Schedule an in-depth/comprehensive inspection
- ☐ Other: _____

Notes: Review material storage area behind skatepark.

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

CATCH BASIN INSPECTION

A. Basic Information

Inspected By: Kyle McDonald	Date: 8/6/13	Time: 9:05
Structure ID: CB 1	Location Sketch (*Indicate address, streets, intersections, etc.*) see attached	
Address:		
Nearest Intersection:		
Location: ☐ Roadway ☑ Curb ☐ Private Property ☐ Easement ☐ Gutter ☐ Other: _____		
Material: ☐ Brick ☑ Concrete		

B. Structure Condition

	Satisfactory	Unsatisfactory	Not Applicable	Not Visible	If Unsatisfactory or Not Visible, Describe:
Cover	☑	☐	☐	☐	
Ring/Frame	☐	☐	☑	☐	
Rungs	☐	☐	☑	☐	
Walls	☑	☐	☐	☐	
Bottom	☐	☐	☐	☑	standing water

C. Illicit Discharge Indicators

Condition	☐ Clean/Dry	☑ Standing Water	☐ Flowing Water	☐ Sediment	
	☐ Organic Matter	☐ Trash/Debris	☐ Not Visible	☐ Other:_____	
Flow	☐ Trickle	☐ Moderate	☐ Substantial	☑ None-Standing Water	☐ None-Dry
Rate	☐ Steady	☐ Intermittent	☑ Not Applicable		

Illicit Discharge Indications Present? (dry weather flow, odor, color, floatables, turbidity, viscosity) ☐ Yes* ☑ No

Comments/Notes:

* If an Illicit Discharge is suspected, refer to the Town Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination Document for confirmation, elimination and enforcement procedures.

Form Completed By:

Name (print): Kyle McDonald	Date: 8/6/13
Signature: Kyle McDonald	

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

CATCH BASIN INSPECTION

A. Basic Information		
Inspected By: Kyle McDonald	Date: 8/6/13	Time: 9:24
Structure ID:	Location Sketch (*Indicate address, streets, intersections, etc.*)	
Address:		
Nearest Intersection:		
Location: ☐ Roadway ☑ Curb ☐ Private Property ☐ Easement ☐ Gutter ☐ Other: _____		
Material: ☐ Brick ☑ Concrete		

B. Structure Condition	Satisfactory	Unsatisfactory	Not Applicable	Not Visible	If Unsatisfactory or Not Visible, Describe:
Cover	☑	☐	☐	☐	
Ring/Frame	☐	☐	☑	☐	
Rungs	☐	☐	☑	☐	
Walls	☐	☐	☐	☑	too far recessed
Bottom	☐	☐	☐	☑	standing water

C. Illicit Discharge Indicators					
Condition	☐ Clean/Dry	☑ Standing Water	☐ Flowing Water	☐ Sediment	
	☐ Organic Matter	☐ Trash/Debris	☐ Not Visible	☐ Other:_____	
Flow	☐ Trickle	☐ Moderate	☐ Substantial	☑ None-Standing Water	☐ None-Dry
Rate	☐ Steady	☐ Intermittent	☑ Not Applicable		
Illicit Discharge Indications Present? (dry weather flow, odor, color, floatables, turbidity, viscosity)			☐ Yes*	☑ No	
Comments/Notes:					

* If an Illicit Discharge is suspected, refer to the Town Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination Document for confirmation, elimination and enforcement procedures.

Form Completed By:

Name (print): Kyle McDonald	Date: 8/6/13
Signature: Kyle McDonald	

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY/OPERATION SUMMARY SHEET

Facility/Operation Location	
Facility Name: SHINNECOCK COMMERCIAL FISHING DOCK	Unique Site ID: 49002/900-364-1-2
Facility Type: INDUSTRIAL - COMMERCIAL	
Facility Street Address: 333 BEACH ROAD, HAMPTON BAYS	
Latitude:	Longitude:
Facility Phone Number:	
Receiving Water Bodies: SHINNECOCK BAY EAST	
Location of Site Plans: ENGINEERING & PARKS	

Facility Manager	
Name: PARKS & RECREATION DEPT - JON ERWIN	Title: FACILITIES MANAGER
Direct Phone Number: 631728-4170	Emergency Phone Number: 631 786 5844
Email: JERWIN@SOUTHAMPTONTOWNNY.GOV	

Facility Operations

ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No	ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No
Catch Basin Maintenance	☐	☑	Vehicle Washing	☐	☑
Storm Drain Maintenance	☐	☑	Building Maintenance	☑	☐
Other Storm Water Structure Maintenance	☑	☐	Landscape Maintenance	☑	☐
Street/Parking Lot Maintenance	☑	☐	Pest Management	☐	☑
Right of Way Maintenance	☑	☐	Material Storage	☑	☐
Bridge Maintenance N/A	☐	☑	Solid Waste Management	☑	☐
Street Sweeping	☑	☐	Construction/Land Disturbance	☐	☑
Winter Road Maintenance	☑	☐	Marine Operations	☑	☐
Salt Storage	☐	☑	Hydrologic Habitat Modification	☐	☑
Vehicle Maintenance BOAT MAINT.	☑	☐	Swimming Pool Maintenance	☐	☑
Vehicle Fueling	☐	☑	Employee Training	☐	☐
Other:	☐	☐	Other:	☐	☐
Other:	☐	☐	Other:	☐	☐
Other:	☐	☐	Other:	☐	☐
Other:	☐	☐	Other:	☐	☐

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY SELF-ASSESSMENT CHECKLIST FORM

Directions: This Facility Self-Assessment Checklist Form should be used as a supplement to the most recent version of the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s; any relevant local laws; the Town's SWMP Plan and associated/supplemental documents; and State and Federal technical standards and guidance documents.

Operations conducted at and/or from the facility should be included on this Facility Self-Assessment Checklist Form. Attach photographs, maps, aerial photographs, site plans, etc. to this Form. If a section or question is not applicable, leave blank and skip to the next section or question.

Date: 12/30/13		Assessed by: CHRIS PETTEW
Camera ID Number:	Photo Numbers:	

A. Basic Facility Information	
Facility Name: SHINNECOCK COMMERCIAL DOCK	Unique Site ID: 49002 / 900-364-1-2
Facility Type: COMMERCIAL FISHING FLEET	
Facility Street Address: 333 BEACH ROAD, HAMPTON BAYS	
Receiving Water Bodies (if known): SHINNECOCK BAY EAST	
Facility Manager: JON ERWIN	Phone Number: 631 728 4170
Basic Description of Operations:	

B. Street/Parking Lot Maintenance ☐ N/A *(Skip to Section C)*			Potential Pollutant Source?
Condition of paved surfaces: ☐ Clean ☐ Stained ☑ Debris Accumulation ☐ Cracked ☐ Broken			☐
Is a regular street sweeping program conducted for municipal roads/properties?	☐ Yes	☑ No	☐
Are logs kept on the miles of streets and acres of parking lots swept?	☑ Yes	☐ No	☐
What percentage of public streets are swept at least once a month?	0 %		☐
Are streets swept in the early spring to clean winter sand/sediment accumulation?	☐ Yes	☑ No	☐
Is there a management plan for collected sweepings?	☑ Yes	☐ No	☐
Is the street sweeping equipment capable of picking up a range of sediment particles?	☑ Yes	☐ No	☐
Is the street sweeping equipment regularly maintained?	☑ Yes	☐ No	☐
Are herbicides and/or pesticides applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are fertilizers applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are maintenance, paving and resurfacing conducted during dry weather?	☑ Yes	☐ No	☐
Are procedures followed to protect storm drains during maintenance operations?	☑ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored indoors or covered? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored on paved surfaces? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) bermed and placed away from storm drains? N/A	☐ Yes	☐ No	☐
Have anti-icing programs been considered?	☑ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

C. Vehicle and/or Equipment Maintenance	☑ N/A *(Skip to Section D)*		Potential Pollutant Source?
Types of Vehicles/ Equipment:	☐ Fleet ☐ Construction ☐ Garbage ☐ Concrete ☐ Emergency ☐ Sweeper ☐ Vactor ☐ Mower ☐ Others: Commercial fishing fleet		☑
Approximate Number of Vehicles Maintained on Site:	DOCKING PROVIDED FOR 20 vessels 40-90'		☐
Vehicle Activities:	☐ Stored ☐ Fueled ☐ Washed ☑ Maintained ☐ Repaired MOORED		☐
Are vehicles/equipment maintained and/or repaired inside?	TENANTS MAY DO SOME MAINT IN WATER	☐ Yes ☐ No	☑
If they are maintained/repaired outside, do they have runoff diversion methods?	CAN NOT BE DONE ON LAND	☐ Yes ☑ No	☐
Is there evidence of spills/leakages from vehicles/equipment on the pavement?		☐ Yes ☑ No	☐
Are fueling areas covered?	N/A	☐ Yes ☐ No	☐
Are fueling areas connected to storm drains?	N/A	☐ Yes ☐ No	☐
Are "Do Not Top Off" signs posted at the fueling area?	N/A	☐ Yes ☐ No	☐
Are vehicles/equipment washed indoors?	N/A	☐ Yes ☐ No	☐
Does the wash area discharge to the storm drain?	N/A	☐ Yes ☐ No	☐
Are detergents used to wash vehicles/equipment?	N/A	☐ Yes ☐ No	☐
Are all floor drains connected to the sanitary sewer?		☐ Yes ☑ No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?		☐ Yes ☑ No	☐

D. Building/Yard Maintenance	☐ N/A *(Skip to Section E)*		Potential Pollutant Source?
Approximate Age of Building:	12 yrs.		☐
Condition of Surfaces:	☑ Clean ☐ Stained ☐ Discoloration ☐ Dirty ☐ Damaged		☐
Is there evidence of maintenance discharges to the storm drains?		☐ Yes ☑ No	☐
Are downspouts discharging to impervious surfaces or directly connected to storm drains?		☐ Yes ☑ No	☐
Are procedures followed to protect the storm drains during maintenance operations?		☐ Yes ☑ No	☐
Are loading/unloading operations conducted under covered and bermed?		☐ Yes ☑ No	☐
Are materials stored indoors or under cover with secondary containment?	N/A	☐ Yes ☐ No	☐
Are storage areas or loading/unloading operations directly connected to the storm drain?		☑ Yes ☐ No	☑
Is there an up-to-date inventory of all stored materials?		☑ Yes ☐ No	☐
Are storage containers missing labels or in poor condition (e.g., rusting)?		☐ Yes ☑ No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?		☐ Yes ☑ No	☑
Condition of Dumpsters:	☐ Good ☐ No cover/Open lid ☐ Damaged ☐ Leaking ☑ Overflowing		☐
Are dumpsters located near a storm drain inlet?		☐ Yes ☑ No	☐
Are General Permit/SWPPP procedures followed for applicable municipal construction?		☑ Yes ☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

E. Parks/Landscape Maintenance	☐ **N/A** *(Skip to Section F)*		**Potential Pollutant Source?**
% of Site with: ____Impervious Surfaces ____Trees ____Turf ____Plantings/Landscaping ____Bare Soil			☐
Are grasses cut shorter than 4 inches in height?	☐ Yes	☒ No	☐
Are herbicides and/or pesticides applied?	☐ Yes	☒ No	☐
Are fertilizers applied?	☐ Yes	☒ No	☐
Are there areas of compacted or bare soils? SAND	☒ Yes	☐ No	☐
Intensity of Turf Management: ☐ High ☐ Medium ☒ Low			☐
Is there evidence of non-target irrigation (runoff to impervious surfaces)?	☐ Yes	☒ No	☐
Does runoff from the landscaped areas lead to the storm drain?	☐ Yes	☒ No	☐
Are native plants used?	☒ Yes	☐ No	☐

F. Storm Water System Maintenance	☒ **N/A** *(Skip to Section G)*		**Potential Pollutant Source?**
Complete and attach the CATCH BASIN INSPECTION FORM for two on-site or municipally-owned catch basins.			
Is Catch Basin #1 in satisfactory condition?	☐ Yes	☐ No	☐
Is there evidence of illicit discharges in Catch Basin #1?	☐ Yes	☐ No	☐
Is Catch Basin #2 in satisfactory condition?	☐ Yes	☐ No	☐
Is there evidence of illicit discharges in Catch Basin #2?	☐ Yes	☐ No	☐
Is there a regular inspection and maintenance program for catch basins?	☐ Yes	☐ No	☐
Are catch basins cleaned out when they are 1/3 or more filled with sediment/debris?	☐ Yes	☐ No	☐
Is there a management plan for materials and wastewater collected from catch basins?	☐ Yes	☐ No	☐
Are the catch basin cleaning trucks regularly maintained?	☐ Yes	☐ No	☐
Have all outfalls been inspected during dry weather in the last five years?	☐ Yes	☐ No	☐
Is there an inspection and maintenance program for other engineered storm water structures?	☐ Yes	☐ No	☐

G. Marine Operations	☐ **N/A** *(Skip to Section G)*		**Potential Pollutant Source?**
Are maintenance activities performed on land?	☐ Yes	☒ No	☐
Are vessels taken out of the water before hull scraping?	☐ Yes	☐ No	☐
Are vessels maintained in working order?	☐ Yes	☐ No	☐
Are no-wake zones established and enforced?	☐ Yes	☐ No	☐
Are "dry" cleaning methods used?	☐ Yes	☐ No	☐
Are signs posted on best management practices?	☐ Yes	☒ No	☐
Is a spill response plan in place?	☐ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

H. Operation/Facility Potential Pollutant Status: Self-Assessment Results

☐ Not a Source ☒ Potential Source of Pollutants ☐ Confirmed Source of Pollutants ☐ Severe Source of Pollutants

Recommended Follow-up Actions:	
☐ Immediate remediation action required	☐ Track down answers to unknown questions
☒ Review pollution prevention/good housekeeping procedures	☒ Include in future employee education efforts
☒ Revise pollution prevention/good housekeeping procedures	☐ Search for illicit discharges
☒ Include in pollution prevention/good housekeeping program	☐ Schedule an in-depth/comprehensive inspection
	☐ Other:

Notes:

STORMWATER IS DIRECTED TO THE EAST THROUGH CONCRETE SWALE INTO BIORETENTION AREA.
FISHERMAN STORE NETS, OTHER ITEMS IN PARKING LOT, WINDBLOWN & STORMWATER CONVEY SAND TO LOW POINT WHICH CLOGGES THE SWALE BUT EVENTUALLY MAKES ITS WAY TO BIORETENTION

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

CATCH BASIN INSPECTION N/A

A. Basic Information		
Inspected By:	Date:	Time:
Structure ID:	Location Sketch (*Indicate address, streets, intersections, etc.*)	
Address:		
Nearest Intersection:		
Location: ☐ Roadway ☐ Curb ☐ Private Property ☐ Easement ☐ Gutter ☐ Other: _____		
Material: ☐ Brick ☐ Concrete		

B. Structure Condition	Satisfactory	Unsatisfactory	Not Applicable	Not Visible	If Unsatisfactory or Not Visible, Describe:
Cover	☐	☐	☐	☐	
Ring/Frame	☐	☐	☐	☐	
Rungs	☐	☐	☐	☐	
Walls	☐	☐	☐	☐	
Bottom	☐	☐	☐	☐	

C. Illicit Discharge Indicators					
Condition	☐ Clean/Dry	☐ Standing Water	☐ Flowing Water	☐ Sediment	
	☐ Organic Matter	☐ Trash/Debris	☐ Not Visible	☐ Other:_____	
Flow	☐ Trickle	☐ Moderate	☐ Substantial	☐ None-Standing Water	☐ None-Dry
Rate	☐ Steady	☐ Intermittent	☐ Not Applicable		
Illicit Discharge Indications Present? (dry weather flow, odor, color, floatables, turbidity, viscosity)	☐ Yes*	☐ No			
Comments/Notes:					

* If an Illicit Discharge is suspected, refer to the Town Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination Document for confirmation, elimination and enforcement procedures.

Form Completed By:

Name (print):	Date:
Signature:	

8/6/13

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY/OPERATION SUMMARY SHEET

Facility/Operation Location	
Facility Name: Southampton Town Rec. Center (sys)	Unique Site ID:
Facility Type: Recreation Center/Park	
Facility Street Address: 1370 A Majors Path Southampton NY 11968	
Latitude: 40.930439	Longitude: -72.394838
Facility Phone Number: 631-287-8666	
Receiving Water Bodies:	
Location of Site Plans:	

Facility Manager (property/outside only)	
Name: Jon Erwin	Title: Parks Maintenance Supervisor
Direct Phone Number: 631-728-4170	Emergency Phone Number: 631-786-5844
Email: Jerwin@southamptontownny.gov	

Facility Operations					
ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No	ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No
Catch Basin Maintenance N/A	☐	☐	Vehicle Washing	☐	☑
Storm Drain Maintenance N/A	☐	☐	Building Maintenance	☑	☐
Other Storm Water Structure Maintenance	☑	☐	Landscape Maintenance	☑	☐
Street/Parking Lot Maintenance	☑	☐	Pest Management	☑	☐
Right of Way Maintenance	☑	☐	Material Storage	☐	☑
Bridge Maintenance	☐	☑	Solid Waste Management	☑	☐
Street Sweeping	☑	☐	Construction/Land Disturbance	☐	☑
Winter Road Maintenance	☑	☐	Marine Operations	☐	☑
Salt Storage	☐	☑	Hydrologic Habitat Modification	☐	☑
Vehicle Maintenance	☐	☑	Swimming Pool Maintenance	☑	☐
Vehicle Fueling	☐	☑	Employee Training	☑	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY SELF-ASSESSMENT CHECKLIST FORM

Directions: This Facility Self-Assessment Checklist Form should be used as a supplement to the most recent version of the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s; any relevant local laws; the Town's SWMP Plan and associated/supplemental documents; and State and Federal technical standards and guidance documents.

Operations conducted at and/or from the facility should be included on this Facility Self-Assessment Checklist Form. Attach photographs, maps, aerial photographs, site plans, etc. to this Form. If a section or question is not applicable, leave blank and skip to the next section or question.

Date: 8/6/13	Assessed by: Kyle McDonald
Camera ID Number: 002852	Photo Numbers:

A. Basic Facility Information	
Facility Name: Southampton Town Rec. Center (SYS)	Unique Site ID:
Facility Type: Recreation center / park	
Facility Street Address: 1370 A Majors Path Southampton NY 11968	
Receiving Water Bodies (if known):	
Facility Manager: Jon Erwin	Phone Number: 631-728-4170
Basic Description of Operations:	

B. Street/Parking Lot Maintenance ☐ N/A *(Skip to Section C)*			Potential Pollutant Source?
Condition of paved surfaces: ☑ Clean ☐ Stained ☐ Debris Accumulation ☐ Cracked ☐ Broken			☐
Is a regular street sweeping program conducted for municipal roads/properties?	☑ Yes	☐ No	☐
Are logs kept on the miles of streets and acres of parking lots swept?	☑ Yes	☐ No	☐
What percentage of public streets are swept at least once a month?	_____ %		☐
Are streets swept in the early spring to clean winter sand/sediment accumulation?	☑ Yes	☐ No	☐
Is there a management plan for collected sweepings?	☑ Yes	☐ No	☐
Is the street sweeping equipment capable of picking up a range of sediment particles?	☑ Yes	☐ No	☐
Is the street sweeping equipment regularly maintained?	☑ Yes	☐ No	☐
Are herbicides and/or pesticides applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are fertilizers applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are maintenance, paving and resurfacing conducted during dry weather?	☑ Yes	☐ No	☐
Are procedures followed to protect storm drains during maintenance operations? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored indoors or covered? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored on paved surfaces? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) bermed and placed away from storm drains? N/A	☐ Yes	☐ No	☐
Have anti-icing programs been considered?	☑ Yes	☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

C. Vehicle and/or Equipment Maintenance ☑ N/A *(Skip to Section D)*			**Potential Pollutant Source?**
Types of Vehicles/ Equipment:	☐Fleet ☐Construction ☐Garbage ☐Concrete ☐Emergency ☐Sweeper ☐Vactor ☐Mower ☐Others: _____		☐
Approximate Number of Vehicles Maintained on Site:	#_____		☐
Vehicle Activities:	☐Stored ☐Fueled ☐Washed ☐Maintained ☐Repaired		☐
Are vehicles/equipment maintained and/or repaired inside?	☐Yes	☐No	☐
If they are maintained/repaired outside, do they have runoff diversion methods?	☐Yes	☐No	☐
Is there evidence of spills/leakages from vehicles/equipment on the pavement?	☐Yes	☐No	☐
Are fueling areas covered?	☐Yes	☐No	☐
Are fueling areas connected to storm drains?	☐Yes	☐No	☐
Are "Do Not Top Off" signs posted at the fueling area?	☐Yes	☐No	☐
Are vehicles/equipment washed indoors?	☐Yes	☐No	☐
Does the wash area discharge to the storm drain?	☐Yes	☐No	☐
Are detergents used to wash vehicles/equipment?	☐Yes	☐No	☐
Are all floor drains connected to the sanitary sewer?	☐Yes	☐No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?	☐Yes	☐No	☐

D. Building/Yard Maintenance ☐ N/A *(Skip to Section E)*			**Potential Pollutant Source?**
Approximate Age of Building:	10 yrs.		☐
Condition of Surfaces:	☑Clean ☐Stained ☐Discoloration ☐Dirty ☐Damaged		☐
Is there evidence of maintenance discharges to the storm drains? N/A	☐Yes	☐No	☐
Are downspouts discharging to impervious surfaces or directly connected to storm drains?	☐Yes	☑No	☐
Are procedures followed to protect the storm drains during maintenance operations? N/A	☐Yes	☐No	☐
Are loading/unloading operations conducted under covered and bermed? N/A	☐Yes	☐No	☐
Are materials stored indoors or under cover with secondary containment? N/A	☐Yes	☐No	☐
Are storage areas or loading/unloading operations directly connected to the storm drain? N/A	☐Yes	☐No	☐
Is there an up-to-date inventory of all stored materials? N/A	☐Yes	☐No	☐
Are storage containers missing labels or in poor condition (e.g., rusting)? N/A	☐Yes	☑No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?	☑Yes	☐No	☐
Condition of Dumpsters:	☑Good ☐No cover/Open lid ☐Damaged ☐Leaking ☐Overflowing		☐
Are dumpsters located near a storm drain inlet? N/A	☐Yes	☐No	☐
Are General Permit/SWPPP procedures followed for applicable municipal construction?	☑Yes	☐No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

E. Parks/Landscape Maintenance	☐ **N/A** *(Skip to Section F)*	**Potential Pollutant Source?**
% of Site with: ____Impervious Surfaces ____Trees ____Turf ____Plantings/Landscaping ____Bare Soil		☐
Are grasses cut shorter than 4 inches in height?	☑ Yes ☐ No	☐
Are herbicides and/or pesticides applied?	☐ Yes ☑ No	☐
Are fertilizers applied?	☐ Yes ☑ No	☐
Are there areas of compacted or bare soils?	☐ Yes ☑ No	☐
Intensity of Turf Management: ☐ High ☑ Medium ☐ Low		☐
Is there evidence of non-target irrigation (runoff to impervious surfaces)?	☐ Yes ☑ No	☐
Does runoff from the landscaped areas lead to the storm drain?	☐ Yes ☑ No	☐
Are native plants used?	☑ Yes ☐ No	☐

F. Storm Water System Maintenance	☑ **N/A** *(Skip to Section G)*	**Potential Pollutant Source?**
Complete and attach the CATCH BASIN INSPECTION FORM for two on-site or municipally-owned catch basins.		
Is Catch Basin #1 in satisfactory condition?	☐ Yes ☐ No	☐
Is there evidence of illicit discharges in Catch Basin #1?	☐ Yes ☐ No	☐
Is Catch Basin #2 in satisfactory condition?	☐ Yes ☐ No	☐
Is there evidence of illicit discharges in Catch Basin #2?	☐ Yes ☐ No	☐
Is there a regular inspection and maintenance program for catch basins?	☐ Yes ☐ No	☐
Are catch basins cleaned out when they are 1/3 or more filled with sediment/debris?	☐ Yes ☐ No	☐
Is there a management plan for materials and wastewater collected from catch basins?	☐ Yes ☐ No	☐
Are the catch basin cleaning trucks regularly maintained?	☐ Yes ☐ No	☐
Have all outfalls been inspected during dry weather in the last five years?	☐ Yes ☐ No	☐
Is there an inspection and maintenance program for other engineered storm water structures?	☐ Yes ☐ No	☐

G. Marine Operations	☑ **N/A** *(Skip to Section G)*	**Potential Pollutant Source?**
Are maintenance activities performed on land?	☐ Yes ☐ No	☐
Are vessels taken out of the water before hull scraping?	☐ Yes ☐ No	☐
Are vessels maintained in working order?	☐ Yes ☐ No	☐
Are no-wake zones established and enforced?	☐ Yes ☐ No	☐
Are "dry" cleaning methods used?	☐ Yes ☐ No	☐
Are signs posted on best management practices?	☐ Yes ☐ No	☐
Is a spill response plan in place?	☐ Yes ☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

H. Operation/Facility Potential Pollutant Status: Self-Assessment Results

☑ Not a Source ☐ Potential Source of Pollutants ☐ Confirmed Source of Pollutants ☐ Severe Source of Pollutants

Recommended Follow-up Actions:

- ☐ Immediate remediation action required
- ☐ Review pollution prevention/good housekeeping procedures
- ☐ Revise pollution prevention/good housekeeping procedures
- ☐ Include in pollution prevention/good housekeeping program
- ☐ Track down answers to unknown questions
- ☐ Include in future employee education efforts
- ☐ Search for illicit discharges
- ☐ Schedule an in-depth/comprehensive inspection
- ☐ Other: _____

Notes: Site uses swales for stormwater → no catch basins present.

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY/OPERATION SUMMARY SHEET

Facility/Operation Location	
Facility Name: Southampton Town Hall	Unique Site ID:
Facility Type: Office Building	
Facility Street Address: 116 Hampton Rd Southampton NY 11968	
Latitude: 40.887482	Longitude: -72.385349
Facility Phone Number: 631-283-6000	
Receiving Water Bodies:	
Location of Site Plans:	

Facility Manager	
Name: Peter Gaudiello	Title: Building Maintenance & Facilities Manager
Direct Phone Number: 631-702-1915	Emergency Phone Number: 631-790-4567
Email: pgaudiello@southamptontownny.gov	

Facility Operations

ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No	ARE THE FOLLOWING OPERATIONS CONDUCTED AT AND/OR ORIGINATE FROM THE FACILITY?	Yes	No
Catch Basin Maintenance	☑	☐	Vehicle Washing	☐	☑
Storm Drain Maintenance	☑	☐	Building Maintenance	☑	☐
Other Storm Water Structure Maintenance	☑	☐	Landscape Maintenance	☑	☐
Street/Parking Lot Maintenance	☑	☐	Pest Management	☑	☐
Right of Way Maintenance	☑	☐	Material Storage	☐	☑
Bridge Maintenance	☐	☑	Solid Waste Management	☑	☐
Street Sweeping	☑	☐	Construction/Land Disturbance	☐	☑
Winter Road Maintenance	☑	☐	Marine Operations	☐	☑
Salt Storage	☐	☑	Hydrologic Habitat Modification	☐	☑
Vehicle Maintenance	☐	☑	Swimming Pool Maintenance	☐	☑
Vehicle Fueling	☐	☑	Employee Training	☑	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐
Other: _____	☐	☐	Other: _____	☐	☐

PHASE II STORM WATER MANAGEMENT PROGRAM

MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

FACILITY SELF-ASSESSMENT CHECKLIST FORM

Directions: This Facility Self-Assessment Checklist Form should be used as a supplement to the most recent version of the NYSDEC SPDES General Permit for Stormwater Discharges from MS4s; any relevant local laws; the Town's SWMP Plan and associated/supplemental documents; and State and Federal technical standards and guidance documents.

Operations conducted at and/or from the facility should be included on this Facility Self-Assessment Checklist Form. Attach photographs, maps, aerial photographs, site plans, etc. to this Form. If a section or question is not applicable, leave blank and skip to the next section or question.

Date: 7/29/13	Assessed by: Kyle McDonald
Camera ID Number: 002852	Photo Numbers:

A. Basic Facility Information	
Facility Name: Southampton Town Hall	Unique Site ID:
Facility Type: Office	
Facility Street Address: 116 Hampton Rd Southampton NY 11968	
Receiving Water Bodies (if known):	
Facility Manager: Peter Gaudiello	Phone Number: 631-702-1915
Basic Description of Operations:	

B. Street/Parking Lot Maintenance ☐ N/A *(Skip to Section C)*			Potential Pollutant Source?
Condition of paved surfaces: ☑ Clean ☐ Stained ☐ Debris Accumulation ☑ Cracked ☐ Broken			☐
Is a regular street sweeping program conducted for municipal roads/properties?	☑ Yes	☐ No	☐
Are logs kept on the miles of streets and acres of parking lots swept?	☐ Yes	☐ No	☐
What percentage of public streets are swept at least once a month?	_____ %		☐
Are streets swept in the early spring to clean winter sand/sediment accumulation?	☐ Yes	☐ No	☐
Is there a management plan for collected sweepings?	☐ Yes	☐ No	☐
Is the street sweeping equipment capable of picking up a range of sediment particles?	☐ Yes	☐ No	☐
Is the street sweeping equipment regularly maintained?	☐ Yes	☐ No	☐
Are herbicides and/or pesticides applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are fertilizers applied (within the right-of-way)?	☐ Yes	☑ No	☐
Are maintenance, paving and resurfacing conducted during dry weather?	☑ Yes	☐ No	☐
Are procedures followed to protect storm drains during maintenance operations?	☐ Yes	☑ No	☑
Are stockpiles (e.g., sand/salt) stored indoors or covered? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) stored on paved surfaces? N/A	☐ Yes	☐ No	☐
Are stockpiles (e.g., sand/salt) bermed and placed away from storm drains? N/A	☐ Yes	☐ No	☐
Have anti-icing programs been considered?	☑ Yes	☐ No	☑

FACILITY SELF-ASSESSMENT CHECKLIST FORM

C. Vehicle and/or Equipment Maintenance ☑ N/A *(Skip to Section D)*			**Potential Pollutant Source?**
Types of Vehicles/ Equipment:	☐Fleet ☐Construction ☐Garbage ☐Concrete ☐Emergency ☐Sweeper ☐Vactor ☐Mower ☐Others: _____		☐
Approximate Number of Vehicles Maintained on Site:	#_____		☐
Vehicle Activities:	☐Stored ☐Fueled ☐Washed ☐Maintained ☐Repaired		☐
Are vehicles/equipment maintained and/or repaired inside?	☐Yes	☐No	☐
If they are maintained/repaired outside, do they have runoff diversion methods?	☐Yes	☐No	☐
Is there evidence of spills/leakages from vehicles/equipment on the pavement?	☐Yes	☐No	☐
Are fueling areas covered?	☐Yes	☐No	☐
Are fueling areas connected to storm drains?	☐Yes	☐No	☐
Are "Do Not Top Off" signs posted at the fueling area?	☐Yes	☐No	☐
Are vehicles/equipment washed indoors?	☐Yes	☐No	☐
Does the wash area discharge to the storm drain?	☐Yes	☐No	☐
Are detergents used to wash vehicles/equipment?	☐Yes	☐No	☐
Are all floor drains connected to the sanitary sewer?	☐Yes	☐No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?	☐Yes	☐No	☐

D. Building/Yard Maintenance ☐ N/A *(Skip to Section E)*			**Potential Pollutant Source?**
Approximate Age of Building:	100 yrs.		☐
Condition of Surfaces:	☑Clean ☐Stained ☐Discoloration ☐Dirty ☐Damaged		☐
Is there evidence of maintenance discharges to the storm drains?	☐Yes	☑No	☐
Are downspouts discharging to impervious surfaces or directly connected to storm drains?	☐Yes	☑No	☐
Are procedures followed to protect the storm drains during maintenance operations?	☐Yes	☑No	☑
Are loading/unloading operations conducted under covered and bermed? N/A	☐Yes	☐No	☐
Are materials stored indoors or under cover with secondary containment? N/A	☐Yes	☐No	☐
Are storage areas or loading/unloading operations directly connected to the storm drain?	☐Yes	☑No	☐
Is there an up-to-date inventory of all stored materials? Office supplies only - N/A	☐Yes	☐No	☐
Are storage containers missing labels or in poor condition (e.g., rusting)?	☐Yes	☑No	☐
Are "dry" cleaning methods used for indoor and outdoor areas?	☑Yes	☐No	☐
Condition of Dumpsters:	☑Good ☐No cover/Open lid ☐Damaged ☐Leaking ☐Overflowing		☐
Are dumpsters located near a storm drain inlet?	☑Yes	☐No	☑
Are General Permit/SWPPP procedures followed for applicable municipal construction?	☑Yes	☐No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

E. Parks/Landscape Maintenance	☐ **N/A** *(Skip to Section F)*	**Potential Pollutant Source?**
% of Site with: 70 Impervious Surfaces 10 Trees 15 Turf 5 Plantings/Landscaping 0 Bare Soil		☐
Are grasses cut shorter than 4 inches in height?	☑ Yes ☐ No	☐
Are herbicides and/or pesticides applied?	☑ Yes ☐ No	☐
Are fertilizers applied?	☑ Yes ☐ No	☐
Are there areas of compacted or bare soils?	☐ Yes ☑ No	☐
Intensity of Turf Management: ☐ High ☐ Medium ☑ Low		☐
Is there evidence of non-target irrigation (runoff to impervious surfaces)?	☐ Yes ☑ No	☐
Does runoff from the landscaped areas lead to the storm drain?	☐ Yes ☑ No	☐
Are native plants used?	☑ Yes ☐ No	☐

F. Storm Water System Maintenance	☐ **N/A** *(Skip to Section G)*	**Potential Pollutant Source?**
Complete and attach the CATCH BASIN INSPECTION FORM for two on-site or municipally-owned catch basins.		
Is Catch Basin #1 in satisfactory condition?	☑ Yes ☐ No	☐
Is there evidence of illicit discharges in Catch Basin #1?	☐ Yes ☑ No	☐
Is Catch Basin #2 in satisfactory condition?	☑ Yes ☐ No	☐
Is there evidence of illicit discharges in Catch Basin #2?	☐ Yes ☑ No	☐
* Is there a regular inspection and maintenance program for catch basins?	☐ Yes ☑ No	☐
* Are catch basins cleaned out when they are 1/3 or more filled with sediment/debris?	☐ Yes ☑ No	☐
* Is there a management plan for materials and wastewater collected from catch basins?	☑ Yes ☐ No	☐
Are the catch basin cleaning trucks regularly maintained?	☐ Yes ☐ No	☐
Have all outfalls been inspected during dry weather in the last five years? N/A	☐ Yes ☑ No	☑
Is there an inspection and maintenance program for other engineered storm water structures?	☑ Yes ☐ No	☐

G. Marine Operations	☑ **N/A** *(Skip to Section G)*	**Potential Pollutant Source?**
Are maintenance activities performed on land?	☐ Yes ☐ No	☐
Are vessels taken out of the water before hull scraping?	☐ Yes ☐ No	☐
Are vessels maintained in working order?	☐ Yes ☐ No	☐
Are no-wake zones established and enforced?	☐ Yes ☐ No	☐
Are "dry" cleaning methods used?	☐ Yes ☐ No	☐
Are signs posted on best management practices?	☐ Yes ☐ No	☐
Is a spill response plan in place?	☐ Yes ☐ No	☐

FACILITY SELF-ASSESSMENT CHECKLIST FORM

H. Operation/Facility Potential Pollutant Status: Self-Assessment Results

☑ Not a Source ☐ Potential Source of Pollutants ☐ Confirmed Source of Pollutants ☐ Severe Source of Pollutants

Recommended Follow-up Actions:	
☐ Immediate remediation action required	☑ Track down answers to unknown questions
☐ Review pollution prevention/good housekeeping procedures	☐ Include in future employee education efforts
☐ Revise pollution prevention/good housekeeping procedures	☐ Search for illicit discharges
☐ Include in pollution prevention/good housekeeping program	☐ Schedule an in-depth/comprehensive inspection
	☐ Other:_____

Notes:

APPENDIX C

CATCH BASIN INSPECTION FORM

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

CATCH BASIN INSPECTION

A. Basic Information

Inspected By: Kyle McDonald	Date: 7/29	Time: 10:49
Structure ID: CB 1	Location Sketch (*Indicate address, streets, intersections, etc.*)	
Address: 116 Hampton Rd	see attached	
Nearest Intersection:		
Location: ☐ Roadway ☐ Curb ☐ Private Property ☐ Easement ☐ Gutter ☑ Other: Parking lot		
Material: ☐ Brick ☑ Concrete		

B. Structure Condition

	Satisfactory	Unsatisfactory	Not Applicable	Not Visible	If Unsatisfactory or Not Visible, Describe:
Cover	☑	☐	☐	☐	
Ring/Frame	☐	☐	☑	☐	
Rungs	☐	☐	☑	☐	
Walls	☑	☐	☐	☐	
Bottom	☐	☑	☐	☑	Covered by sediment

C. Illicit Discharge Indicators

Condition	☐ Clean/Dry	☐ Standing Water	☐ Flowing Water	☑ Sediment	
	☐ Organic Matter	☑ Trash/Debris	☐ Not Visible	☐ Other:_____	
Flow	☐ Trickle	☐ Moderate	☐ Substantial	☐ None-Standing Water	☑ None-Dry
Rate	☐ Steady	☐ Intermittent	☑ Not Applicable		

Illicit Discharge Indications Present? (dry weather flow, odor, color, floatables, turbidity, viscosity) ☐ Yes* ☑ No

Comments/Notes: Some trash & sediment found. Cover also obstructed by debris.

* If an Illicit Discharge is suspected, refer to the Town Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination Document for confirmation, elimination and enforcement procedures.

Form Completed By:

Name (print): Kyle McDonald	Date: 7/29/13
Signature: Kyle McDonald	

PHASE II STORM WATER MANAGEMENT PROGRAM
MINIMUM CONTROL MEASURE 6: POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

CATCH BASIN INSPECTION

A. Basic Information

Inspected By: Kyle McDonald	Date: 7/29/13 Time: 10:51
Structure ID: CB 2	Location Sketch (*Indicate address, streets, intersections, etc.*)
Address: 116 Hampton Rd	see attached
Nearest Intersection:	
Location: ☐ Roadway ☐ Curb ☐ Private Property ☐ Easement ☐ Gutter ☑ Other: Parking lot	
Material: ☐ Brick ☑ Concrete	

B. Structure Condition

	Satisfactory	Unsatisfactory	Not Applicable	Not Visible	If Unsatisfactory or Not Visible, Describe:
Cover	☑	☐	☐	☐	
Ring/Frame	☐	☐	☑	☐	
Rungs	☐	☐	☑	☐	
Walls	☑	☐	☐	☐	
Bottom	☐	☐	☐	☑	covered by sediment

C. Illicit Discharge Indicators

Condition	☐ Clean/Dry	☐ Standing Water	☐ Flowing Water	☑ Sediment	
	☐ Organic Matter	☑ Trash/Debris	☐ Not Visible	☐ Other:_____	
Flow	☐ Trickle	☐ Moderate	☐ Substantial	☐ None-Standing Water	☑ None-Dry
Rate	☐ Steady	☐ Intermittent	☑ Not Applicable		

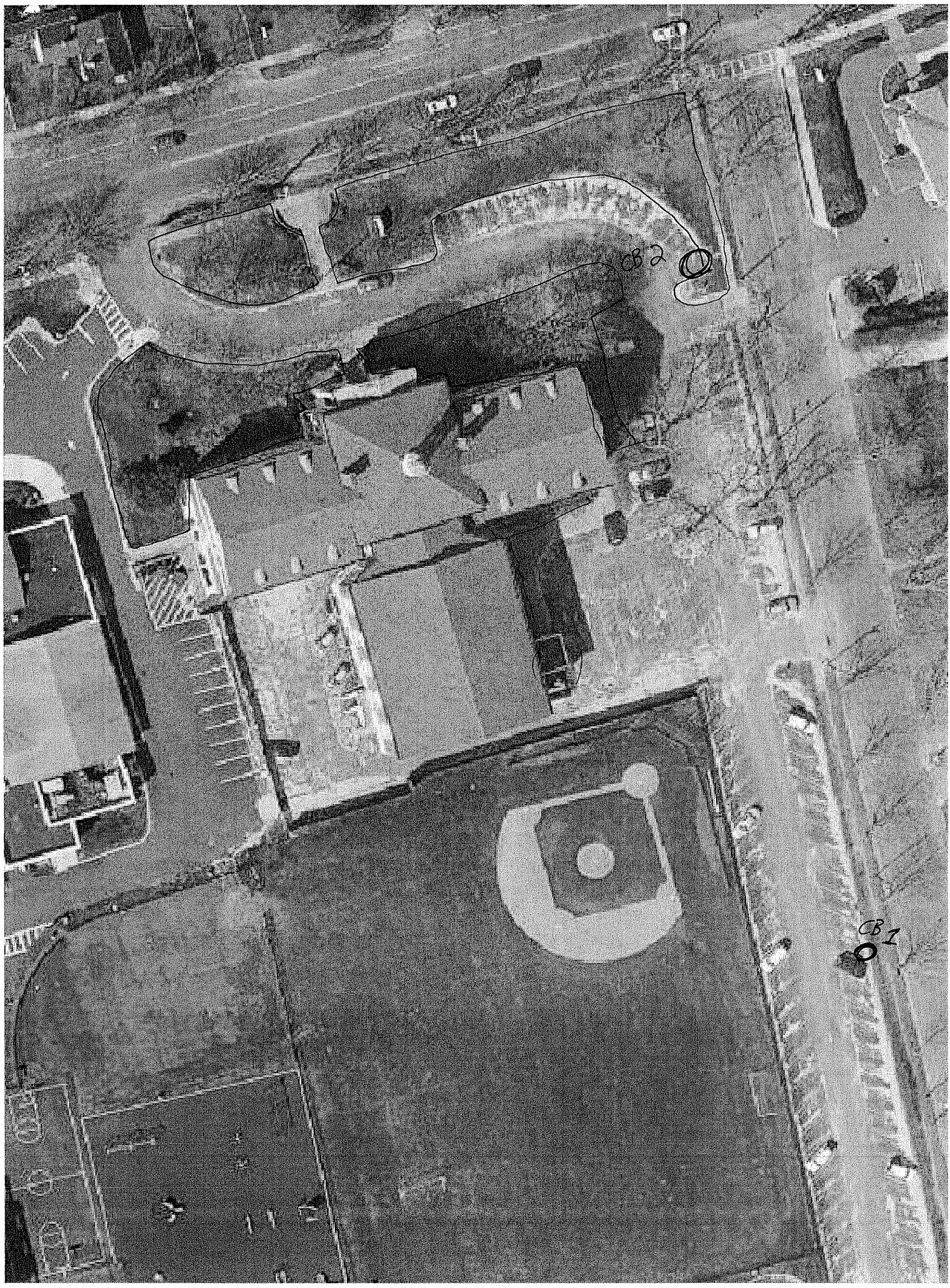
Illicit Discharge Indications Present? ☐ Yes* ☑ No
(dry weather flow, odor, color, floatables, turbidity, viscosity)

Comments/Notes:

* If an Illicit Discharge is suspected, refer to the Town Written Procedures for Minimum Control Measure 3: Illicit Discharge Detection and Elimination Document for confirmation, elimination and enforcement procedures.

Form Completed By:

Name (print): Kyle McDonald	Date: 7/29/13
Signature: Kyle McDonald	


CB 2
CB 1

APPENDIX H

FLEET MANAGEMENT PLAN

DEPARTMENT MOTOR VEHICLE INVENTORY

TOWN OF SOUTHAMPTON

Comprehensive Fleet Management Assessment

Findings and Recommendations

Prepared by Municipal Works

April, 2012

Town Of Southampton
Comprehensive Fleet Management Assessment (CFMA)

I. CFMA EXECUTIVE SUMMARY

Table of Contents

II. VEHICLES.
1. Fleet Management Overview
2. Town vehicle Information
   i. Vehicle Types
   ii. Vehicle Inventory
   iii. Current Purchase, Sale, Transfer Practices.
   iv. Current Vehicle Uses Practices
   v. Recommendations

III. FUEL
1. Fueling Stations
   i. PD
   ii. HBHWY
   iii. North Sea
   iv. Bridgehampton
   v. Westhampton
2. Findings
3. Recommendations

IV. MAINTENANCE.
1. Hwy Dept
2. MW
3. PD
4. HB WD
5. Recommendations

V. RECORD KEEPING, INSURANCE AND BOARD POLICIES
1. Record Keeping
2. Insurance
3. Board Policies
4. Recommendations

VI. **PROPOSED IMPLEMENTATION PLAN**
1. Overview
2. Phase I – Task Chart

VII. CONCLUSION.

APPENDICES.

A. Fleet Maintenance Cost 2010
B. Gas Deliveries By Station
C. Diesel Deliveries By Station.

Southampton Town Comprehensive Fleet Management Assessment
Executive Summary

An effective fleet management plan must address three major components:
Vehicle Management and Information; and, Fuel and Maintenance Management and Information.

1. **Fleet Vehicle Management and Information** would address issues such as, but not be limited to, vehicle purchase and replacement, leasing, insurance, vehicle assignment, rotation of use, IMA's and vehicle disposal, etc.
2. **Fleet Fuel information and management** would address issues, but not be limited to, fuel purchasing, inventory fuel station management, garage and repair oversight, fuel use efficiencies, etc.
3. **Fleet Maintenance information and management** would address issues, but not be limited to maintenance facilities, maintenance records, including a preventative maintenance program.

Key to both components is an integrated data collection and monitoring system that would provide reliable data about the effectiveness of policy, procedures , program decisions and implementation strategies .

A coordinated, comprehensive Fleet Management program that incorporates these two components has the potential to reduce costs, allow for more efficient tracking of fuel, maintenance and fleet inventory and deployment and increase the return on the substantial investment in vehicle, fuel and maintenance costs.

Central to the findings and recommendations contained in this report is the recommendation that the Town begin the process of implementing a Fleet Management program. Implementation of such a program would occur on a phased in basis over time and should be supported with the necessary resources to effectively implement and manage.

Along with the findings and recommendations, this report contains an overview of the suggested phases of implementation with both short and long range objectives within each phase.

This report and its related findings address three overarching considerations:

1. The value of a Town-wide management oversight structure for all aspects of fleet and fuel management;

2. The value of a Town-wide monitoring and accounting mechanisms, policies and procedures for all aspects of fleet and fuel management;
3. The value of Town-wide standardized policies and procedures for all aspects of fleet maintenance.

This report contains findings and recommendations divided into four broad categories:

1. Vehicle information;
2. Fueling Information
3. Maintenance information;
4. Purchasing, insurance & administration policies.

Key to the success of any efforts to implement recommendations contained in this plan is a Fleet Management Working Group comprised of Departments with high percentages of Town vehicles and staff members with experience and expertise in the related issues. The working group should report regularly to the Town Board.

Although the report does not contain a specific timeline for implementation, it is the recommendation that implementation take place over several phases spanning several budget years. Each phase, however, includes measuring operational efficiencies and cost savings and be considered independently.

This assessment and its component findings and recommendations is meant to be a working document that can be, and should be, amended as technologies such as vehicles and fuel types, staffing, departmental needs and the economy changes.

Prepared by
Municipal Works
4/16/2012

I. TOWN VEHICLES

1. FLEET MANAGEMENT OVERVIEW

A coordinated, comprehensive Fleet Management program has the potential to greatly reduce operating costs and allow for more efficient tracking of fuel, maintenance and fleet inventory. Currently, responsibilities and the authority to implement various aspects of fleet management are divided among a number of departments resulting in significant inefficiencies and redundancies in both vehicle utilization and fuel management, as well as oversight of consistent maintenance practices.

With the Town fleet now totaling over 450 vehicles it is recommended that the Town implement a comprehensive, coordinated fleet management program. As detailed in this report, implementation of such a program should be phased in and should be supported with the necessary resources to effectively implement and manage.

This report contains findings and recommendations divided into five broad categories: Overview of current fleet management practices; vehicle information; fueling & maintenance information; budgeting, purchasing, insurance & administration procedures.

2. TOWN VEHICLE INFORMATION

i. Vehicle Types

There are a number of governmental agencies and industry groups which define vehicles in a number of ways. The Town currently owns and operates vehicles as listed below:

- PASSENGER VEHICLES
- OFF ROAD VEHICLES
- HEAVY EQUIPMENT VEHICLES
- BUCKET TRUCKS
- FRONT END LOADERS
- TUB GRINDERS
- TRACTORS
- TRAILERS
    - Full Trailer
    - Semi-Trailer.
    - Push Out Trailers
    - Open Top Trailers
    - Tag Along Trailers

ii. 2011 Vehicle Inventory

The Town currently insures 457 vehicles of varying types, commonly referred to as 'rolling stock'. Of that, 284 are considered heavy duty or special use equipment; the remaining 173 vehicles fall into the broad category of light duty pickup trucks and general use passenger vehicles. The chart below summarizes vehicle totals by department and general type as of December 15, 2011. A detailed breakdown by department is in the appendix.

Department	Passenger/Light Duty Vehicles	Heavy Equipment and Special Vehicles
Animal Control	2	2
Community Preservation	1	1
Dept. of Land Management	17	0
Engineering Division	2	0
Facilities Management	2	4
General Services	4	0
Hampton Bays Water Dist.	2	15
Highway Department	1	127
Human Services	7	14
Intermodal Transportation	1	0
Municipal Works	2	3
Parks and Recreation	8	41
Police Department	107	17
Public Safety	9	9
Waste Management	2	46
Sea TV	1	0
Supervisor	1	0
Tax Assessor	4	0
Town Clerk	1	0
Trustees	0	5
Totals	174	284

iii. Current Vehicle Purchase, Sale, Transfer Practices

Current purchase practices begin with each individual department requesting an appropriation of funds for the purchase of a vehicle(s) during the annual budgeting process. Some requests are made during the fiscal year due to motor vehicle accidents and/or mechanical failures. The Town Board evaluates the request and chooses to appropriate funds to the department to purchase a vehicle or not. If funds are appropriated, the department then has authority to select and purchase the vehicle within standard Town procurement procedures.

The Town has little precedent for the sale of vehicles, as most vehicles are driven until there is no sale value beyond scrap metal. In November 2011, the Town sent 27 vehicles through CoPart Auto for auction. Currently 20 out of the 27 vehicles have been auctioned for a total income to the

Town of $8,050.05. The majority of these vehicles had been taken out of service by the Police Department Garage and were beyond their useful life. It was the first organized sale of vehicles in the collective memory of those involved in this process. In the past, older vehicles or parts have been sold by a department to help fund repairs to another vehicle within the department. It has been past practice to either scrap, auction or utilize older heavy equipment for trade in value to offset costs on new heavy equipment purchases.

Interdepartmental transfers of vehicles do occasionally occur for various reasons. While there is apparently no documentation or institutional knowledge as to why these may have occurred in the past, it does not appear that such transfers were part of any vehicle rotation plan. Involvement in this process by the Transportation Office over the past 18 months indicates that most transfers are a result of department/division reorganization or an immediate need to supply a replacement vehicle due to mechanical failures.

There is currently no consistent method of numbering vehicles upon replacement or new acquisition. This can sometime cause confusion if it is not centrally documented that there are two vehicles with the same numbers.

iv. **Current Use Practices** (Passenger vehicles)

Town Board Resolution 2007-1739 identifies four classifications of Town vehicle users, with the appropriate agreement for each noted. These categories are: "Departmental Pool Vehicle"; "Departmental Employee Assigned Vehicle"; "24-7 Assigned vehicle for Town Official"; "24-7 Assigned Vehicle for Town Elected Officials and Certain Appointed Town Officials".

Current '24/7' (take home) vehicle use privileges are addressed annually via a Town Board resolution, as discussed in greater detail in the final section of this report. Town employees authorized to use a vehicle on a 24/7 basis appear to be the sole user of whatever vehicle they are authorized to take home.

Day use practices vary by department with no common guidance. It appears that most departments/divisions either formally or in a 'de facto' manner assign vehicles to an individual for their use. This practice applies to both (non Police) passenger vehicles and heavy duty equipment operators.

Currently a small number of passenger 'pool vehicles' (vehicles to be shared by Town employees) are available through General Services. The availability of these vehicles is shrinking due to the need to provide replacement vehicles to other departments, combined with vehicle condition concerns. Employees assigned a vehicle are required to sign a user agreement compatible with their authorized use level.

v. Recommendations

- Implement a vehicle rotation plan (purchase, transfer, sell) based on fleet management industry guidelines for all types of vehicles and recognition of departmental needs. (General use passenger vehicle standards would call for sale and replacement at roughly 7-8 years/80,000 miles. Police vehicles, specialty use and heavy duty vehicles require establishment of different criteria, with diesel tractor trailers generally sold upon reaching 300,000 miles.)

- Vehicle use should be closely monitored for several months to establish baselines for increased vehicle utilization recommendations; and then monitored on a regular basis.

- Review and evaluate current rationale and method for assigned (individual use) vehicles in conjunction with vehicle use tracking

- Implement consistent vehicle identification standards on all Town owned vehicles, with exemptions for security related reasons. Such standards would include but not be limited to a chronological numbering system throughout the Town. Vehicle numbers would not be re-utilized once the vehicle has been de-commissioned.

- Review all current policies for compliance.

- Expand Town Hall vehicle pool based on Department needs. Existing inventories should maintain one minimum vehicle in each Department/Division based on needs. Certain Departments/Divisions require multiple vehicles based on their responsibilities, this should be reviewed and maintained if appropriate. Remaining vehicles could be considered for re-assignment as pool vehicles .

- Create a Jackson Avenue vehicle pool based on discussions with the Police Department, and Business Management.

- Explore shared purchase or use of expensive, heavy duty, special use vehicles with a neighboring municipality

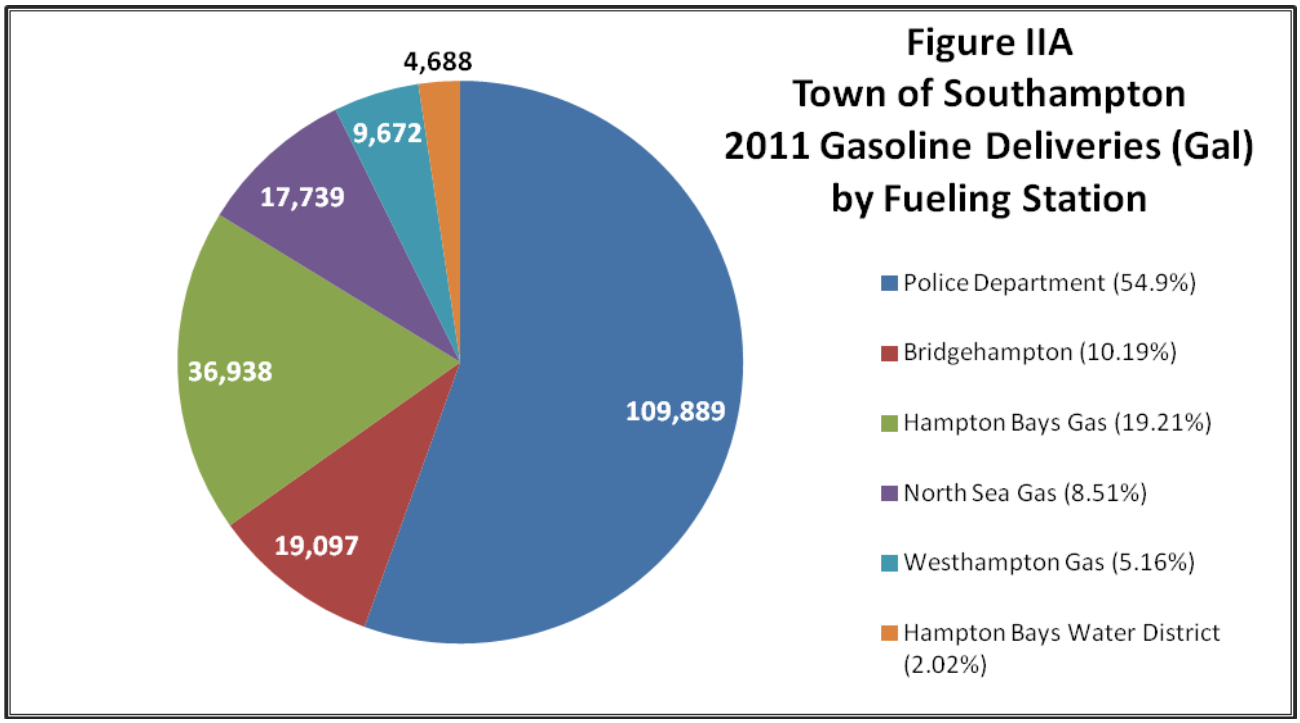
II. FUEL

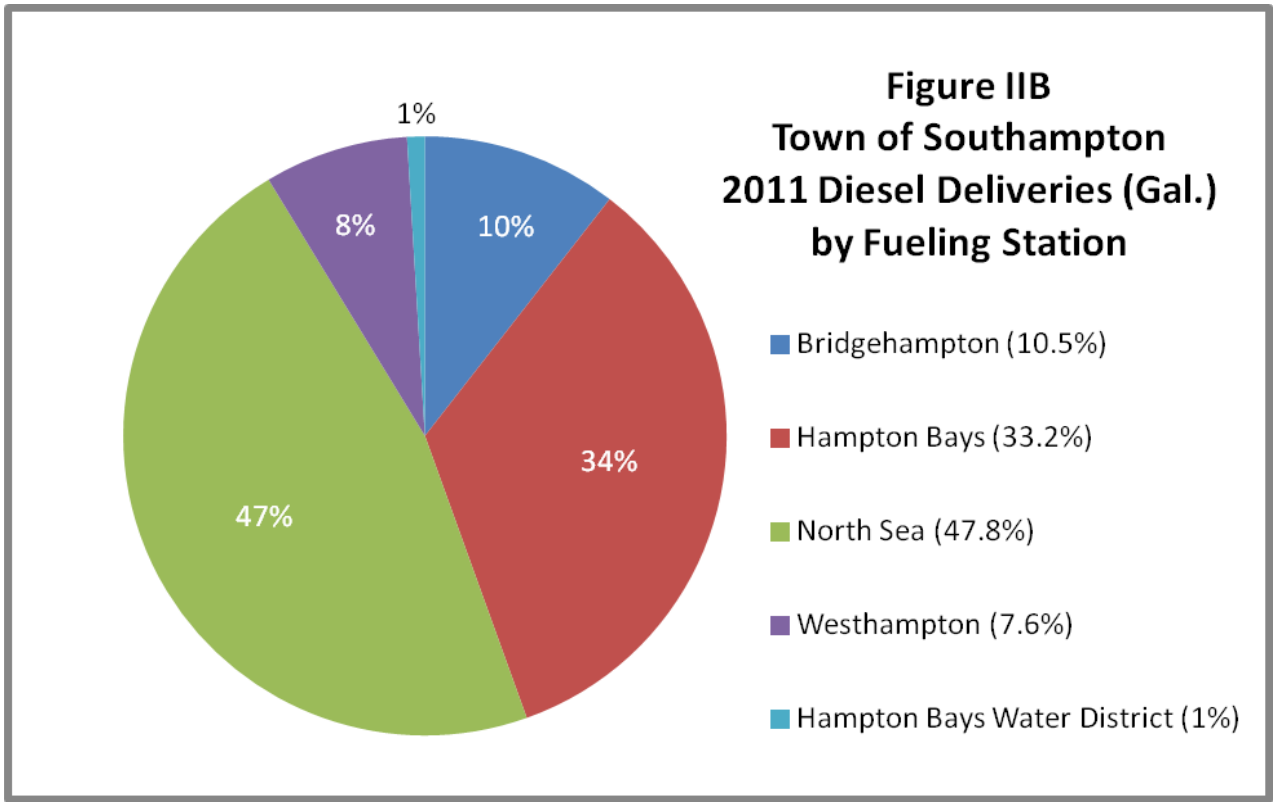
1. Fueling Stations

The Town expends a considerable amount of annual budget on both gasoline and diesel purchases. The annual Town budget accounts for fuel usage by Department /Division by use of 2 account codes (6403 Gas / 6441 Diesel) within applicable Cost Centers. Cost center distribution for gasoline and diesel 2010 budget allocation is represented in Table III.A.

In 2010, the Town spent $813,669.00 in gasoline purchases, and $423,804.00 in diesel purchases. There is currently no method to reconcile fuel deliveries with fuel consumption.

The Town has five fueling stations. One in Westhampton, one in Bridgehampton, one is in North Sea and two at the Jackson Avenue Municipal Complex. The majority of Town passenger vehicles are fueled at the Jackson Avenue Police Dept. fueling station. Hampton Bays Highway Fueling station is utilized by the Highway Department, Parks Department and Senior Fleet Services. The North Sea fueling facility is predominately utilized by Waste Management, Highway and the Police Department. The Westhampton and Bridgehampton are primarily utilized by the Highway Department and the Police Department. Four are managed by the Highway Department and offer both gasoline and diesel; the fifth station is located at the Police headquarters and only dispenses gasoline. It is estimated that approximately one third of the Town vehicles are gas powered (including one gas-electric hybrid) with the remainder using diesel fuel. In addition to vehicles, equipment such as chain saws and lawn movers, etc., also utilize gasoline from the Town fueling stations. There is no automatic way to track fuel usage by department and/or by station. Municipal Works compiled fuel station fuel delivery information from the Comptrollers MaxVault invoicing program. This was time consuming to compile to establish a baseline of fuel usage by station. Fuel distribution for both gasoline and diesel in 2011 is represented by Figure II.A and B respectively:





Fuel dispensing records are compiled by the department which operates the pumps; this information is conveyed to the Comptroller's Office for billing (charge backs) to each individual department.

Detailed information on the fueling facilities and accounting procedures follows:

i. Police Department, 110 Old Riverhead Road, Hampton Bays

This is the primary fueling location for the vast majority of the gasoline powered Town vehicles for all departments.

This fuel station discharges gasoline from two Gas Boy fuel pump stations fueled by a partitioned 10,000 gallon underground fuel tank located south east of the fuel station. The tank is an underground double wall fiberglass tank. Associated piping between the tank and fueling station appears to be double wall fiberglass. A high level alarm and leak monitoring system manufactured by Omntec provides the tank and piping with electronic leak monitoring. The fuel dispensers are not provided with liquid tight sumps which is a current requirement for new construction. The purpose of these sumps is to prevent uncontained piping leaks.

Fuel usage is currently manually recorded by the employee fueling in a large binder book which is kept at the fueling station; employees are required to record the Department/Division, individual name, date, time, vehicle ID, milage and quantity of fuel used per vehicle.

Police Dept Fueling Station & fuel log book

There is currently no fire suppression system located at this facility.

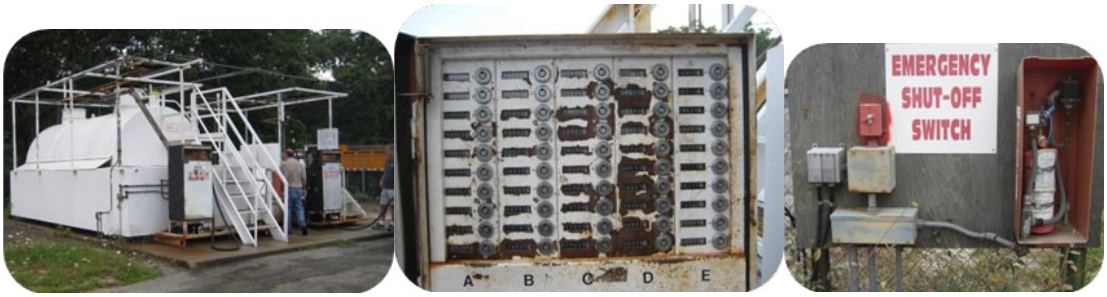
ii. Hampton Bays Highway Maintenance Yard, 30 Jackson Avenue

This fuel station is utilized by the Highway Department, Human Services and Parks and Recreation and it is managed by the Highway Department.

This fuel station discharges both gasoline and diesel fuel that are fed by a 1,000 gallon above ground gasoline tank, and a 6,000 gallon above ground diesel tank. Fuel is dispersed from the tanks by two Gas Boy fuel pump stations. The fueling station was issued a permit to operate in May 1991. The tanks are "Areo-Power Unitized Fuelers" as manufactured by Highland Tank Company. Piping between the tank and the fuel pumps appear to be metallic with a fiberglass containment pipe.

The tanks are equipped with a high level alarm and leak monitoring system manufactured by Omntec to provide the tanks with electronic tank and pipe leak monitoring. The tanks are situated on a concrete pad.

The key entry dispensing system described below is utilized at all four Highway Department fueling stations (Hampton Bays, North Sea, Westhampton, Bridgehampton). Fuel usage is currently dispensed by the employee utilizing a key system that is either assigned to the employee and/or the vehicle. The key is inserted to the designated key slot which activates the pump and begins a mechanical meter reading that is correlated to the fuel usage in gallons pumped. This information is collected monthly by a designated Division/Department and reported to the Highway Department. The Highway Department deducted the current months meter reading from the previous month meter reading for the fuel usage in gallons consumed in that month by that key and billed generally by the Highway Department to each Division/ Department who oversees the specific keys on a quarterly basis. In instances where a separate Division pays the fuel bill, that Division will bill the other using Departments. A good example is Waste Management pays the diesel Vendor bill for the North Sea Fueling Station; Highway pays for the gas Vendor bill at this same station. Waste Management records all of the key meter readings and forwards same to the Highway Department. The Highway Department bills Waste Management for gas usage; Waste Management bills the Highway Department for the diesel usage.



Highway Gas and Diesel Tanks, Fuel Key Meters,

The fire suppression system of this station is currently in a state of dis-repair with non-functioning gages. In the recent past, a new fire extinguisher has been mounted to the front sides of the tanks. There is an emergency power shut off switch to the fueling station located to the west of the fueling area.

iii. North Sea Fueling Station, 1370 Majors Path

This fuel station is utilized by the Highway Department, Waste Management and Police Department; and is managed by the Highway Department.

These fuel pumps discharge both gasoline and diesel fuel that are fed by two (2) 4,000 gallon above ground steel tanks one gasoline, one diesel. The facility received a permit to operate on July 26, 1995. The tanks appear to be "Areo-Power Unitized Fuelers" manufactured by Highland Tank Company. All associated piping is located above ground and consists of metallic piping with fiberglass reinforced plastic secondary containment pipe. There is a high level alarm and leak monitoring system by Omntec. The Fuel is dispensed from the tanks by two Gas Boy fuel pump stations.

Highway Department North Sea Fueling Station

Back Side of NS Fueling Station, extinguishers and emergency shut off.

The areas surrounding the fueling station are unpaved. This allows any potential fuel over-fills to discharge into the sandy subgrade. There is the potential future development of a Fire Department Sub-Station to be located in the adjacent area to the fuel pumps.

iv. Bridgehampton Highway Yard, 131 Corwith Avenue

This fueling station is utilized by both the Highway Department and the Police Department and is managed by the Highway Department.

Bridgehampton Highway Yard & Fueling Station

This facility consists of one 2,500 gallon underground gasoline tank and one 4,000 gallon underground diesel tank. Both tanks are double wall fiberglass tanks. The site was permitted to operate in March 1991. The piping between the underground tanks and the two fuel dispensers are double walled for leak detection. A high level alarm and leak monitoring system manufactured by Omntec provides the tanks and piping with electronic leak monitoring. The fuel pumps consist of a single nozzle GasBoy system, both of the pump hoses are not suspended by a post and are currently draped in the apron area causing a potential for the hose to be driven over.

The fire suppression system consists of an overhead open grate canopy for the suspension of suppression piping distribution. The fire suppression system appears to be connected to a fire extinguisher located between both pumps

v. ***Westhampton Beach Highway Yard, 116 Old Riverhead Road (CR 31)***

This fueling station is utilized by both the Highway Department and the Police Department. This facility, which is located within the Highway Yard consists of one 1,000 gallon underground

diesel tank and one 2,500 gallon underground gasoline tank. Both tanks are double wall fiberglass tanks. The site was permitted to operate in March 1991. The piping between the underground tanks and the two fuel dispensers are double walled for leak detection. A high level alarm and leak monitoring system manufactured by Omntec provides the tanks and piping with electronic leak monitoring. The fuel pumps consist of a single nozzle GasBoy system, one of the pump hoses is not suspended by a post and is currently draped in the apron area causing a potential for the hose to be driven over. The surrounding areas of the fuel dispensing areas are paved with asphalt.

Westhampton Highway Yard & Fueling Station

2. Findings

Fuel use records are manually compiled by the Police Department and the Highway Department, as managers of the Town's fueling stations. Monthly fuel use totals by department/division are conveyed to the Comptroller's Office for charge back to the department.

The current fuel management systems allow for discrepancies due to human error. During inclement weather, employees sometimes forget to log usage. Keys are not specifically linked to vehicles and can be used on multiple vehicles as different departments have drivers that drive a number of different vehicles. The manual recording of fuel usage is subject to various errors and is also not reconciled with fuel deliveries to each of the stations. It does not account for fuel usage of small equipment such as mowers, saws, and other small power tools. In times of power outage, not all fueling stations have generator back up, in these instances fuel is sometimes utilized in emergencies and not accounted for by the department.

The current recording and reporting systems is labor intensive to administer and the manual accounting procedures used to compile records for billing by the Comptroller's Office provide an opportunity for additional errors. The current process also provides no basis for fuel use comparative or trend analysis, as tracking of collated fuel use data by department is done in dollars, not gallons.

There are many governmental and quasi governmental agencies within the Town of Southampton that currently have fueling facilities, as represented in Figure II.2.A.

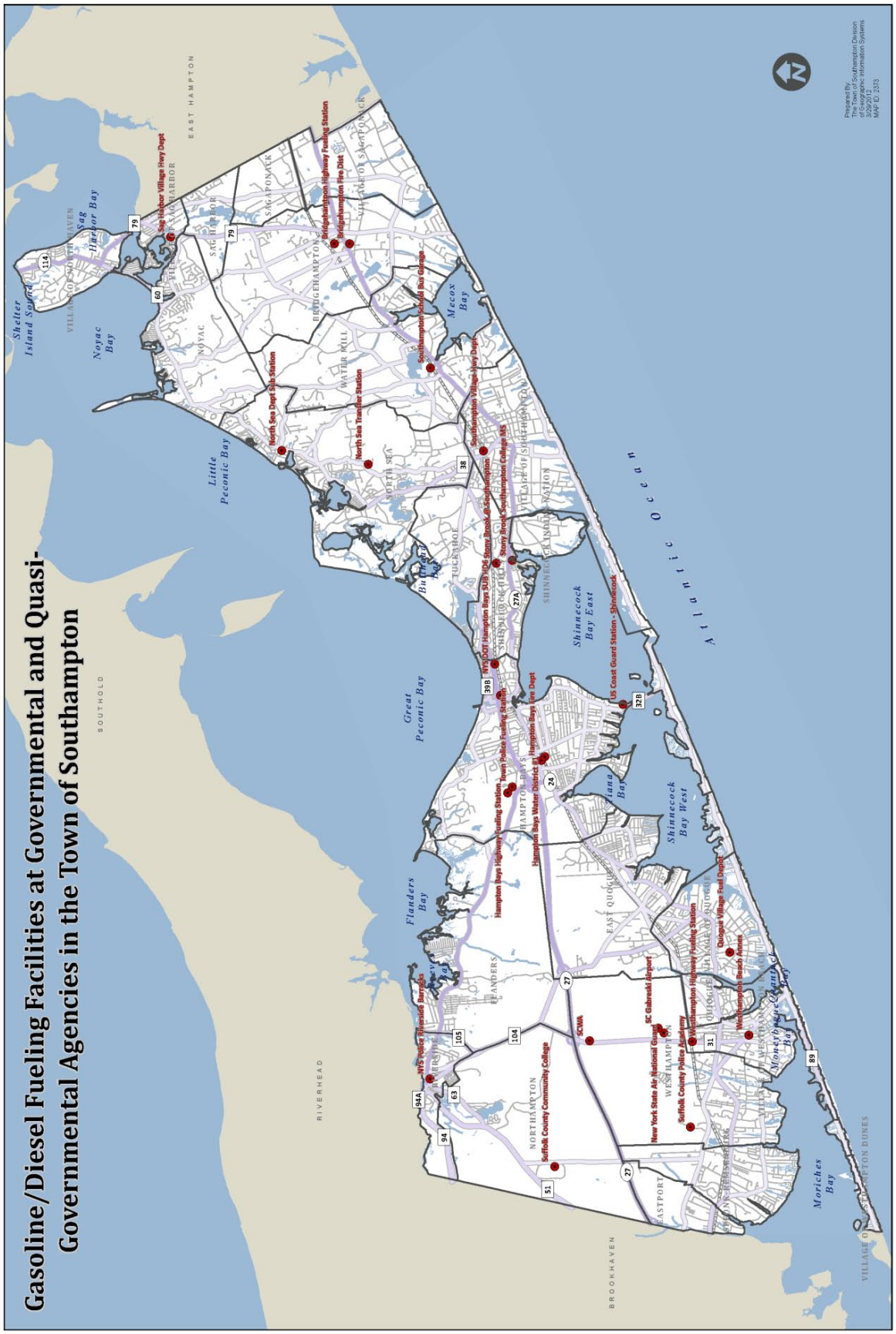


Figure II.2 – Existing Governmental and Quasi Governmental Fueling Stations within the Town of Southampton.

3. Fuel Station Recommendations

The Town should consider utilizing a fuel management system that incorporates a computer based system to manage fuel usage, vehicle diagnostics, and passive telemetric (GPS) abilities. The Department of Municipal Works has investigated a system currently in place at the Suffolk County Department of Public Works facilities. The technology manages and records fuel usage through a transmitter located adjacent to the fuel port, this has a wireless connection to a hardware modular integrated into vehicles electronic control systems. The hardware modular would have capabilities of vehicle diagnostics and passive telemetric which would be downloaded to a network computer each time the vehicle fueled. The passive telematic would allow managers to review vehicle trips that occurred in the past. The electronic information including fuel usage by vehicle, diagnostics and trip data could be utilized for accounting, maintenance, and management purposes.

To retrofit the existing Police Department fuel station would cost approximately $92,000. This would include the transmitter tower, vehicle & fuel station hardware, software and training needed to equip 174 light duty trucks and passenger vehicles, including Police vehicles. Incorporating additional fueling stations would cost approximately $18,000 per location retrofit plus the cost of hardware for the additional vehicles which use these sites. Costs for retrofit of two fueling stations and retrofit of the Senior Fleet Vehciles were included in a Federal Grant application made in March 2012, it is undetermined if we will receive this grant at the time of this report.

The proposed fuel management system, if compatible with other municipal agencies could be a shared service where applicable based on location and vehicle types (turning radius of sites). Opportunities could exist with schools, Fire Departments, County and State agencies to utilize shared service fueling possibilities.

Additional future recommendations for fueling stations include the following:

- Address the fire suppression systems over the existing gasoline fueling facilities. These are in various stages of dis-repair and are a safety concern. These systems should be tested annually to ensure they are in good operating condition.
- Establish a bi-annual program of testing the leak monitoring system of the fueling stations; Incorporate stormwater good municipal housekeeping techniques for the prevention of stormwater contamination. This would include the following:
- Install canopies over fueling areas, to prevent driving rain from dispersing any spilt fuel beyond the area of the canopy.
- Install pavement in areas where there are currently none.
- Address tanks and fueling pumps where the containment areas have the ability for water intrusion.
- Install spill cleanup kits in the event of an over fill while fueling and clearly post to employees so they can clean up.

III. FLEET MAINTENANCE PRACTICES

The Town expends a considerable amount of annual budget to fleet maintenance practices through 4 separate account codes for the following items:

- Repair Equipment (6406)
- Repair Vehicle (6408)
- Tires (6491)
- Lub Oil (6492)

In 2010, approximately $539,383 was spent on repair of vehicles and equipment, tires and lubricating oils. The breakdown of expenditures by Department/Division is shown in Table III.A. The table illustrates the inconsistent account codes amongst the different cost centers.

The Town has four vehicle maintenance facilities. As detailed below, one is managed by the Highway Department; one is managed by Municipal Works, one by the Police Department and one by the Hampton Bays Water District.

Maintenance records are kept by the facility which maintains the vehicle. Routine maintenance is not charged to each department; however significant repair work, including outside repairs, are charged to the department to which the vehicle is assigned.

Vehicle maintenance records are kept manually. The Highway Department has begun to utilize a software package entitled "PubWorks" for tracking of some vehicle information, that application is unique to the Highway Maintenance Garage. Software deployed

1. Highway Department Maintenance Facility, 28 Jackson Ave., Hampton Bays

This facility contains 4 bays and employs a staff of 4 mechanics. This facility maintains Highway Department trucks & equipment as well as some larger vehicles or specialized equipment for other departments.

Highway Department Maintenance Facility

Table III.A – 2010 Town Expenses for Fleet Maintenance *

Fleet Maintenance Account Codes			2010					
	Division	Cost Center	6403 Gas	6406 Rep. Equip.	6408 Rep. Veh.	6441 Diesel Fuel	6491 Tires	6492 Lub Oil
Supervisors Office		1220	$484.00					
Assessors Office								
	Full Town	1355	$3,796.00					
	Assessment	1688						
Community Preservation Fund		1940	$1,910.00					
Department of Land Management								
	LM Admin PT	8025	$3,167.00		$0.00			
	Bldg & Zone Div	8029	$16,342.00		$2,817.00			
Municipal Works								
	Engineering	1440	$1,633.00					
	Facilities Management	1620	$4,626.00	$22,637.00				
	Waste Management	8161	$15,060.00	$39,738.00		$129,328.00	$11,332.00	
	Waste Management	8160	$1,487.00	$19,884.00		$38,632.00	$3,264.00	
	Intermodal Transportation	3310	$0.00					
Business Management								
	General Services	1610	$706.00					
	Sea TV	7560	$1,040.00					
	Employee Safety	3015	$677.00		$2,000.00			
	Senior Services Transp	5630	$52,349.00		$24,753.00			
Information Technology								
	Information Technology	1680	$0.00					
Town Clerk								
	Sumary	1410	$570.00					
Parks & Recreation								
	Parks Maintenance	7110	$46,521.00	$16,250.00	$21,174.00			
	Conscience Point Marina	7182	$74,666.00			$8,376.00		
Highway Department								
	Hwy Maint.	5110	$225,060.00	$17,829.00		$247,468.00		
	Hwy Garage	5132		$197,713.00				18892
Police Department								
	Town Police	3120	$304,678.00	$10,821.00	$10,495.00			
	Bay Constables	3121	$28,604.00	$475.00				
	Dept. Central Garage	1640		$699.00	$83,199.00		$24,895.00	9141
Fire Marshal								
	Fire Prevention	3410	$11,881.00					
Town Trustees								
	Board	8700	$8,054.00	$1,375.00				
	Pump out Boat Division	8189	$10,508.00					
			$813,699.00	$327,421.00	$144,438.00	$423,804.00	$39,491.00	$28,033.00

358,458 Gallons @ ave. rate of $2.27/gal.

29,871 gallons/month

$1,776,886.00 Fleet Maintenance Costs for 2010

*Expanded Copy in Appendix

2. Municipal Works Maintenance Facility, 1370 Major's Path, North Sea

The facility contains 3 maintenance bays and employs 2 mechanics. This repair shop is open six days a week. Municipal Works vehicles only are maintained here. Most maintenance and repair work is done in house, with larger work such as transmission replacement completed at an outside repair facility.

Municipal Works Maintenance Facility

3. Police Department Central Garage, 110 Old Riverhead Rd., Hampton Bays

The Central Garage is managed by the Town Police Department. It is a 4 bay garage and employs 4 full time mechanics. The Central Garage is responsible for maintenance of the Police Department vehicles and general passenger use vehicles from other departments.

Police Central Garage Maintenance Facility

4. Hampton Bays Water District Garage, Ponquogue Avenue,

The Water District Garage is managed by the Water District, and is a relatively modern structure. The Water District operates a two bay garage and employees one full time mechanic responsible for maintenance of the Water District vehicles.

Hampton Bays Water District Site, Ponquogue Avenue

5. Maintenance Facility Recommendations.

In an effort to realize cost savings through consolidation and efficiencies it is a recommendation of this plan to consolidate existing maintenance facilities to locations on either side of the canal in the future. This could be accomplished a number of different ways in a phased in approach. The long term vision of this plan would be to enhance two of the existing facilities to include but not be limited to the following:

- Certified inspection facility
- Vehicle lifts – 2/facility with the capability to lift both passenger vehicles and heavy equipment
- Computerized inventory, work orders, diagnostics and maintenance records system. Proposed software systems such as fuel management should be integrated into such existing programs as PubWorks and RouteMatch.
- Implement a vehicle wash system designed to accommodate both passenger fleet vehicles and heavy equipment as part of a Stormwater Municipal Good Housekeeping Measure. This would be in compliance with the Town MS4 permit requirements, and increase the service life of the vehicle body by a regular cleaning schedule, potential corrosive elements that accumulate on the undercarriage and body through the course of driving would be removed. This is of particular benefit to the Parks, Trustees and Highway Department who frequently work in close proximity to salty environments.

Each facility should be staffed with a minimum of three auto mechanics, one specializing in diesel engines, one in gas engines.. Since Town operations are diverse in nature, mechanics should have access to a maintenance service vehicle so field repairs can be made as required. Shift scheduling should be offset so that there is auto-mechanic coverage beginning at 6 am through 4:30 pm, in addition there should be at least two mechanics, one/facility to be scheduled on the weekends as certain Town operations are conducted 7 days/week. Continuing education should be provided for auto-mechanics as the automotive industry is continually evolving with new technologies and practices. Training on computer usage, any new software deployment is essential to the success of an integrated facility.

V. RECORD KEEPING, INSURANCE AND POLICIES, PROCEDURES

1. Current Fleet Record Keeping Practices

Fleet related record keeping is not centralized; records are handled in a variety of ways depending on the records involved. Record keeping related to insuring of vehicles has traditionally been handled by General Services. More recently, the Transportation Office has begun to assume some coordination responsibility in this area. Insurance related record keeping involves tracking of vehicle purchases and disposal, with this information relayed to our insurance agency for additions and deletions to the Town vehicle insurance policy. Maintaining accurate ownership/registration records of the fleet by department is coordinated through this same process, with each department asked to confirm their registered and insured vehicle list annually. Vehicle titles and purchase records are generally kept by each department although there is no established procedure or centralized control

2. Fleet Insurance Overview

As noted, Town General Services is primarily responsible for the administration of the vehicle insurance policy, working with the local insurance brokerage MCRA (Maran Corporate Risk Associates). The policy is updated annually, with the policy cost based in part on the number of vehicles the Town insures. The Town currently carries liability insurance only on our vehicles.

3. Current Fleet Management Policies

The Town is guided by a number of policies established through Town Board resolution. Town Board resolutions are required to purchase or sell a vehicle. Town vehicle management policies address: classifications of Town vehicle users; annual authorization of take home ('24/7') vehicles; the purchase of 'green vehicles'; use of Town vehicles and personal vehicle use reimbursement; maintenance of drivers license records for all personnel using a Town vehicle; logging of trip information when using a Town vehicle; departmental responsibilities for aspects of Town vehicle policy adherence. The list below references past policies regarding usage and asset management. Copies of these policies are contained in the appendix B.

Town Board resolutions:

- 2005-1637 Human Service Budget Appropriation for vehicle purchase (example)
- 2006-1504 Business Management Narrative (with Fleet responsibilities)
- 2007-469 Revised Asset Management Policy (with fleet asset custodian responsibilities)
- 2007-1560 Revise 2008 budget regarding schedule & vehicle policies/fleet inventory analysis
- 2007-1718 2008 budget amendments (with 24/7 vehicle assignment reductions)
- 2007-1739 Update Town vehicle policy & Administrative Handbook (defines user agreements)
- 2008-72 Authorize user agreements for Town Vehicles

- 2008-685 Fund transfer for required defensive driving classes for ‘take home’ vehicle users
- 2008-1066 Add 2 employees to authorized year round ‘take home’ vehicle list
- 2009-14 Authorize user agreements for 2009 ‘take home’ vehicles
- 2009-59 Directive to prepare reports for annual policy updates (Town Vehicle Policy)
- 2009-90; 91; 265; 409 Each resolution adds 1 employee to ‘take home’ vehicle user list
- 2009-1461 Authorize user agreements for 2010 ‘take home’ vehicles
- 2010-973 Adopt idling reduction policy
- 2010-1121 Amend 2011 budget to add chart for authorized ‘take home’ vehicle users
- 2011-855 Amend existing policies to create an updated green vehicle purchase policy
- 2011-906 Authorize purchase of a vehicle for Code Enforcement (example)\
- 2011-1016 Authorize PropertyRoom.com contract to sell vehicles
- 2012 Adopted budget ‘take home’ vehicle authorization list

4. Record Keeping, Insurance and Policy Recommendations

i. Record Keeping

All driver records (including a current copy of the drivers license for those to whom this policy applies), vehicle titles, purchase and sale records should be maintained in the Fleet Management Office and centrally stored in an electronic filing software system. Annual insurance policy records should remain in General Services, with Fleet Management coordinating the issuance of vehicle insurance cards. Computerized maintenance records should be stored in a similar central data base, with access available to both the maintenance shops and Management. Telematic data should be stored in acentral data base as well, with access to particular categories (such as fuel use records) available to appropriate departments, such as the Comptroller’s Office for billing.

ii. Insurance

In conjunction with the Management Services Administrator and the Comptroller review the possible benefits of adding collision insurance, identify high risk employee drivers or other similar considerations which may impact insurance rates which could be addressed more effectively through a fleet management program.

iii. Policies

It is recommended that the following policy related actions be taken:

- Existing policies should be reviewed and updated where necessary. (See green vehicle policy.)
- New policies and/or procedures recommended in this report should be established via Town Board resolution as needed.
- All fleet policies should be compiled into a master document and reviewed with all department head, and other staff as appropriate.

- Internal administrative procedures involving various aspects of fleet record keeping should be established and managed by the Fleet Manager with assistance from the Fleet Working Group.

VI. PROPOSED FLEET MANAGEMENT IMPLEMENTATION PLAN

As indicated earlier in this report, a coordinated comprehensive fleet management program has the potential to greatly reduce operating costs and allow for more efficient tracking of fuel, maintenance, inventory, and use of Town owned vehicles. However, the implementation of a fully functioning fleet management plan that would achieve all of these objectives requires time and a sustained commitment. For those reasons, it is recommended that a multiphase implementation plan spanning several years and several budgets be considered by the Town Board.

Included in this report is a draft plan divided into three phases. Each phase addresses the three major prongs of fleet management: the fleet, fueling, and maintenance. Each phase of the draft plan includes an approximate budget. The ROI (Return on Investment) should also be computed but requires more analysis than the current scope of the report can provide.

From the outset, the oversight of the implementation process would benefit from one management perspective not only to provide the effort with clear direction but also to provide a single information source and reporting mechanism both for Town staff and for the Town Board. This oversight function can and will change as implementation advances but is critical to its success.

The Department of Municipal Works and Division of Intermodal Transportation recommends the first Phase of Implementation to include the following tasks, outcome and the associated budget. Following the development and implementation of these tasks, the Working Group would analyze and review the outcomes, and report same to the Town Board. Each phase upon completion should be assessed and reviewed for effectiveness and the desired outcomes. The Town Board would then have the option to proceed with a second phase or continue monitoring the first phase.

Phase One Implementation (see Table VI.A on following page) would include the acitivites outlined in the matrix as shown in Table VI.A. This Phase is meant to be one of additional data collection, cooperation with Fleet Groups, and potential fuel management deployment.

It should be emphasized that each phase is complete unto itself. The completion and evaluation of each phase will represent significant efficiencies and cost savings and can be evaluated independently as well as a component of subsequent phases.

Table VI.A - Phase One Implementation

	TASKS	OUTCOMES	BUDGET
FLEET	Adopt initial empowering Fleet Management (FM) resolution. Authorize one entity to work with Fleet Group and recommend pool cars, vehicle assignments and numbering. This could be performed under Municipal Works	A well defined list of responsibility, cooperation among Town Departments/Divisions, and a well defined goal path.	Current Staff Hours-no capital outlay
	Review all fleet related policies. Provide initial recommended policy changes for adoption.	Prepare and establish a consistent, implementable, accountable set of policies	Current Staff Hours-no capital outlay
	Initial use of Fleet Management analysis Software	Implement and develop a better support system to provide quantifiable justification for vehicle disposition, purchase and usage of existing and future vehicles	$600 Fleet Management Software & Current Staff Hours
	Establish internal operating procedures for vehicle record keeping and related procedures (registrations, accounting procedures, insurance)	Clear, consistent process for systematic record keeping, follow up on warranty or accident claims, etc.,	Current Staff Hours
FUEL	Assess and evaluate fuel management software & hardware systems including those used by adjacent municipalities.	Recommend appropriate software package for consideration – Assess potential IMA agreements based on location of adjacent local municipal fueling stations.	Budget depends on possible offset by grant application.
	Seek authority to issue RFP/contract for equipment and services	Receive proposals and/or bids for equipment and services.	Current Staff Hours
	Develop & implement revised internal accounting procedures for fuel billing	Reduced staff time for data compilation, greater accuracy in reporting, greatly enhanced analytical capability.	Current Staff Hours
	Implement staff training & assignment of fuel cards/fobs to qualified employees.	Staff aware of new procedures and trained in proper use.	Current Staff Hours
MAINTENANCE	Meet with vehicle maintenance staff to determine current methods of scheduling maintenance operations;	Greater understanding of current procedures for development of Phase 2 Recommendations	Current Staff Hours
	Work with the Fleet Group and Comptroller to provide some consistency with the use of budgetary account codes.	Implement in the 2013 budget process so that actual costs among different departments are more easily tracked.	No Cost
	Research successful fleet maintenance operations to determine effective software and policies and procedures recommendation	Develop initial recommendations of fleet maintenance improvements. The goal will be to have less vehicles in a state of repair.	No Cost

VII. CONCLUSION

This Comprehensive Fleet Management Plan Report has been developed for the purposes of promoting efficiency within Town functions pertaining to fleet management, fuel management, fleet maintenance and future policies. The report content refers to conceptual future implementation and should be considered a working plan subject to changes. It is the recommendation of this report to proceed with a Fuel Management System to be initially installed at the Police Department Fuel Station in 2012 Phase I.

APPENDIX

1. Fleet Maintenance 2010

Fleet Maintenance Account Codes			2010					
	Division	Cost Center	6403 Gas	6406 Rep. Equip.	6408 Rep. Veh.	6441 Diesel Fuel	6491 Tires	6492 Lub Oil
Supervisors Office		1220	$484.00					
Assessors Office								
	Full Town	1355	$3,796.00					
	Assessment	1688						
Community Preservation Fund		1940	$1,910.00					
Department of Land Management								
	LM Admin PT	8025	$3,167.00		$0.00			
	Bldg & Zone Div	8029	$16,342.00		$2,817.00			
	Current Planning Division	8021						
	Long Range Planning	8026						
	Environmental Division	8090						
	Conservation Board	8730						
	ARB	8013						
	Licensing Review Board	8016						
	Planning Board	8020						
	ZBA	8012						
Municipal Works								
	Engineering	1440	$1,633.00					
	Facilities Management	1620	$4,626.00	$22,637.00				
	Waste Management	8161	$15,000.00	$39,738.00		$129,328.00	$11,332.00	
	Waste Management	8160	$1,487.00	$19,884.00		$38,632.00	$3,264.00	
	Intermodal Transportation	3310	$0.00					
	Waste Management Admin	1490						

Fleet Maintenance 2010, cont.

Fleet Maintenance Account Codes			2010					
	Division	Cost Center	6403 Gas	6406 Rep. Equip.	6408 Rep. Veh.	6441 Diesel Fuel	6491 Tires	6492 Lub Oil
Business Management								
	General Services	1610	$706.00					
	Sea TV	7560	$1,040.00					
	Employee Safety	3015	$677.00		$2,000.00			
	Senior Services Transp	5630	$52,349.00		$24,753.00			
	Human Services - FT	1430						
	Workplace Policy	1431						
	Community Services	6010						
	Domestic Violence Advocacy	3151						
	Senior Services Admin	6772						
	Adult Day Care	6055						
	Nutrition Programs	6143						
	Audit and Control	1320						
	CRC	1480						
	Youth Bureau	6119						
Information Technology								
	Information Technology	1680	$0.00					
	Central Printing & Maining	1670						
	Data Entry	1685						
	GIS	1682						
	Egov	1686						
Town Clerk								
	Sumary	1410	$570.00					
	Records Management	1460						
	Archives & Historian	7520						

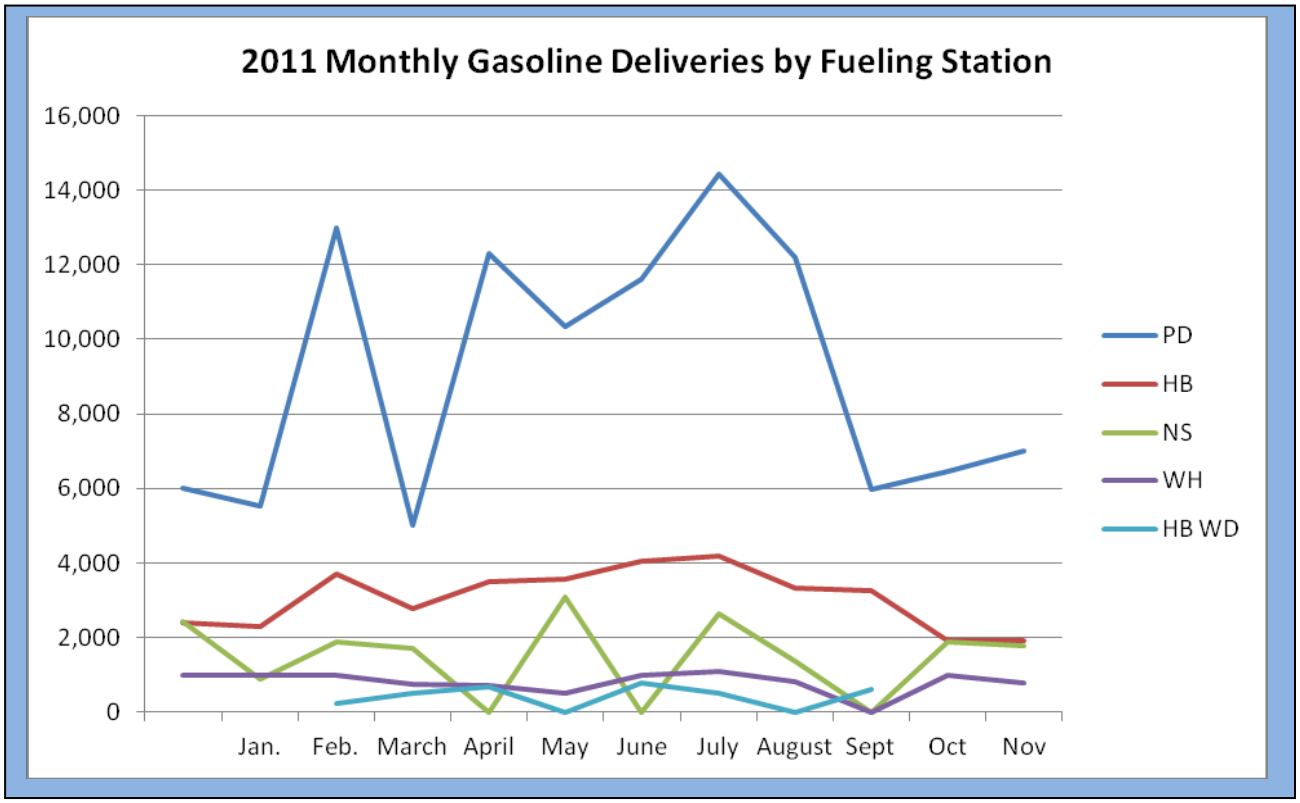
Fleet Maintenance 2010, cont.

Fleet Maintenance Account Codes			2010					
	Division	Cost Center	6403 Gas	6406 Rep. Equip.	6408 Rep. Veh.	6441 Diesel Fuel	6491 Tires	6492 Lub Oil
Parks & Recreation								
	Parks Maintenance	7110	$46,521.00	$16,250.00	$21,174.00			
	Conscience Point Marina	7182	$74,666.00			$8,376.00		
	Admin	7020						
	Rec Program Admin	7021						
	Sports & Special Events	7022						
	Youth Program	7310						
	Hamlet Beautification	7115						
	Beach Operations	7180						
	Shinnecock Commercial Dock	6420						
	East Quogue Marina	7183						
Highway Department								
	Hwy Maint.	5110	$225,000.00	$17,829.00		$247,468.00		
	Hwy Garage	5132		$197,713.00				$18,892.00
	HWY Admin	5111		$0.00				
Police Department								
	Town Police	3120	$304,678.00	$10,821.00	$10,495.00			
	Bay Constables	3121	$28,604.00	$475.00				
	Dept. Central Garage	1640		$699.00	$83,199.00		$24,895.00	$9,141.00
	Court Officers	3160						
	E911	3020						
	Civilian	3124						
	Emergency Preparedness	3412						
	Jail	3150						
Fire Marshal								
	Fire Prevention	3410	$11,881.00					
	Fire Marshal Department	3010						

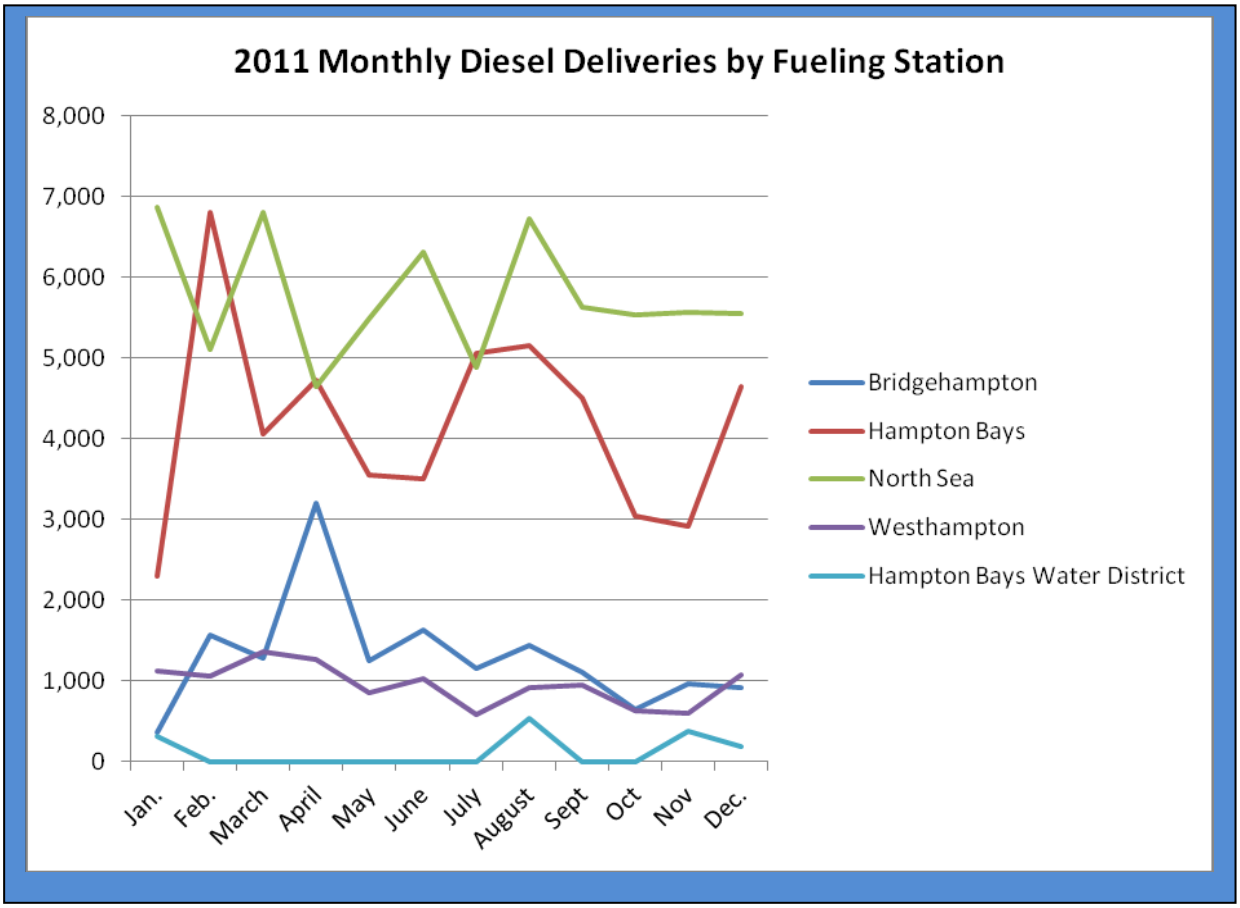
Fleet Maintenance 2010, cont.

Fleet Maintenance Account Codes			2010					
	Division	Cost Center	6403 Gas	6406 Rep. Equip.	6408 Rep. Veh.	6441 Diesel Fuel	6491 Tires	6492 Lub Oil
Town Trustees								
	Board	8700	$8,054.00	$1,375.00				
	Pump out Boat Division	8189	$10,508.00					
			$813,699.00	$327,421.00	$144,438.00	$423,804.00	$39,491.00	$28,033.00
			358,458	Gallons @ ave. rate of $2.27/gal.				
			29,871	gallons/month				
		$1,776,886.00		Fleet Maintenance Costs for 2010				

2. Gasoline Deliveries 2011



3. Diesel Deliveries 2011



SOUTHAMPTON

Vehicles by Department

Department **Animal Control**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
748	2007	Dodge	ClubCab 4x4	117890	0	3	Unleaded	False	True	6/22/2015 6:38:00 AM		
747	2007	Dodge	Dakota	105233	0	4	Unleaded	False	True	6/20/2015 9:49:00 AM		
749	2008	Jeep	Gr Cherokee	59856	0	5	Unleaded	False	True	5/14/2015 1:52:00 PM		

Department Summary	Count
Animal Control	3

Department **Bay Constables**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
812	2007	Ford	Expedition	79323	0	10	Unleaded	False	True	6/18/2015 7:29:00 AM		
815	2013	Ford	F-150	863	0	11	Unleaded	False	True	6/18/2015 1:37:00 PM		
816	2013	Ford	F-150	26680	0	12	Unleaded	False	True	6/14/2015 7:25:00 AM		
813	2012	Chevrolet	Tahoe	38450	0	13	Unleaded	False	True	6/20/2015 7:56:00 AM		
814	2012	Chevrolet	Tahoe	38169	0	14	Unleaded	False	True	6/22/2015 7:15:00 AM		
1024	2008	Ford	Expedition	0	0	271	Unknown	False	True	6/14/2015 8:04:00 AM	4/2/2014 4:36:59 PM	

SOUTHAMPTON

Vehicles by Department

Department **Bay Constables**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1025	2008	Ford	Expedition	0	0	272	Unknown	False	True	6/20/2015 4:29:00 PM	4/2/2014 4:39:37 PM	

Department Summary	Count
Bay Constables	7

Department **BUILDING DEPARTMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
907	2004	Chevrolet	Blazer	97242	0	18	Unleaded	False	True	6/19/2015 12:55:00 PM		
909	2005	Ford	Escape	79310	0	21	Unleaded	False	True	6/19/2015 1:46:00 PM		
911	2005	Jeep	Gr Cherokee	71450	0	27	Unleaded	False	True	6/22/2015 1:27:00 PM		
917	2006	Jeep	Gr Cherokee	65658	0	29	Unleaded	False	True	6/22/2015 5:02:00 AM		
920	2007	Jeep	Gr Cherokee	110863	0	30	Unleaded	False	True	6/18/2015 12:31:00 PM		
760	2013	Chevrolet	Equinox	25800	0	119	Unleaded	False	True	6/16/2015 10:50:00 AM		
912	2005	Jeep	Gr Cherokee	44805	0	145	Unleaded	False	True	5/12/2015 1:13:00 PM		
759	2013	Ford	Fusion	10752	0	202	Unleaded	False	True	6/18/2015 3:59:00 PM		
1018	2014	Ford	Fusion	4850	0	265	Unleaded	False	True	6/17/2015 12:10:00 PM	3/27/2014 2:22:43 PM	

SOUTHAMPTON

Vehicles by Department

Department **BUILDING DEPARTMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1026	2014	Chevrolet	Equinox	10800	0	282	Unleaded	False	True	6/22/2015 10:06:00 AM	7/3/2014 1:13:48 PM	
1028	2014	Chevrolet	Equinox	108	0	284	Unleaded	False	True	6/22/2015 9:54:00 AM	7/3/2014 1:20:03 PM	
1027	2014	Chevrolet	Equinox	6551	0	283	Unleaded	False	True	6/1/2015 1:14:00 PM	7/3/2014 1:11:10 PM	

Department Summary	Count
BUILDING DEPARTMENT	12

Department **CENTRAL GARAGE**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
GC12		Gas Can		0	0	261	Unleaded	False	True	1/26/2015 1:37:00 PM	1/2/2014 11:22:50 AM	

Department Summary	Count
CENTRAL GARAGE	1

Department **CODE ENFORCEMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
682	2003	Ford	Crown Vic	120445	0	32	Unleaded	False	True	6/19/2015 7:53:00 PM		
753	2012	Ford	Escape XLT	32470	0	33	Unleaded	False	True	6/17/2015 3:06:00 PM		

SOUTHAMPTON

Vehicles by Department

Department **CODE ENFORCEMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
750	2008	Jeep	Gr Cherokee	89968	0	34	Unleaded	False	True	6/19/2015 7:08:00 AM		
751	2008	Jeep	Gr Cherokee	85664	0	35	Unleaded	False	True	6/18/2015 1:39:00 PM		
752	2008	Jeep	Gr Cherokee	82563	0	36	Unleaded	False	True	6/23/2015 6:02:00 AM		
1034	2014	Chevrolet	Impala	0	0	293	Unleaded	False	True	6/23/2015 6:48:00 AM	9/29/2014 3:49:27 PM	
1033	2014	Chevrolet	Impala	0	0	292	Unleaded	False	True	6/20/2015 12:09:00 PM	9/29/2014 3:53:05 PM	
1043	2015	Ford	F 150	400	0	311	Unleaded	False	True	1/1/1900 12:00:00 AM	6/19/2015 9:44:29 AM	

Department Summary	Count
CODE ENFORCEMENT	8

Department **Comm Preserv**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
902	2003	Ford	Explorer	52222	0	41	Unleaded	False	True	5/7/2015 9:29:00 AM		
923	2011	Ford	F-250	47259	0	42	Unleaded	False	True	6/16/2015 1:34:00 PM		
GC23	2015	Gas Can		0	0	289	Unleaded	False	True	6/16/2015 1:36:00 PM	8/13/2014 1:06:43 PM	

SOUTHAMPTON

Vehicles by Department

Department **Comm Preserv**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1035	2014	Ford	F-150	0	0	302	Unleaded	False	True	6/15/2015 12:14:00 PM	12/4/2014 9:05:28 AM	

Department Summary	Count
Comm Preserv	4

Department **Comptrollers Office**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
758	2013	Ford	Fusion	13275	0	26	Unleaded	False	True	6/19/2015 7:09:00 AM		

Department Summary	Count
Comptrollers Office	1

Department **Department of Land Management**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
762	2013	Chevrolet	Equinox	15241	0	20	Unleaded	False	True	6/19/2015 12:40:00 PM		
921	2007	Jeep	Gr Cherokee	55519	0	68	Unleaded	False	True	6/22/2015 6:30:00 AM		

Department Summary	Count
Department of Land Management	2

SOUTHAMPTON

Vehicles by Department

Department **EMPLOYEE SAFETY**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1037	2015	Ford	Transit Connect Van	0	0	305	Unleaded	False	True	6/9/2015 8:29:00 AM	1/21/2015 9:16:45 AM	

Department Summary	Count
EMPLOYEE SAFETY	1

Department **ENGINEERING**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
757	2013	Ford	Fusion	22993	0	25	Unleaded	False	True	6/19/2015 11:37:00 AM		

Department Summary	Count
ENGINEERING	1

Department **FIRE MARSHAL**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
333	2003	Ford	Crown Vic	1	0	60	Unleaded	False	True	6/19/2015 7:31:00 AM		
687	2011	Ford	F-250	52517	0	75	Unleaded	False	True	6/18/2015 3:51:00 PM		
673	1991	LDV	HazMat	0	0	76	Unleaded	False	True			
688	2012	Chevrolet	Suburban	46419	0	79	Unleaded	False	True	6/22/2015 7:54:00 AM		
686	2011	Ford	F-250	266	0	81	Unleaded	False	True	6/16/2015 8:00:00 AM		

Vehicles by Department

Department **FIRE MARSHAL**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
685	2008	Jeep	Gr Cherokee	504	0	82	Unleaded	False	True	6/9/2015 8:21:00 AM		
1042	2015	Ford	F 150	400	0	310	Unleaded	False	True	1/1/1900 12:00:00 AM	6/19/2015 9:41:21 AM	

Department Summary	Count
FIRE MARSHAL	7

Department **GENERAL SERVICES**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
316	2000	Ford	Crown Vic	85730	0	84	Unleaded	False	True	5/28/2015 2:12:00 PM	4/17/2014 8:48:22 AM	
1022	2014	Ford	Fusion	9671	0	269	Unknown	False	True	6/22/2015 10:25:00 AM	4/2/2014 4:32:37 PM	
1020	2014	Ford	Fusion	9936	0	267	Unknown	False	True	6/17/2015 2:22:00 PM	3/27/2014 2:28:21 PM	
1023	2014	Ford	Fusion	4763	0	270	Unleaded	False	True	6/2/2015 1:36:00 PM	12/19/2014 8:25:56 AM	
1040	2015	Ford	Fusion	1065	0	307	Unleaded	False	True	5/19/2015 5:18:00 PM	5/4/2015 11:26:35 AM	

Department Summary	Count
GENERAL SERVICES	5

Department **Hampton Bays Water District**

Vehicles by Department

Department **Hampton Bays Water District**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1002	2000	Dodge	Dakota	0	0	90	Unleaded	False	True			
1015	2011	Ford	F-250	0	0	91	Unleaded	False	True			
1014	2011	Ford	F-250	0	0	92	Unleaded	False	True			
1003	2001	Ford	F350	0	0	93	Unleaded	False	True			
1008	2005	Ford	F350	0	0	94	Unleaded	False	True			
1000	1997	GMC	Jimmy	0	0	95	Unleaded	False	True			
1009	2005	Jeep	Liberty	0	0	96	Unleaded	False	True			
1004	2001	Chevrolet	Pickup	0	0	97	Unleaded	False	True			
1001	1998	GMC	Sierra	0	0	98	Unleaded	False	True			
1012	2007	Chevrolet	Silverado	0	0	99	Unleaded	False	True			
1013	2007	Chevrolet	Silverado	0	0	100	Unleaded	False	True			
1016	2013	Ford	F-250	0	0	101	Unleaded	False	True			

Department Summary	Count
Hampton Bays Water District	12

Department **HUMAN SERVICES**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
906	2004	Chevrolet	Blazer	79482	0	17	Unleaded	False	True	6/22/2015 6:57:00 AM		
761	2013	Chevrolet	Equinox	36596	0	19	Unleaded	False	True	6/19/2015 2:11:00 PM		
916	2006	Jeep	Gr Cherokee	95615	0	28	Unleaded	False	True	6/19/2015 10:03:00 AM		
511	2005	Ford	E-450	171381	0	113	Unleaded	False	True	11/13/2014 3:53:00 PM		

SOUTHAMPTON

Vehicles by Department

Department **HUMAN SERVICES**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
521	2006	Ford	E-450	145209	0	114	Unleaded	False	True	6/10/2015 7:13:00 PM		
522	2006	Ford	E-450	140365	0	115	Unleaded	False	True	6/22/2015 2:29:00 PM		
523	2006	Ford	E-450	134665	0	116	Unleaded	False	True	6/22/2015 2:21:00 PM		
524	2006	Ford	E-450	106119	0	117	Unleaded	False	True	6/20/2015 4:57:00 PM		
527	2012	Ford	E-450	34895	0	118	Unleaded	False	True	6/8/2015 1:53:00 PM		
506	2001	Ford	Taurus	80742	0	123	Unleaded	False	True	6/15/2015 1:35:00 PM		
509	2002	GMC	TG31503 - bus	0	0	124	Unleaded	False	True			
525	2008	Chevrolet	Uplander	0	0	125	Unleaded	False	True			
526	2008	Chevrolet	Uplander	84763	0	126	Unleaded	False	True	6/18/2015 1:57:00 PM		
763	2013	Chevrolet	Equinox	33289	0	227	Unleaded	False	True	6/23/2015 7:54:00 AM	10/30/2013 3:25:42 PM	
764	2013	Chevrolet	Equinox	35851	0	228	Unleaded	False	True	6/23/2015 5:48:00 AM	10/30/2013 4:07:21 PM	
528	2012	Ford	E-450	39724	0	229	Unleaded	False	True	6/18/2015 3:24:00 PM	10/30/2013 4:11:36 PM	
529	2014	Ford	E 450	0	0	285	Unleaded	False	True	6/19/2015 1:21:00 PM	7/29/2014 9:48:29 AM	

Vehicles by Department

Department **HUMAN SERVICES**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
530	2014	Ford	E 450	0	0	286	Unleaded	False	True	6/19/2015 3:07:00 PM	7/29/2014 9:51:54 AM	

Department Summary	Count
HUMAN SERVICES	18

Department **Municipal Works**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
740	2004	Chevrolet	Express Van	81043	0	73	Unleaded	False	True	6/12/2015 6:43:00 AM		
754	2012	Chevrolet	Express Van	33674	0	74	Unleaded	False	True	6/18/2015 9:15:00 AM		
426	2004	Dodge	Ram 1500	84440	0	77	Unleaded	False	True	6/12/2015 2:15:00 PM		
723	2001	Dodge	Ram 1500	84432	0	78	Unleaded	False	True	12/8/2014 11:40:00 AM		
P434	2005	Chevrolet	Silverado	116000	0	142	Unleaded	False	True	3/13/2015 8:08:00 AM		
GC22		Gas Can		0	0	281	Unleaded	False	True	5/11/2015 12:24:00 PM	6/23/2014 1:51:22 PM	
GC24		Facilities Mgmt Gas Can		0	0	303	Unleaded	False	True	1/1/1900 12:00:00 AM	1/13/2015 10:20:02 AM	
3000	2014	Shop	Fob	0	0	3000	Unleaded	False	True	4/28/2015 10:07:00 AM	12/9/2014 11:03:14 AM	

SOUTHAMPTON

Vehicles by Department

Department **Municipal Works**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1036	2015	Ford	Transit Connect Van	0	0	304	Unleaded	False	True	6/17/2015 1:24:00 PM	1/21/2015 9:33:52 AM	

Department Summary	Count
Municipal Works	9

Department **Parks and Recreation**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1017	2008	Dodge	Durango	90192	0	6	Unleaded	False	True	6/19/2015 11:58:00 AM		
918	2006	Ford	Escape Hy	111116	0	39	Unleaded	False	True	6/13/2015 7:59:00 AM		
915	2006	Jeep	Liberty	66283	0	67	Unleaded	False	True	6/22/2015 6:42:00 AM		
P435	2006	Ford	12 Pass Econoline	8039	0	130	Unleaded	False	True	9/10/2014 8:39:00 AM		
P441	2008	Ford	F-150	48823	0	132	Unleaded	False	True	6/17/2015 11:37:00 AM		
452	2011	Ford	F-250	67645	0	133	Unleaded	False	True	6/16/2015 6:16:00 AM		
P437	2006	Ford	F-250	139111	0	134	Unleaded	False	True	6/15/2015 6:06:00 AM		
P432	2004	Ford	F-350	85000	0	135	Unleaded	False	True	1/26/2015 8:29:00 AM		
P444	2009	Ford	F-350 Van	68691	0	136	Unleaded	False	True	6/19/2015 6:04:00 AM		

SOUTHAMPTON

Vehicles by Department

Department **Parks and Recreation**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
459	2012	Ford	F-550	24583	0	137	Unleaded	False	True	6/22/2015 1:10:00 PM		
382	1996	Chevrolet	Lumina	0	0	140	Unleaded	False	True			
P438	2006	Dodge	Ram	125058	0	141	Unleaded	False	True	1/21/2014 7:58:00 AM		
P406	2001	Ford	Taurus	38355	0	143	Unleaded	False	True	8/27/2014 10:38:00 AM		
P436	2006	Ford	Taurus	32382	0	144	Unleaded	False	True	12/16/2014 6:36:00 AM		
457	2012	Ford	250	48880	0	230	Unknown	False	True	6/19/2015 8:05:00 AM	11/4/2013 8:13:58 AM	
P431	2004	FORD	FLAT DUMP	93809	0	233	Unleaded	False	True	6/3/2015 6:52:00 AM	11/4/2013 8:27:57 AM	
GC3		Gas Can		0	0	241	Unleaded	False	True	6/10/2015 5:55:00 AM	11/13/2013 9:03:13 AM	
GC4		Gas Can		0	0	242	Unleaded	False	True	6/19/2015 7:57:00 AM	11/13/2013 9:04:11 AM	
GC5		Gas Can		0	0	243	Unleaded	False	True	8/5/2014 12:11:00 PM	11/13/2013 9:04:56 AM	
GC6		Gas Can		0	0	244	Unleaded	False	True	6/22/2015 1:12:00 PM	11/13/2013 9:05:36 AM	
GC8		Gas Can		0	0	246	Unleaded	False	True	6/19/2015 7:58:00 AM	11/13/2013 9:07:31 AM	
LM1		Hustler	SuperZ	0	0	247	Unleaded	False	True	6/22/2015 5:33:00 AM	11/22/2013 12:35:14 PM	
LM3		JOHN DEER	797OA	0	0	249	Unleaded	False	True	6/17/2015 8:04:00 AM	11/22/2013 12:38:13 PM	
LM5		TORO	LAWN MOWER	0	0	251	Unleaded	False	True	4/15/2015 1:36:00 PM	11/22/2013 12:41:23 PM	

SOUTHAMPTON

Vehicles by Department

Department **Parks and Recreation**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
LM6		JOHN DEERE	7960A	0	0	252	Unleaded	False	True	6/16/2015 8:30:00 AM	11/22/2013 12:43:04 PM	
LM7		EXMARK	LAZER Z	0	0	253	Unleaded	False	True	5/28/2015 12:32:00 PM	11/22/2013 12:44:20 PM	
LM10		EXMARK	LAZER Z	0	0	256	Unleaded	False	True	10/15/2014 9:13:00 AM	11/22/2013 12:48:29 PM	
LM2		EXMARK	LASER Z	0	0	248	Unleaded	False	True	11/25/2014 7:29:00 AM	11/22/2013 12:39:06 PM	
P461	2013	Ford	F-250	36185	0	225	Unleaded	False	True	6/22/2015 5:48:00 AM	10/30/2013 4:00:12 PM	
P458	2011	Chevrolet	Colorado	10105	0	236	Unleaded	False	True	6/17/2015 8:33:00 AM	11/4/2013 9:02:15 AM	
GC1		Gas Can		0	0	239	Unleaded	False	True	5/30/2015 9:55:00 AM	11/13/2013 8:53:18 AM	
GC7		Gas Can		0	0	245	Unleaded	False	True	6/22/2015 1:13:00 PM	11/13/2013 9:06:22 AM	
LM8		EXMARK	LAZER Z	0	0	254	Unleaded	False	True	5/14/2015 12:58:00 PM	11/22/2013 12:45:21 PM	
LM9		EXMARK	LAZER Z	0	0	255	Unleaded	False	True	7/3/2014 6:44:00 AM	11/22/2013 12:46:35 PM	
CHIPPER		FORD		0	0	257	Unknown	False	True	1/1/1900 12:00:00 AM	11/22/2013 12:49:54 PM	
P456	2011	Ford	Flatbed Liftgate	52077	0	234	Unleaded	False	True	6/22/2015 6:08:00 AM	11/4/2013 8:59:48 AM	
P455	2011	Chevrolet	Colorado	13524	0	235	Unleaded	False	True	6/21/2015 12:51:00 PM	11/4/2013 9:00:52 AM	
GC2		Gas Can		0	0	240	Unleaded	False	True	6/13/2015 5:14:00 AM	11/13/2013 8:57:06 AM	

SOUTHAMPTON

Vehicles by Department

Department **Parks and Recreation**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
PAC1		Air Compressor		0	0	238	Unleaded	False	True	11/25/2014 1:06:00 PM	11/13/2013 10:03:07 AM	
LM4		TORO	LAWN MOWER	0	0	250	Unleaded	False	True	6/4/2015 6:45:00 AM	11/22/2013 12:40:17 PM	
1021	2014	Ford	Fusion	4515	0	268	Unknown	False	True	5/21/2015 1:07:00 PM	3/27/2014 2:31:16 PM	
GC16		Gas Can		0	0	274	Unleaded	False	True	5/30/2015 6:25:00 AM	4/29/2014 12:47:25 PM	
GC18		Gas Can		0	0	276	Unleaded	False	True	6/17/2015 10:29:00 AM	4/29/2014 12:50:29 PM	
GC19		Gas Can		0	0	277	Unleaded	False	True	5/18/2015 1:49:00 PM	5/14/2014 11:34:55 AM	
GC17		Gas Can		0	0	275	Unleaded	False	True	5/30/2015 6:28:00 AM	4/29/2014 12:49:10 PM	
GC21		Gas Can		0	0	279	Unleaded	False	True	6/22/2015 4:28:00 PM	4/29/2014 12:54:02 PM	
1030	2015	Ford	F 250	6200	0	288	Unleaded	False	True	6/5/2015 11:37:00 AM	8/13/2014 1:04:44 PM	
GC20		Gas Can		0	0	278	Unleaded	False	True	5/20/2014 9:12:00 AM	4/29/2014 12:52:35 PM	
LM 12	2015	Hustler	Super Z Lawn Mower	0	0	309	Unleaded	False	True	1/1/1900 12:00:00 AM	6/4/2015 3:35:23 PM	
1038	2014	Ford	F 150	7032	0	306	Unleaded	False	True	6/17/2015 5:56:00 AM	1/21/2015 9:39:38 AM	

Vehicles by Department

Department **Parks and Recreation**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
LM11		Jacobsen	Groommaster	0	0	280	Unleaded	False	True	1/1/1900 12:00:00 AM	5/23/2014 4:28:21 PM	

Department Summary	Count
Parks and Recreation	51

Department **PLANNING**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1041	2015	Ford	Fusion	1315	0	308	Unleaded	False	True	6/18/2015 12:58:00 PM	5/4/2015 11:33:07 AM	

Department Summary	Count
PLANNING	1

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
24	1971	GMC	Truck	86756	0	38	Unleaded	False	True	11/21/2014 10:32:00 AM		
757	1998	BMW	Motorcycle	0	0	43	Unleaded	False	True			
382	2007	Ford	Crown Vic	171809	0	46	Unleaded	False	True	6/7/2015 12:07:00 AM		
386	2007	Ford	Crown Vic	63080	0	47	Unleaded	False	True	6/7/2015 7:05:00 PM		
406	2008	Ford	Crown Vic	98092	0	48	Unleaded	False	True	5/14/2015 6:50:00 AM		

SOUTHAMPTON

Vehicles by Department

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
388	2007	Ford	Expedition	187908	0	49	Unleaded	False	True	6/19/2015 10:38:00 PM		
755	1998	BMW	Motorcycle	0	0	50	Unleaded	False	True			
756	1998	BMW	Motorcycle	0	0	51	Unleaded	False	True			
434	2012	Chevrolet	Tahoe	114617	0	52	Unleaded	False	True	6/20/2015 9:27:00 PM		
377	2006	Ford	Crown Vic	96097	0	53	Unleaded	False	True	5/10/2015 11:11:00 PM		
432	2011	Chevrolet	Impala	30343	0	54	Unleaded	False	True	6/16/2015 12:19:00 PM		
433	2011	Chevrolet	Impala	72140	0	55	Unleaded	False	True	6/20/2015 10:56:00 AM		
319	2001	Ford	Crown Vic	101693	0	57	Unleaded	False	True	6/19/2015 8:17:00 AM		
338	2003	Ford	Crown Vic	119243	0	61	Unleaded	False	True	6/17/2015 9:38:00 AM		
407	2009	Chevrolet	Impala	56076	0	63	Unleaded	False	True	6/22/2015 10:29:00 AM		
408	2009	Chevrolet	Impala	43983	0	64	Unleaded	False	True	6/19/2015 6:25:00 PM		
420	2011	Chevrolet	Tahoe	39878	0	65	Unleaded	False	True	6/10/2015 3:52:00 PM		
327	2001	Ford	Crown Vic	105441	0	85	Unleaded	False	True	6/17/2015 8:48:00 AM		
42	2004	Honda	Civic	33460	0	102	Unleaded	False	True	6/12/2015 6:36:00 AM		
358	2005	Ford	Crown Vic	100145	0	105	Unleaded	False	True	6/11/2015 8:09:00 AM		
397	2008	Chevrolet	Impala	914	0	106	Unleaded	False	True	6/11/2015 1:46:00 PM		

SOUTHAMPTON

Vehicles by Department

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
398	2008	Chevrolet	Impala	585947	0	107	Unleaded	False	True	6/18/2015 4:59:00 PM		
421	2011	Chevrolet	Tahoe	32238	0	109	Unleaded	False	True	6/17/2015 8:45:00 AM		
31	2002	Chevrolet	Van	7314	0	110	Unleaded	False	True	6/12/2015 1:23:00 PM		
306	1999	Ford	Crown Vic	0	0	127	Unleaded	False	True			
381	2007	Ford	Crown Vic	13453	0	128	Unleaded	False	True	2/2/2015 12:18:00 PM		
356	2004	Ford	Crown Vic	99095	0	148	Unleaded	False	True	6/22/2015 7:08:00 PM		
360	2005	Ford	Crown Vic	115645	0	150	Unleaded	False	True	6/22/2015 3:00:00 PM		
369	2006	Ford	Crown Vic	93571	0	153	Unleaded	False	True	10/31/2014 10:53:00 PM		
370	2006	Ford	Crown Vic	103239	0	154	Unleaded	False	True	4/24/2015 8:09:00 AM		
374	2006	Ford	Crown Vic	81740	0	155	Unleaded	False	True	4/29/2015 9:58:00 AM		
376	2006	Ford	Crown Vic	133485	0	156	Unleaded	False	True	6/19/2015 3:00:00 PM		
383	2007	Ford	Crown Vic	128604	0	157	Unleaded	False	True	5/23/2015 1:31:00 AM		
399	2008	Ford	Crown Vic	127793	0	159	Unleaded	False	True	5/9/2015 6:33:00 AM		
400	2008	Ford	Crown Vic	152275	0	160	Unleaded	False	True	5/9/2015 6:44:00 AM		
402	2008	Ford	Crown Vic	123456	0	161	Unleaded	False	True	5/17/2015 12:14:00 PM		

SOUTHAMPTON

Vehicles by Department

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
403	2008	Ford	Crown Vic	111410	0	162	Unleaded	False	True	6/20/2015 11:05:00 PM		
405	2008	Ford	Crown Vic	150	0	163	Unleaded	False	True	5/18/2015 6:45:00 AM		
411	2010	Ford	Crown Vic	14000	0	164	Unleaded	False	True	6/19/2015 6:49:00 PM		
412	2010	Ford	Crown Vic	94326	0	165	Unleaded	False	True	1/10/2014 3:21:00 PM		
413	2010	Ford	Crown Vic	187686	0	166	Unleaded	False	True	6/12/2015 3:18:00 PM		
415	2010	Ford	Crown Vic	105125	0	167	Unleaded	False	True	5/31/2015 10:58:00 PM		
416	2010	Ford	Crown Vic	143045	0	168	Unleaded	False	True	6/8/2015 2:33:00 PM		
418	2010	Ford	Crown Vic	129198	0	169	Unleaded	False	True	6/18/2015 6:49:00 AM		
422	2011	Ford	Crown Vic	80852	0	170	Unleaded	False	True	6/7/2015 3:57:00 AM		
423	2011	Ford	Crown Vic	97561	0	171	Unleaded	False	True	12/9/2014 9:40:00 AM		
424	2011	Ford	Crown Vic	134633	0	172	Unleaded	False	True	5/30/2015 11:27:00 PM		
425	2011	Ford	Crown Vic	82045	0	173	Unleaded	False	True	6/22/2015 10:59:00 PM		
428	2011	Ford	Crown Vic	120759	0	176	Unleaded	False	True	6/2/2015 9:21:00 AM		
430	2011	Ford	Crown Vic	101246	0	177	Unleaded	False	True	1/8/2014 10:03:00 AM		
431	2011	Ford	Crown Vic	113605	0	178	Unleaded	False	True	6/22/2015 6:16:00 AM		

Vehicles by Department

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
409	2009	Ford	Expedition	108222	0	179	Unleaded	False	True	1/31/2014 7:52:00 PM		
365	2005	Ford	Crown Vic	11518	0	180	Unleaded	False	True	6/5/2015 11:09:00 PM		
371	2006	Ford	Crown Vic	72034	0	182	Unleaded	False	True	6/22/2015 2:33:00 PM		
372	2006	Ford	Crown Vic	87402	0	183	Unleaded	False	True	5/20/2015 7:22:00 AM		
373	2006	Ford	Crown Vic	91495	0	184	Unleaded	False	True	5/23/2015 11:35:00 PM		
34	2004	Jeep	Cherokee	85355	0	185	Unleaded	False	True	6/18/2015 2:51:00 PM		
40	2007	Chevrolet	Impala	80004	0	187	Unleaded	False	True	6/21/2015 2:16:00 PM		
354	2004	Ford	Crown Vic	144503	0	194	Unleaded	False	True	6/22/2015 6:56:00 PM		
361	2005	Ford	Crown Vic	169240	0	195	Unleaded	False	True	6/22/2015 2:57:00 PM		
367	2005	Ford	Crown Vic	76785	0	196	Unleaded	False	True	6/22/2015 2:31:00 PM		
43	1993	Chevrolet	Box Van	12221	0	197	Unleaded	False	True	11/7/2014 6:58:00 AM		
18	1999	Haulmark		0	0	199	Unleaded	False	True			
441	2013	Ford	Interceptor Explorer	56085	0	214	Unleaded	False	True	6/20/2015 12:59:00 AM		
435	2013	Ford	Interceptor Sedan	53378	0	215	Unleaded	False	True	6/22/2015 9:44:00 PM		
436	2013	Ford	Interceptor Sedan	66418	0	216	Unleaded	False	True	6/15/2015 2:29:00 PM		

Vehicles by Department

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
437	2013	Ford	Interceptor Sedan	92755	0	217	Unleaded	False	True	4/17/2015 9:51:00 PM		
438	2013	Ford	Interceptor Sedan	48660	0	218	Unleaded	False	True	6/14/2015 7:18:00 PM		
439	2013	Ford	Interceptor Sedan	51474	0	219	Unleaded	False	True	6/20/2015 4:58:00 AM		
440	2013	Ford	Interceptor SUV	55663	0	220	Unleaded	False	True	6/22/2015 6:19:00 AM		
47	2002	Buick	LeSabre	77749	0	221	Unleaded	False	True	6/11/2015 7:03:00 PM		
39	1982	Dodge	Peace Keeper	31931	0	222	Unleaded	False	True	6/3/2015 12:38:00 PM	10/30/2013 3:41:34 PM	
348	2003	Ford		150302	0	223	Unleaded	False	True	6/20/2015 6:48:00 PM	10/31/2013 11:05:45 AM	
48	2001	Nissan	Maxima	0	0	224	Unleaded	False	True	4/17/2015 5:46:00 PM	10/31/2013 11:13:01 AM	
GC 13		Bay Constable Gas Can		0	0	262	Unleaded	False	True	5/11/2015 12:38:00 PM	3/19/2014 2:55:10 PM	
GC14		Bay Constable Gas Can		0	0	263	Unleaded	False	True	4/28/2015 10:04:00 AM	3/19/2014 3:22:50 PM	
GC15		Bay Constable Gas Can		0	0	264	Unleaded	False	True	1/26/2015 8:02:00 AM	3/19/2014 3:20:57 PM	
414	2010	Ford	Crown Vic	0	0	273	Unleaded	False	True	6/13/2015 9:28:00 PM	4/17/2014 8:58:59 AM	

Vehicles by Department

Department **Police Department**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
442	2014	Ford	Expedition	0	0	294	Unleaded	False	True	6/22/2015 10:37:00 PM	10/28/2014 4:12:31 PM	
1032	2014	Chevrolet	Impala	0	0	291	Unleaded	False	True	6/17/2015 11:42:00 AM	9/29/2014 3:55:55 PM	
1031	2014	Chevrolet	Impala	0	0	290	Unleaded	False	True	6/5/2015 2:23:00 PM	9/29/2014 3:59:14 PM	
448	2014	Ford	Explorer	0	0	300	Unleaded	False	True	6/22/2015 3:39:00 PM	10/28/2014 4:30:55 PM	
443	2014	Ford	Taurus	0	0	295	Unleaded	False	True	6/23/2015 2:15:00 AM	10/28/2014 4:15:10 PM	
444	2014	Ford	Explorer	0	0	296	Unleaded	False	True	6/23/2015 6:15:00 AM	10/28/2014 4:18:50 PM	
445	2014	Ford	Taurus	0	0	297	Unleaded	False	True	6/23/2015 1:29:00 AM	10/28/2014 4:23:13 PM	
446	2014	Ford	Taurus	0	0	298	Unleaded	False	True	6/2/2015 9:40:00 PM	10/28/2014 4:26:23 PM	
447	2014	Ford	Explorer	0	0	299	Unleaded	False	True	6/21/2015 1:39:00 AM	10/28/2014 4:28:54 PM	
449	2014	Ford	Explorer	0	0	301	Unleaded	False	True	6/21/2015 9:58:00 PM	10/28/2014 4:33:21 PM	

Department Summary	Count
Police Department	88

Department **Public Safety**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code

Vehicles by Department

Department **Public Safety**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
1029	2001	Chevrolet	Subn Amb	0	0	287	Unleaded	False	True	6/12/2015 6:55:00 AM	8/5/2014 1:33:31 PM	

Department Summary	Count
Public Safety	1

Department **Sea TV**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
914	2006	Jeep	Gr Cherokee	74698	0	188	Unleaded	False	True	6/10/2015 11:29:00 AM		

Department Summary	Count
Sea TV	1

Department **Supervisors Office**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
756	2013	Ford	Fusion	17146	0	24	Unleaded	False	True	6/17/2015 5:51:00 PM		

Department Summary	Count
Supervisors Office	1

Department **Tax Assessors**

Vehicles by Department

Department **Tax Assessors**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
900	2003	Ford	Explorer	104623	0	22	Unleaded	False	True	6/19/2015 10:39:00 AM		
743	2005	Ford	Crown Vic	64658	0	201	Unleaded	False	True	6/19/2015 9:43:00 AM		
1019	2014	Ford	Fusion	25336	0	266	Unknown	False	True	5/7/2015 9:55:00 AM	3/27/2014 2:24:54 PM	

Department Summary	Count
Tax Assessors	3

Department **Town Clerk**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
922	2008	Jeep	Gr Cherokee	35144	0	209	Unleaded	False	True	6/5/2015 7:53:00 AM		

Department Summary	Count
Town Clerk	1

Department **Trustees**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
T81	2003	Ford	F-250	109408	0	204	Unleaded	False	True	6/10/2015 6:23:00 AM		
T83	2013	Ford	F-250	35181	0	205	Unleaded	False	True	6/22/2015 5:52:00 AM		

Vehicles by Department

Department **Trustees**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
T84	2013	Ford	F-250	12764	0	206	Unleaded	False	True	6/19/2015 2:59:00 PM		
T82	2006	Chevrolet	Silverado	87754	0	208	Unleaded	False	True	6/19/2015 7:26:00 AM		
T86	2013	Ford	Dump	25260	0	232	Unleaded	False	True	6/23/2015 2:04:00 AM	11/4/2013 8:25:49 AM	
T85	2013	Ford	Dump	7601	0	231	Unleaded	False	True	6/4/2015 9:12:00 AM	11/4/2013 8:23:08 AM	
GC10		Gas	Can	0	0	259	Unleaded	False	True	6/23/2015 2:05:00 AM	12/19/2013 9:12:13 AM	
GC11		Gas	Can	0	0	260	Unleaded	False	True	6/23/2015 2:09:00 AM	12/19/2013 9:14:49 AM	
GC9		Gas	Can	0	0	258	Unleaded	False	True	6/18/2015 6:33:00 AM	12/19/2013 9:11:06 AM	

Department Summary	Count
Trustees	9

Department **WASTE MANAGEMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
919	2007	Jeep	Gr Cherokee	41310	0	66	Unleaded	False	True	6/2/2015 6:52:00 AM		
6	2008	Ford	F-250	0	0	210	Unleaded	False	True			
27	1996	Spec Tec	Trailer	0	0		Unknown	False	False			
28	1996	Spec Tec	Trailer	0	0		Unknown	False	False			
30	1995	Spec Tec	Trailer	0	0		Unknown	False	False			
031	2002	Spec Tec	Trailer	0	0		Unknown	False	False			

SOUTHAMPTON

Vehicles by Department

Department **WASTE MANAGEMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
32	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
33	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
034	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
35	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
36	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
37	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
23	1996	Spec Tec	Trailer	0	0		Unknown	False	False			
024	1996	Spec Tec	Trailer	0	0		Unknown	False	False			
26	1996	Spec Tec	Trailer	0	0		Unknown	False	False			
44	2009	Spec Tec	Trailer	0	0		Unknown	False	False			
167	2012	Kennewo rth	Tractor	0	0		Unknown	False	False			
DT 1	2005	Benson	Dump Trailer	0	0		Unknown	False	True			
L 2	2002	Presvac	Tanker Trailer	0	0		Unknown	False	False			
TG 1	2005	Morbark	Tub Grinder	0	0		Unknown	False	False			
040	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
41	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
042	2002	Spec Tec	Trailer	0	0		Unknown	False	False			
043	2009	Spec Tec	Trailer	0	0		Unknown	False	False			
45	2009	Spec Tec	Trailer	0	0		Unknown	False	False			
46	2009	Spec Tec	Trailer	0	0		Unknown	False	False			
047	2011	Spec Tec	Trailer	0	0		Unknown	False	False			
048	2012	Spec Tec	Trailer	0	0		Unknown	False	False			
50	2013	Spec Tec	Trailer	0	0		Unknown	False	False			
51	2013	Spec Tec	Trailer	0	0		Unknown	False	False			
155	1993	Mack	Tractor	0	0		Unknown	False	False			

SOUTHAMPTON

Vehicles by Department

Department **WASTE MANAGEMENT**

Vehicle#	Year	Make	Model	Odometer	Hour Meter	Card#	Primary Fuel	VIT	Status	Card Last Used	Date Issued	Vehicle Code
162	2003	Mack	Tractor	0	0		Unknown	False	False			
163	2004	Mack	Roll off truck	0	0		Unknown	False	False			
164	2005	Mack	Tractor	0	0		Unknown	False	False			
165	2006	Mack	Tractor	0	0		Unknown	False	False			
166	2012	Freightliner	Roll off truck	0	0		Unknown	False	False			
168	2010	Trailer King	Low Boy Trailer	0	0		Unknown	False	False			
38	2002	Spec Tec	Trailer	0	0		Unknown	False	True			
039	2002	Spec Tec	Trailer	0	0		Unknown	False	False			

Department Summary	Count
WASTE MANAGEMENT	39

APPENDIX I

DRAFT SOLID WASTE MANAGEMENT PLAN UPDATE

DEBRIS MANAGEMENT PLAN

CODE CHAPTER 205 – WASTE MANAGEMENT (STORMWATER CONTROLS INCLUDED)

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B – 400+ Plan and Recyclign Guide
C – Recent Bids for Limited Garbage Districts

Executive Summary

The Town of Southampton's (Town or Southampton) solid waste management mission is to *"provide waste management services to Town residents that are cost-effective, convenient, and promote waste reduction and recycling."* For almost 20 years, the Town has been successfully operating under the March 1995 Local Solid Waste Management Plan (SWMP).

The objective~~aim~~ of this SWMP Update is to document the Town's current solid waste management and recycling programs and identify possible cost-effective improvements to enhance solid waste management and recycling practices. Current practices include:

- Four (4) Town owned and Operated Transfer Stations
- Pay–as-You-Throw (PAYT) Program that includes recycling of:
  - Comingled Plastics
  - Glass
  - Metals
  - Mixed Paper
  - Cardboard
  - E-waste
  - Used Oil
  - Propane Tanks
  - Clothing
  - Tires
  - White Goods
  - Bulky Waste
  - Leaf & Yard Waste Composting
  - Construction & Demolition (C&D) Waste
- Quarterly Stop Throwing Out Pollutants (S.T.O.P) Program
  - One at Each of the Four (4) Transfer Stations
  - Accepting Household Hazardous Wastes

Section 1

Introduction, History, and Planning Unit Description

1.1 Introduction

In accordance with Environmental Conservation Law (ECL) Article 27-0107(1)(a), local planning units that operate municipal solid waste (MSW) disposal facilities must have an approved Solid Waste Management Plan (SWMP) that outlines management, handling, and disposal of refuse. The New York State Department of Conservation (NYSDEC) is tasked to ensure compliance with Article 27, and may withhold permits in jurisdictions that do not have an approved SWMP.

According to the New York State SWMP entitled "Beyond Waste," the State intends to prevent waste accumulation and increase recycling through six main objectives:

1) Prevent waste generation;
2) Use materials in the waste stream for their highest and best use;
3) Maximize reuse and recycling;
4) Engage state agencies, authorities, businesses, institutions, and residents in sustainable materials management programs;
5) Maximize the energy value of materials management; and
6) Engage manufacturers in end-of-life management of products and packages.

The NYSDEC ECL recommends a philosophy for local solid waste management which reduces dependency on land burial. In following this philosophy, the hierarchy for achieving such an objective includes: waste reduction, waste recycling and composting, energy recovery, and, lastly, landfill disposal.

For almost 20 years, the Town has operated under the March 1995 SWMP. The aim of this SWMP update is to document the Town's achievements in recycling and waste management and to identify possible cost-effective improvements to enhance solid waste management practices.

The Town's solid waste management mission is to *"provide waste management services to Town residents that are cost-effective, convenient, and promote waste reduction and recycling."* This report is an update to the 1995 plan, prepared in accordance with New York's State SWMP, to cover a planning period of ten (10) years from 2015 through 2024.

This SWMP is divided into nine sections with appendices.

Section 1 – Introduction, History and Planning Unit Description
Section 2 – Solid Waste Quantity and Types
Section 3 – Current Solid Waste Management Program
Section 4 – Solid Waste Projections

Insert Figures 1-1 and 1-2 (one Page)

Because of its beaches and its proximity to New York City, Southampton experiences a large population influx during the summer months. It is estimated that the population increases to 180,000 residents in June, July and August. For estimating purposes, this SWMP uses the weighted average of the full-time population and summer populations which estimates a 2010 year-round population equivalent of 87,592 persons (or an adjusted 2014 year-round population equivalent of 92,072).

1.4 Municipal and Institutional Buildings

Below is a comprehensive list of municipal and institutional buildings in the Town of Southampton that includes:

School Districts

- Speonk Remesenburg School District
- Eastport School District
- Westhampton Beach School District
- Riverhead School District
- Quogue School District
- East Quogue School District
- Hampton Bays School District
- Southampton School District
- Bridgehampton School District
- Sag Harbor School District
- Sagaponack School District
- Wainscott School District

Colleges

- SUNY Stony Brook– 9 Tuckahoe Rd.
- SUNY Stony Brook – School of Marine & Atmospheric Sciences -16 Little Neck Road
- Suffolk County Community College - 121 Speonk Riverhead Rd., Northampton

Hospitals

- Southampton Hospital- 240 Meeting House Lane, Southampton, 125 Beds

Nursing Homes

- Independent Group Home Living – 230 Old Country Rd, Eastport – Day Facility
- Westhampton Care, Inc.,- 78 Old Country Road, Westhampton, 180 Beds
- Hudson River Healthcare – 330 Meeting House Lane, Southampton, 62 Beds

Adult Care and Rehabilitation Centers

- The Hamptons Center for Rehabilitation and Nursing - 64 County Road 39, 280 Beds

1.5 Top 10 Industrial and Commercial Entities

Southampton contains relatively little industrial property. The largest industrial properties are zoned "720, Mining and Quarrying" along with one "449, Other Storage, Warehouse & Distribution Facility" one "583, Resort Complex" and one "882, Electrical Transmission Improvements" as shown in the list below. These industries are assumed to produce relatively little solid wastes.

- Sunrise Hwy , East Quogue, Quogue Hill LLC, 900-219-1-3.1, 145 Acre, 720, Mining and Quarrying – East Coast Mines
- 37 Lewis Rd., East Quogue, 900-250-1-1.1, 63.8 Acre, 720, Mining and Quarrying – Sand Farm Corp
- 585 Middle Line Hwy, Noyac, 900-23-1-1, 49.16 Acre, 720, Mining and Quarrying – Sand Land Corp
- 1021 Flanders Rd., Flanders, 900-145-4-6.3, 11.7 Acre, 720, Mining and Quarrying - Wainscott Properties Inc.
- 74 Haines Path, Sagaponack, 900-54-1-18, 2 Acre, 720, Mining and Quarrying – Keith Grimes
- 72 South Country Rd., Quogue, 900-359-3-30.1, 22.6 Acre, 720, Mining and Quarrying – GJC Realty, LLC
- 80 Sunrise Hwy, Remsenburg, 900-276-3-1, 92 Acre, 720, Mining and Quarrying – Westhampton Property Associates, Inc.
- 1205 Majors Path, North Sea, 900-78-1-20.1, 20.27 Acre, 449, Other Storage, Warehouse & Distribution Facility - Stachecki
- 555 First Neck Lane, Village of Southampton, 905-27-1-3.2, 18.3 Acre, 583, W Resort Complex – Meadow Club of Southampton
- 1774 Montauk Hwy, Bridge Hampton, 900-83-1-34.1, 28 Acre, 882, Electric Transmission Improvements – National Grid

The majority of large commercial property in Southampton are retail establishments as shown in the list below. Retail shopping and restaurants generally produce a large quantity of cardboard, packaging, and food waste that are generally recycled by the owners in an effort to reduce disposal fees.

- 273 Riverleigh Ave Reality Corp, 1.6 Acre, 480, Commercial
- 180 W. Montauk Hwy, Hampton Bays, 900-221-3-19, 8.29 Acre, 453, Large Retail Outlet – Kimco Development of Hampton Bays
- 2044 Montauk Hwy, Bridgehampton, 900-83-1-23.5, 16.4 Acre, 453 Large Retail Outlets – Permelynn of Bridgehampton 360 LLC

According to the Suffolk County *Comprehensive Plan 2035* (August 2011), population throughout the county is projected to continue slow growth over the course of the next 25 years, increasing approximately 16% between 2011 and 2035. From 1950 and 1970, a development boom across Long Island lead the total county population to increase from 276,129 to 1,127,030, more than tripling the total population in less than two decades. Growth since that time has increased moderately as affluent communities in the region have maintained high property acreages and publicly owned land has been preserved from recent build-out booms in the early 2000's.

The Long Island Planning Authority (LIPA) estimates that the population in Southampton will increase by 21% between 2010 and 2025, followed by moderate growth from 2025 to 2035. The following **Table 1-2** summarizes the predicted population increases according to LIPA.

Table 1-2
Population Projections for Southampton, 2010 – 2035

Year	*Population Estimate**	*% Increase from Previous*	*Estimated Full-Time Equivalents*
2010	56,790**	--	87,592
2015	63,500	11%	93,192
2020	67,000	6%	99,912
2025	69,600	4%	104,400
2030	71,300	2%	106,950
2035	72,700	2%	109,050

*Information provided by the Long Island Planning Authority (LIPA), 2011
** US Census Population 2010

This report incorporates the LIPA population estimates and assumes the population in Southampton will increase by 21% between 2010 and 2025. This growth will result in an estimated full-time population equivalent of 104,400 in the year 2025.

1.6.2 Population Density

The total land area of Southampton is 138.9 mi^2. In 2010 the population was 56,790 persons, resulting in a full-time population density of 408 persons per square mile. During summer months the population density swells to an estimated 1,295 persons per mi^2. Using the estimated 2010 full-time population equivalents of 87,592 persons, at the maturity of this SWMP in 2025, the population density is estimated to increase to approximately 728 persons per mi^2. **Figure 1.5** graphically demonstrates population density since 1900 with projected values through 2030.

Insert Figure 1.6 (formerly Figure 1-8) Current Land Use

Section 2

Solid Waste Quantity and Types

Quantities of solid wastes produced and collected are impacted by several factors including; population, age of population, lifestyle, access to recycling or repurposing facilities, waste handling standard practices, and social means and norms. Recycling and reuse helps reduce the overall volume of final waste refuse which is disposed of at a landfill or mass burn facility. Expanding and improving access to recycling facilities and services is a key feature of this SWMP.

2.1 Solid Waste Quantity

Municipal solid waste can typically be subdivided into three major categories; residential, commercial, and industrial. Due to the small amount of industrial entities in Southampton, this category is not further developed in this report. Residential and commercial account for the majority of the waste stream. Commercial entities in Southampton are primarily retail properties and restaurants and hire private carters to collect and dispose of their wastes. There are multitude of factors that affect solid waste generation. While assessing each factor individually is not necessary at the Town planning level, this section will highlight some of the major factors that affect solid waste generation in Southampton including:

Population: size and density

Seasonality: seasonal resident considerations

Solid Waste Services: accessibility of solid waste services and cost

Other secondary factors that affect solid waste production which will not be assessed in this section include: lifestyle, presence of infant children, pet ownership, and other lifestyle choices. In addition, macro-scale factors such as economic conditions and mean living standards are not addressed herein.

2.1.1 Population

At the Town planning level, one of the most significant factors affecting solid waste management planning is population, in terms of both size and density.

Because of the large seasonal fluctuation in population, Southampton requires a unique and flexible solid waste management program.

Current solid waste practices limit the availability of specific data~~information~~ on waste generation and collection in Southampton to the estimated 15% of residents who utilize the Town's four (4) transfer stations. The majority of the Town's resident population (an estimated 85%) contracts waste removal with private carters. All commercial and institutional entities contract with private carters for their solid waste needs. Because private carters are currently untracked, this report's recycling rates and total tonnage are based on the Town's transfer station reports and national averages.

demolition debris (C&D) is not included in the total MSW tonnage but made up approximately 11% of the combined waste stream.

2.4 Total Estimated Waste Generated

The NYSDEC Municipal Solid Waste (MSW) Combined Composition Analysis and Projections (CCAP) spreadsheet was run using the 2014 estimated full-time population equivalents of 92,072 persons and the USEPA estimate 4.43 lbs/day of waste generated. MSW generation was estimated for:

1) 85% of the population that contracts with private haulers;

2) 15% of the population that self-hauls to the Town's transfer stations; and

3) 100% of the population irrespective of collection method.

Data from the NYSDEC spreadsheet was compared to the actual 2014 transfer station tonnage data.

Table 2-2

Actual 2014 Tonnage Collected by Transfer Stations compared to NYSDEC 2014 Estimates

Waste Stream	*Units*	*Actual 2014 Southampton Transfer Station Tonnages**	*2014 NYSDEC Estimate 15% Transfer Station*	*2014 NYSDEC Estimate 85% Private Sector*	*2014 NYSDEC Estimate 100% Total*
MSW	Tons	5,742	5,337	54,546	55,620
Commingled Recyclables(1)	Tons	1,320	1,019	8,417	9,900
Mixed Paper(2)	Tons	1,388	2,461	13,826	16,265
Cardboard	Tons	845	949	5,331	6,272
Metal(3)	Tons	338	718	4,033	4,746
E-Waste	Tons	113	183	1,028	1,210
Tires	Tons	30	183	1,028	1,210
MSW & RECYCLABLES TOTAL	Tons	9,775	9,112	59,020	69,434
C & D Debris	Tons	1,212	2,150	4,255	5,006
TOTAL Including C&D	Tons	10,987	11,262	63,275	74,440

(1) Comingled Recyclables includes Total Plastics plus Ferrous/Aluminum Containers
(2) Mixed Paper includes Total Paper minus Corrugated Cardboard
(3) Metal included Total Metals minus Ferrous/Aluminum Containers

The table above shows a summary of the actual 2014 tonnage data from the Southampton transfer stations versus a breakdown of the NYSDEC estimated MSW generation. As the data shows, the estimate that 15 percent of the Southampton population self-hauls their trash to the transfer stations is accurate with an actual tonnage of 10,987 tons versus the NYSDEC estimate of 11,262 tons (within 2.5%).

Figure 2.1 details the trend in tonnages collected at the transfer stations per individual waste stream, from 2006-2014. According to the 2009 American Community Survey, the Town saw a population increase of 10.7% from 2000 through 2009, signifying an increase in permanent residents in that time period. However, while population was increasing, total solid waste collected by transfer stations continue to decrease over time, with the most substantial drop between 2009 and 2010. It should be noted that during this period the US economy was experiencing a recession. During down economic periods, waste volumes tend to decrease.

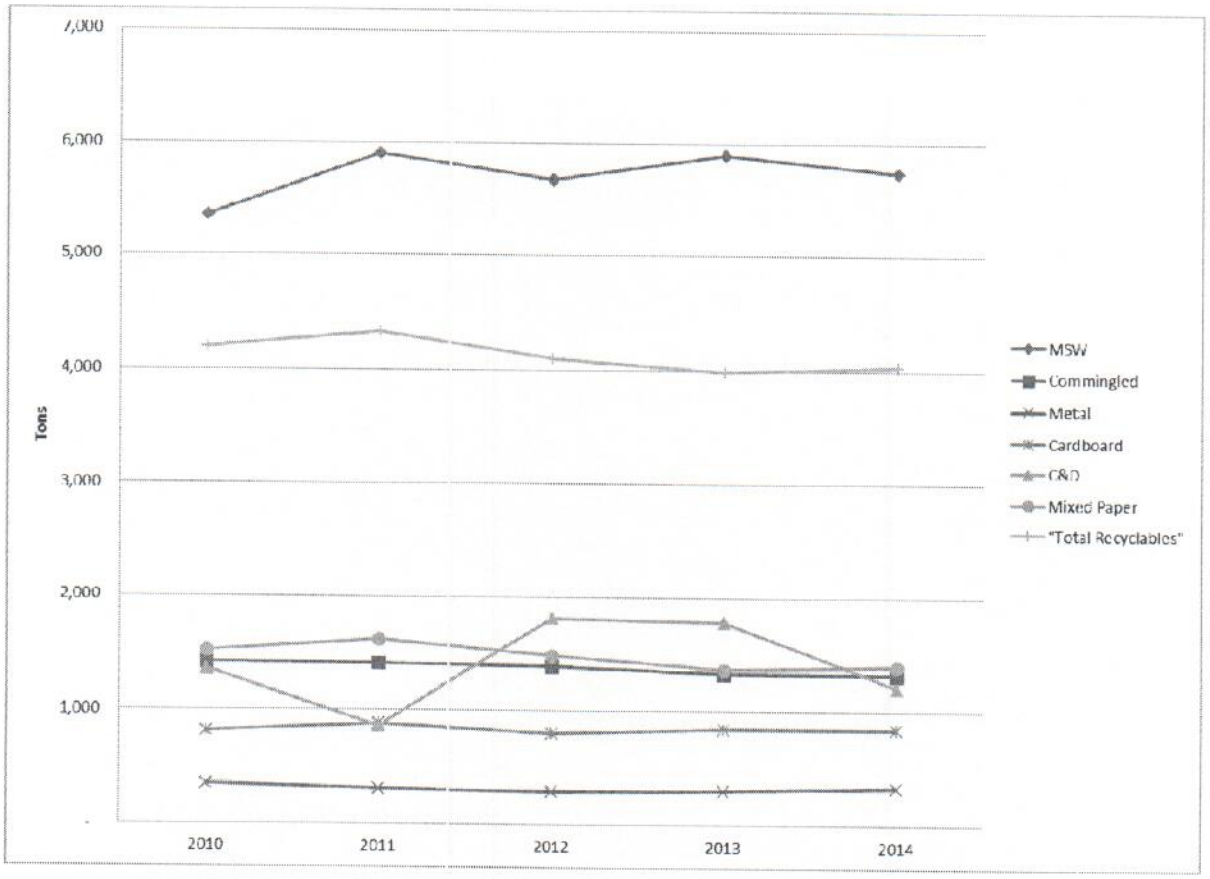

Figure 2.1. Southampton Transfer Station Tonnage per Waste Stream, 2010-2014

As shown in Figure 2.1, the volume of recycling in comparison to MSW collected has remained stable, averaging approximately 40 - 45% from 2010 through 2014. MSW total tonnage hit a low in 2010, likely because of the recession, the percentage of recycling to MSW have remained proportionate at transfer stations. However, collection of C&D spiked to the pre-recession levels in 2012 and 2013 which may be due to debris generated by Hurricane Irene in 2011 and Superstorm Sandy in 2012.

It should be noted that the Town's 2014 transfer station recycling rate (41%) is approximately double the New York State average of 20% and higher than the national average of 33% (source: 2010 NYSDEC Beyond Waste Report).

Section 3

Current Solid Waste Management Program

The intent of a solid waste management program is to maximize waste reduction and recovery/reuse for all components of the waste stream to the extent economically and technically feasible. The following is a summary and analysis of current solid waste practices within the Town of Southampton.

3.1 Solid Waste Management Practices

At the time of the original SWMP in 1990, the North Sea Landfill (NSL) was the principal method of solid waste disposal. The NSL received waste collected at three (3) Town transfer stations, commercial vehicles, and self-haul vehicles. Commercial vehicles and transfer trailers were weighed at the scale house prior to entering the NSL. Fees were assessed for vehicle access (one permit per vehicle and a lesser charge for each additional commercial vehicle), volume, and waste tonnage. Self-haulers were assessed a minimum charge per visit for up to 20 visits, and the remainder of trips were free.

In 1990, waste collection was managed through three (3) transfer stations located in Westhampton, Hampton Bays, and at the North Sea Landfill. By 1992, construction was underway to complete a new Sag Harbor Transfer station. The Sag Harbor Transfer Station opened in 1995. Since 1995, the four (4) transfer stations are used for residential drop off.

Today, MSW is managed by two methods: self-hauling and private carting. Residents can self-haul MSW to one of the four (4) transfer stations and participate in the Town's self-sorted waste and recyclables PAYT program. If a resident prefers curbside or backyard collection service, they may choose to contract waste removal with a private carter, negotiating details including frequency of pick-up. It is estimated that 15% of residents participate in the self-haul PAYT program and 85% of residents contract for curbside collection. Both methods are outlined below.

In addition to the Town operated transfer stations, residential, commercial & institutional waste is accepted, for a fee, at the following private facilities:

- Suburban Sanitation Inc. (Fiber, Glass, Metal, and Plastic);
- S&P Sanitation (C&D and Fiber Processor); and
- Emil Norsic & Son, Inc. (C&D)

3.1.1 PAYT Program

To dispose of MSW at a transfer station, waste must be contained within "Green Bags" purchased from the Town, which are available at various retailers throughout Southampton. Green Bags come in two sizes: large (33 gallon) bags and small (13 gallon) bags. In 2010, large bags cost $14.50 for 5 bags, averaging $2.90 each, and small bags cost $7.50 for 5, or $1.50 each.

3.2 Current Town Transfer Station Descriptions

Each of the four (4) transfer stations are currently operated by the Southampton Municipal Works Department, Waste Management Division. In general, the facilities have similar services, are open on the weekends, and operate under the PAYT program.

3.2.1 Transfer Station Locations

The transfer stations are distributed throughout the Town, as shown on **Figure 3.1**.

Figure 3.1. Transfer Station Locations

3.2.2 Transfer Station Services

Table 3-1 summarizes services, operating hours, and staffing summary for all four transfer stations. Residents self-haul MSW, including recycling and other specialty items, to these stations under the PAYT program. Additional waste materials and recyclables are accepted from intra-town departments, programs. Residential waste collected by private carters is not accepted at any Southampton transfer station.

Bulky items include refrigerators, appliances, furniture, etc. The Town sells the scrap metal from bulky items to a private recycling operation.

Residential yard waste is accepted throughout the year.

In compliance with Suffolk County regulations, household hazardous wastes are accepted only on Stop Throwing Out Pollutant (STOP) days.

Mechanics

A top-load compacting trailer is maintained for non-recyclable MSW, along with individual trailers for each recyclable material collected. Bulk items and intra-department wastes are collected in open top containers. Filled trailers are hauled to receiving facilities by Town drivers.

Fee Schedule

Hampton Bays staff includes a cashier that manages computerized fee collection through material codes; credit cards are also accepted. Fees are accepted for brush, metal, white goods including appliances without refrigerants, and bulk items in accordance with the assigned fee schedule for that calendar year.

3.2.3.2 North Sea (NS)

The North Sea Transfer Station is located at 1370 Major's Path and accepts the largest quantity of waste and recyclables out of the four transfer stations. North Sea is open 7 days per week from 8am-4pm. As the main office of solid waste operations in Southampton, on-site staff includes office and administrative support, a facility attendant, scale operator, sanitation crew, and laborers. In addition to facility staff, there are two Town mechanics who maintain equipment and four Town owned trucks. In 2014, the North Sea facility processed approximately 4,748 tons of materials (excluding C&D materials), of which 1,465 tons were recyclables, representing a 30.7% total recycling rate. The facility accepted 1,212 tons of construction and demolition (C&D) materials; these materials are not included in the recycling tonnages. The North Sea Transfer Station recycled 2,000 gallons of waste oil in 2014.

Accepted Materials

North Sea accepts residential non-recyclable MSW in PAYT Green Bags, bulky items, scrap metal, residential hazardous materials (on STOP days only), appliances, yard waste including brush and leaves, recycled paper, cardboard, e-waste, and comingled containers. In addition to these materials, North Sea accepts C&D, which accounts for a large percentage of the overall tonnage received.

MSW in Green Bags is collected in a separate top-load compacting trailer. Recyclable materials are deposited into individual top-load trailers for paper, cardboard, and comingled containers. Bulky items and household hazardous waste are recycled separately and waste oil is contained in a 250-gallon receptacle. Bulky items accepted include refrigerators, appliances, furniture, and other large refuse. Scrap metal is collected separately and sold by the Town to a private recycling operation.

Mechanics

One top-load compacting trailer (and one spare) is maintained for non-recyclable MSW. Recyclables are collected in separate top-loading trailer. An open-top trailer is used to collect construction and demolition debris along with one for bulky items and another for e-waste. As the open-top trailers fill,

Accepted Materials

Westhampton accepts residential non-recyclable MSW in PAYT Green Bags, residential waste oil, and recycled paper, cardboard, and comingled containers. Residents separate and load materials into top-load trailers. Waste oil is contained in a 250-gallon receptacle.

Residential leaf and yard waste is accepted throughout the year. Residents may discard brush at Westhampton for free from April 15 through May 30, and November 15 through December 31. Brush is not accepted outside the amnesty period at this location. The Town Highway Department, as well as other Town departments, may deliver yard waste to Westhampton at any time of year.

Bulk items and other specialty items are not accepted at this facility.

Mechanics

A top-load compacting trailer is maintained for non-recyclable MSW, along with a spare, and one (1) non-compacting trailer for each recyclable material collected. Once containers are filled, they are hauled by Town drivers to various receiving facilities.

Fee Schedule

Waste streams requiring payment are not accepted and are directed to the North Sea or Hampton Bays facilities.

3.4 Recovered Materials

Southampton transfer stations collect three major waste streams: general MSW, recyclable materials, and leaf and yard waste. Leaf and yard waste is collected at three (3) transfer stations (all except Sag Harbor) where it is then processed into compost and available for free to residents and for a small fee for commercial buyers. C&D materials are only accepted at the North Sea Transfer Station.

3.4.1 Municipal Solid Waste

For the purposes of this report, MSW is defined as the non-recyclable waste which is collected by transfer stations in PAYT Green Bags. Final disposal of the waste is handled by an out-of-town receiving landfill or waste-to-energy facility.

MSW is collected directly into a designated compactor trailers for carting to a final receiving facility. During slow collection times, particularly during off-season, trailers from the eastern transfer stations may be brought to North Sea to consolidate material into one trailer to reduce shipping costs.

MSW collected in 2014 totaled approximately 5,740 tons. Monthly quantities are dependent on the seasonal population, which peak between May and September, as shown in **Figure 3.2**. Conversely, the lowest tonnage months are typically the winter months of January through March.

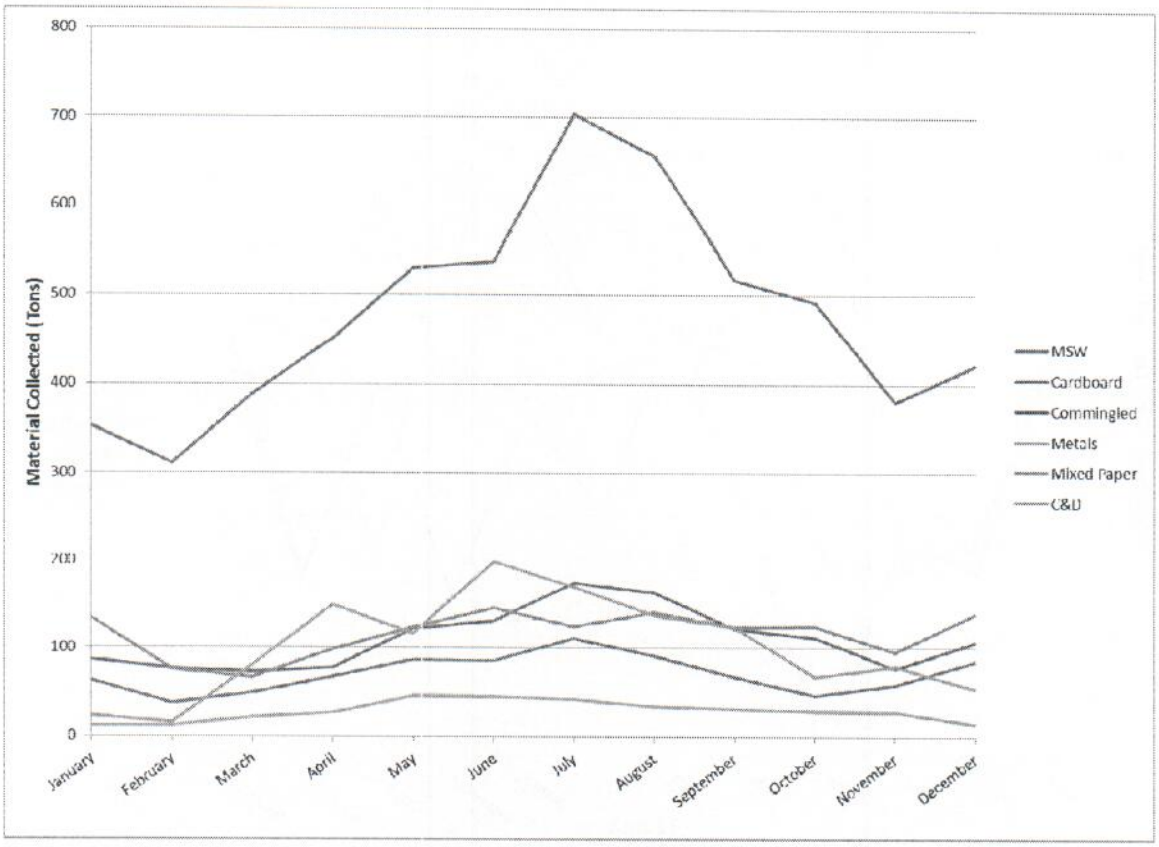

Figure 3.3. Total Recycling versus MSW in tons, 2014

3.4.2.1 Mixed Paper

Mixed paper includes magazines, newspapers, flat board, office paper, junk mail, and other common forms of office and home use standard paper. High prices for virgin paper in recent years have prompted the development of post-consumer paper recycling. As a result, recycled paper, in various grades, is found on the market today. These products are often marked with a percent of recycled or post-consumer paper.

White office paper is a higher-grade paper with longer fibers than other standard grade papers. Some colored paper may be acceptable depending on the accepting recycling plant, but may not always be acceptable.

Similarly, mail with clear windows or paper with staples requires a special process in order to remove that material from the recycling stream. It is more commonly accepted today than in years past.

Flatboard is a single-layered material often used in product packaging. The most common example of flatboard container is a cereal box. The material is generally printed and coated on one side which a variety of colors and the underside is generally left in a natural brown-grey.

Figure 3.4 shows accepted mixed paper quantities per facility for 2014. In this case, unlike other materials, mixed paper volumes are not as dependent on seasonal population.

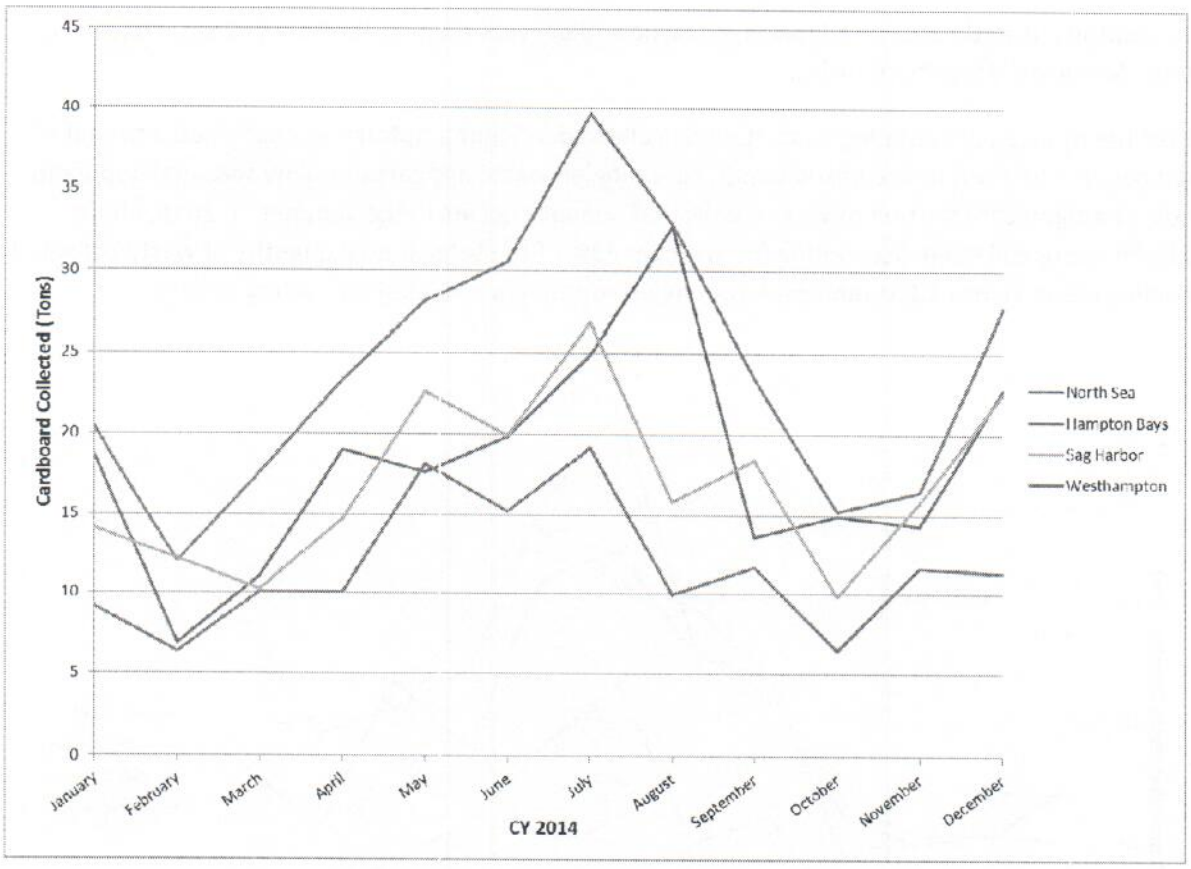

Figure 3.5. Cardboard Collected per Facility, 2014

3.4.2.3 Comingled Containers

Common comingled containers generally hold liquids and include clear, amber, and green glass, #1 through #5 plastics, aluminum and steel cans.

The primary plastic resins found in the waste stream are identified as follows:

- #1: PET - Polyethylene Terephthalate
- #2: HDPE - High Density Polyethylene
- #3: PVC - Polyvinyl Chloride
- #4: LDPE - Low Density Polyethylene
- #5: PP - Polypropylene
- #6: PS - Polystyrene
- #7: Mixed Resins

All three facilities also accept a limited amount of brush for free during spring and fall clean-up periods, provided that the material is less than 3 inches in diameter and not mixed with other wood or grass clippings. Clean up periods occur from April 15th through May 31st and November 15th through December 31st. During the remainder of the year, Hampton Bays and North Sea will accept brush for a fee. A fee schedule of brush and yard waste can be found in **Table 3-2** below.

Other wastes such as land clearing debris, stumps, logs, trees, animal waste, and brush over 3 inches in diameter are not accepted. Grass clippings are not accepted in accordance with the NYSDEC *grasscycling* or *leave-it-on-the-lawn* campaign.

Table 3-2
2015 Brush and Yard Waste Fee Schedule

Residential Waste Type	*Container*	*Cost to Resident*	*Accepting Facilities*
Leaves (no plastic bags)	Vehicle load	free	North Sea, Hampton Bays, Westhampton
Brush less than 3" diameter	30 gal trash bags/cans (up to 3)	$5/load	North Sea & Hampton Bays
Brush less than 3" diameter	Vehicle load w/sides less than 2'	$15/load	North Sea & Hampton Bays
Brush less than 3" diameter	Pickup with side boards	$30/load	North Sea & Hampton Bays
Landscaping Waste			
Leaves and Brush less than 3" diameter	Vehicle load w/sides less than 2'	$50/load	North Sea & Hampton Bays
Leaves and Brush less than 3" diameter	Pickup or 6-wheel truck w/side boards	$75/load	North Sea & Hampton Bays

Leaf and yard waste is not specifically measured at time of collection, Southampton is permitted to process 10,000 cubic yards per site annually. **Figure 3.7** shows the compost processed and/or sold per transfer station, in 2014.

Leaf and yard waste is organized in piles to compost. Piles are turned approximately 3-4 times per month to ensure mixing and expeditious breakdown. In this process, the life cycle for decomposition is approximately 6 months. Southampton does not screen compost; the finished product is marketed as unscreened compost.

Southampton processed and waived fees for approximately 26,200 cubic yards of unscreened compost in 2014. From time to time, and by Town Board Resolution, the Town may waive compost fees help stimulate demand and reduce the amount of on-site compost to maintain compliance with on-site quantity restrictions. Compost fees were last waived in 2014 due to the large amount of compost generated due to the amount of organics collected after Hurricane Irene and Superstorm Sandy.

Table 3-3
2014 Bulky Items Residential Fee Schedule and Accepting Facilities

Residential Waste Type	*Container*	*Cost*	*Accepting Facilities*
Small Bulk (under 3'x3'x3')	Vehicle load w/sides less than 2'	$5/item	North Sea & Hampton Bays
Large Bulk (larger 3'x3'3')	Pickup with side boards	$25/item	North Sea & Hampton Bays
Large and Small mixed bulk	Vehicle load	$180/ton ($25 min charge)	North Sea
Electronic Waste (E-waste)	Vehicle load	free	North Sea
Tires	Per item	$5/tire	North Sea
Metal			
White Goods without refrigerant	Vehicle load	$15/item	North Sea & Hampton Bays
White Goods with refrigerant	Vehicle load	$25/item	North Sea & Hampton Bays
Scrap Metal (not mixed with other items)	Vehicle load w/sides less than 2'	$50/ton ($25 min charge)	North Sea
C&D Material			
Construction & Demolition Debris	Vehicle load w/sides less than 2'	$155/ton ($15 min charge)	North Sea

3.4.4.1 Construction and Demolition Debris

Construction and demolition (C&D) debris refers to all wood, concrete, asphalt, and miscellaneous debris generated by Southampton residents and the Town maintenance departments. C&D materials are only accepted at the North Sea location. In 2014, Southampton collected approximately 2,200 tons of C&D. The majority of this waste is recycled and/or reduced (concrete, for example, is crushed before reuse) at the final receiving facility or transfer station. However, recycling rates are dependent on the receiving facility and how well materials are sorted. C&D is sent to the Town of Brookhaven or Eastern Resource Recycling. Actual recycling rates vary and are not readily available. Town of Brookhaven generally sends C&D to landfills while Eastern Resource Recycling generally separates and prepares materials for reuse and resale. Southampton managed 1,212 tons of C&D in 2014.

producers for proper handling and discard at local transfer stations. This state-wide program encourages collection of a variety of materials such as: electronics, oil-based paints, pesticides, automotive fluids, and compact fluorescent bulbs (CFLs). Proper handling ensures a limited impact to groundwater and natural resources as a result of improper disposal.

In 2014 Southampton held six (6) STOP Day Events for Household Hazardous Waste. Commercial waste is strictly prohibited from STOP day collection. In 2014, Southampton collected disposed of 9.03 tons of HHW including:

Antifreeze	260 gallons
Auto batteries	0 lbs
Pesticides (Solids)	2,510 lbs
Pesticides (Liquids)	610 gallons
Bulk Mercury	0 lbs
Mercury Containing Devices	10 lbs
Fluorescent Bulbs	570 lbs
Hazardous Paint	1,840 gallons
Haz Household Batteries	1,000 lbs
HHW other (liquids)	4,070 gallons
HHW other (solids)	4.480 lbs
Misc. Solid Waste (solids)	600 lbs
Mix. Solid Waste (liquids)	18,650 lbs

Other HWW

According to NYSDEC, HHW is defined as "materials found in residential wastes that would be regulated as hazardous wastes if they were generated by industry." By this definition, limited HHW is accepted at Town transfer stations throughout the year. Waste oil is accepted year-round all four transfer stations, stored in a 250-gallon waste oil container, and carted and processed by Long Island Waste Oil. In 2014, Southampton recycled 8,970 gallons of waste oil.

The following **Table 3-4** summarizes HHW costs, schedule, and accepting facilities.

Table 3-4
2014 Household Hazardous Waste Fee Schedule

Waste Oil

Long Island Waste Oil accepts the Town's waste oil. The Town receives payments for waste oil recycled at the transfer stations.

Clothing

The Town allows donation boxes from several not-for-profit entities at all four Transfer Stations. The Town receives no payment for this commodity.

Thin Film Plastics and Boat Wrap

The Town offers recycling of thin film plastics at all four transfer stations. Boat Wrap is accepted only at the North Sea Transfer Station. The Town pays a vendor $250 for pick-up of all four containers when they become full.

Leaf and Yard Waste

Unlike other waste streams, leaf and yard waste is processed on-site to make compost. Residents may receive compost for free; commercial entities pay a small fee. Delivery of large volumes of compost can also be arranged for an additional fee.

3.6 Public Education and Outreach

Currently the Town maintains a public outreach program which focuses on early education for local schools and informative pamphlets and fliers for the community. In addition, the following is a summary of current, continued, and future activities for public education and outreach:

- Educational tables at community-sponsored events (typically more than 4 per year);
- Public Service Announcements (PSAs) through radio announcements regarding recycling and community activities;
- The Town of Southampton "A Guide for Waste Disposal, Reuse & Recycling" is distributed at local supermarkets and libraries;
- Direct mailings to residents. Since 2012, mailers are included in each tax mailing that provide information on waste management, stormwater management, and home energy audits;
- Table top presentations on Solid Waste Recycling and Stormwater Abatement;
- Comprehensive recycling public education programs for schools and local Community Advisory Committees (CACs) which includes presentations consistent with NYS *Beyond Waste* recommendations;
- Conduct presentations at schools and community group meetings (typically more than 4 per year); and

Current outreach materials and educational opportunities generally focus on overall reduction of waste, reuse of materials, and recycling. In the future, this program will be expanded in accordance with the guidance presented in the NYSDEC *Beyond Waste* report to promote overall waste reduction

- Trex Program – America Recycles Day through Earth Day Challenge with Schools.- 6 Schools Participated

Plastic Bag Education Task Force

- King Kullen, Bridgehampton 4/26/2014- 91 commitments
- Stop & Shop Hampton Bays 4/26/2014 – 85 Commitments
- Village of Westhampton Earth Day Event - 4/26/2014
- Pikes Beach Event –7/12/2014 – 108 commitments
- Ponquogue Beach Event –7/12/2014 - 117 Commitments
- San Gennero Festival Reusable Tote Bag Giveaway – 9/4/2014

Yardwaste Program

- Two residential amnesty periods for brush; leaves free all year

The Town is committed to continuing these programs throughout the planning period.

3.6.3 Beyond Waste Extensions to Comprehensive Programs

According to the *Beyond Waste* report, in order to achieve greater participation in PAYT, the public must be reminded of the importance and benefits of recycling, including:

- Reducing in the financial and environmental costs of waste disposal;
- Combating climate change;
- Reducing pollution resulting from extraction and manufacturing of virgin materials; and
- Compiling with local ordinances and state law.

To reinforce these principles, the State suggests employing local recycling coordinators; which Southampton did in 2011. Through the recycling coordinator, the Town can support recycling through special incentive recycling events, recycling report cards, educational materials, increased access to recycling in public facilities and institutions, and enforcement. The Town recycling coordinator will investigate such programs along with other applicable education and outreach opportunities, in cooperation with the solid waste management program to develop a comprehensive approach for education and outreach through 2025.

As of 2014, the Town adopted a Southamption 400+ Sustainability Element (400+ Plan) to the Town's existing Comprehensive Sustainability Plan. This new initiative addresses future goals pertaining to a number of different sustainability topics. The Town also developed the, *"What Do I Do With It Now – A Guide for Waste Disposal, Reuse & Recycling"* to assist residents in their waste management options. The Town is currently working on a Climate Action Plan as part of its participation in the Climate Smart Community Program that will also offer different goals and objectives to reduce our carbon footprint

Section 4

Solid Waste Trends

This section investigates waste generation trends between 2006 and 2014 and estimates population projections for the planning unit.

4.1 Transfer Station Waste Generation Trends

The following summary is based on known information collected for and by the Town-operated transfer stations.

Since 2006, MSW collection rates at the transfer stations have decreased from a high of 6,630 tons in 2006 to a low of 4,033 tons in 2010. Since 2010, transfer station collection rates have stabilized at approximately 5,800 tons/year. Similarly, total recyclables (excluding C&D) decreased from 5,443 tons in 2006 to just over 4,000 tons in 2014. In total, MSW (excluding C&D) has decreased from 12,073 tons in 2006 to just about 9,800 tons in 2014, about a 20% decrease over 9 years. This trend is likely due to two main factors:

1. Residents continue to move towards contracting with private haulers rather than self-hauling waste to transfer stations; and/or

2. Total MSW generation has decrease since 2006.

In 1993 16,810 tons of MSW (including C&D) were collected by transfer stations in Southampton. In 2014, total MSW collection at transfer stations in Southampton has decreased to just under 11,000 tons (including C&D).

Total recyclables (newspaper, cardboard, glass, and cans) sold to secondary markets in 1989 was 2,200 tons as compared to about 4,000 tons collected in 2014. Thus, while total MSW collection at the transfer stations has decreased over time, the total tonnage of recyclables has increased over time.

The percentage of total recyclables compared to total MSW (excluding C&D) has steadily decreased from 45% in 2006 to 41% in 2014. The high percentage is generally reflective of recycling education programs, a history of recycling in the community, and the effectiveness of the PAYT program to incentivize source-separation. **Table 4-1** summarizes tonnage collected from 2006 through 2014 by material.

4.2 Waste Generation Projections

The LIPA population projections and full-time population equivalents were used to estimate overall changes to waste generation through the year 2025.

4.2.1 Waste Generation and Composition Estimates

To estimate future waste volumes, Southampton has used the NYSDEC MSW CCAP spreadsheet starting in 2015. Population was estimated using the LIPA estimates; waste generation was estimated using the USEPA estimate of 4.43 lbs/day/person. MSW generation was modeled for 100% of the Southampton population starting in 2015 and extending through 2025. Material diversion estimates were made using the 2014 actual data from the transfer stations and an assumed 20% recycling rate (NY State average) for all waste managed by the private sector (excluding yard waste and C&D). Actual 2014 data for finished compost and C&D was included in the model.

Table 4-3 summarizes the total tonnage of material, per waste stream, estimated by the NYSDEC model for 2015. Note that only the major material categories from the NYSDEC model are shown as the material subcategories of the model are not tracked by Southampton.

Table 4-3
Estimated Total Tonnage and Composition in 2014 and 2015

Waste Stream	*Units*	*Actual 2014 T.S. Diversion Data (15% Pop.)*	*Estimated 2014 Private Diversion Data (85% Pop.)*	*2015 Total Generation Estimate*	*2015 Total Diversion Estimate*
Total Paper	Tons	1,878	3,645	22,811	5,523
Total Metals	Tons	305	960	6,009	1,264
Total Plastics	Tons	776	1,628	10,191	2,405
Total Glass	Tons	350	506	3,165	856
Total Organics	Tons	4,927	0	18,309	4,927
Total Textiles	Tons	0	689	4,314	690
Total Wood	Tons	340	0	2,411	340
Total Miscellaneous	Tons	1,940	876	8,137	2,816
MSW GENERATED	Tons	11,262	63,275	75,346	
MSW DIVERTED	Tons	5,589	8,304		18,820
MSW DISPOSED	Tons	5,674	54,971		56,526
RECYCLING RATE	%	52.6%**	13.8%*		25%
POPULATION	Persons	13,930	78,262	93,192	

*Assumes 20% Recycle Rate of all Materials and 0% Recycling Rate for Organics and C&D.
** Excludes Organics.

Data from the NYSDEC MSW CCAP is included in Appendix A.

Section 5

Southampton Specific Alternatives Analysis

In 2010, the Town of Southampton conducted an Alternative Analysis to compare realistic approaches for a future solid waste management program. In 2014 it is acknowledged that over the course of the Draft SWMP review and edits, some of the prices have changed. A new study is not planned. However, the costs of the alternatives were revised to reflect 2014 estimates. In total, four alternatives were evaluated and a summary of the findings is presented herein. In addition, a basic review of other available technologies is provide at the end of this section.

5.1 Alternative 1 - Continue Current Solid Waste Operations; Begin to Permit and Track Carters

5.1.1 Continue Current Solid Waste Operations

Alternative 1 proposed no changes to the current Town operated solid waste system outlined in Section 3. All four transfer stations and all three compost facilities will continue current operations. Under Alternative 1, residents will have the choice between contracting with a private carter and self-hauling waste to transfer stations. Compost operations will remain as they are today.

5.1.2 Permit and Track Private Carters

Alternative 1 sought to create a system where private carters must obtain a permit to conduct business in Southampton. The permit will be contingent upon the carter offering recycling and providing the Town with documentation that proves recycling efforts. The cost for the coordination of this program can be borne by the contractors through permit fees.

To initiate this program, the Town will need to develop and pass a by-law that requires private carters obtain the permit. The by-law may further establish a requirement that all private carters operating in Southampton collect recyclables in separate containers and provide documentation to the Town of the amount of recyclables collected and processed.

Once the permits are issued, the Town must continue to monitor carter recycling data to ensure they are conforming to permit requirements.

5.1.3 Cost to Residents

For the purposes of this evaluation, it is assumed that the average household using the transfer stations (approximately 6,000 households) for solid waste disposal uses 1 bag/week and also pays $70/year in other solid waste fees. This calculates to a direct annual cost of $220/household/year.

Cost to residents who contract with private haulers is estimated to be $25 - $60/month based on recent bids for curbside or backdoor collection once per week. Assuming approximately 85 percent of households (35,000 households) use private carters, the estimated total Town-wide annual cost for curbside collection, hauling, and disposal ranges from $10,500,000 to $25,200,000.

weekly MSW collection (2-times per week), weekly recyclables collection, weekly bulky/white goods collections, weekly yard waste collection. In 2011, it was assumed that a similar curbside collection contract in Southampton will cost approximately $550 to $600/household/year. Based on the 2012 Riverhead contract, Southampton now estimates a similar curbside collection program could be contracted for in the $300-$350/household/year. In Southampton, private carter rates vary depending on service but generally lie within the $25 - $60 per month range.

Under this alternative, the Town could potentially reduce solid waste staff to one Solid Waste Manager and two (2) full-time assistants at a total cost of approximately $290,000 per year with benefits. Total administrative costs under this alternative are estimated at $10/household/year for each of the 41,000 households in Southampton. The total estimated cost per household for waste disposal under this alternative is $310-$360/household/year.

Table 5-2
Estimate of Total Annual Solid Waste Costs, Alternative 2

Total Annual Solid Waste Cost	*Total Costs*	*Cost per HH/Year*
Solid Waste Department Administrative Costs	$410,000	$10
Town-wide Curbside Collection Cost	$12.7 – $14.8M	$310 – $360
Total Annual Town-wide Solid Waste Cost	$13.1M – $15.2M	$345/HH.

5.3 Alternative 3 – Transfer Stations for Municipal Use Only

Alternative 3 allows for the continued use of transfer stations for municipal purposes only. Transfer station use will be restricted to municipal wastes from schools, parks, the Town Hall, the court house, and other public spaces. Based on the 2010 intra-department chargebacks, the Town brought approximately 3,660 tons of materials to the transfer stations. This indicates that much of the material processed at the transfer stations is already delivered by the Town.

Residents who use the transfer stations as their primary waste disposal and recycling option will need to hire a private carter under this alternative.

5.3.1 Continue Compost Operations

Currently the Town operates three compost facilities registered to accept 10,000 cubic yards per year of organic waste (leaves, brush, and grass). In 2010 the Town sold 6,460 tons of compost to contractors, farms, and landscaping companies that provided revenue of approximately $49,500. Under Alternative 3, the Town will continue to accept brush and yard waste from the Town Departments, residents, and local contractors for use in on-site compost operations.

5.3.2 Permit and Track all Private Carters

In addition to ongoing operations, Alternative 3 will require private carters to obtain a permit in order to conduct business in Southampton. The permit will be contingent upon the carter offering recycling and providing the Town with documentation that proves such. The cost for the coordination of this program can be offset by the contractors through permit fees. As with Alternative 1, the Town will be

5.4.2 Permit and Track All Private Carters

Like Alternatives 1 and 3, Alternative 4 required private carters to obtain a permit to conduct business in Southampton. The permit will be contingent upon the carter offering recycling and providing the Town with recycling documentation. The cost for the coordination of this program can be offset by the contractors through permit fees. As with Alternatives 1 and 3, the Town will need to adopt the Code Amendments to Town Code Chapter 205 Waste Management that will require carters to obtain a permit while establishing standards and minimum qualifications to ensure recycling and yard waste pickup mandates are followed.

5.4.3 Education and Outreach

The Town of Southampton 2011 budget included funds to hire a full-time recycling aide whose job description includes education and outreach programs to increase recycling. The current education program will be further developed to encourage use of transfer stations, increase recycling participation, and conduct more frequent demonstration projects with education institutions and/or community organizations such as garden clubs.

5.4.4 Cost to Residents

The total net expense to operate the transfer stations in 2014 was $1,919,588 or about $47/household for all Southampton households. However, it equates to about $320/household for the estimated 6,000 households that actually use the transfer stations.. For Alternative 4, it is estimated that the cost per household using the transfer stations will continue to be approximately $320/household/year.

Cost to residents contracting with private carters is not likely to change. Estimated curbside or backdoor collection service is estimated to be $25 - $60/month or $510/household/year on average.

Table 5-4
Estimate of Total Annual Solid Waste Costs, Alternative 4

Total Annual Solid Waste Cost	*Total Costs*	*Cost per HH/Year*
Net Transfer Station Cost	$1,919,588	$47
Private MSW Carters Cost (85% HH)	$10.5M – $25.2M	$300 - $720
Total Annual Town-wide Solid Waste Cost	$12.4M – $27.1M	$557 avg.

5.5 Alternative Selected for Southampton

The Town Council, Solid Waste Advisory Committee (SWAC), and Department of Municipal Works voted to adopt Alternative 1 as the future Solid Waste Program for Southampton. The following Section 6 details the selected alternative.

5.6 Alternative Solid Waste and Recycling Technologies and Programs

Southampton's solid waste infrastructure exists in the form of four (4) Town owned and operated transfer stations. These facilities are in excellent working condition and likely have at least 20-30

For the general population, education programs that focus on back yard composting are effective in progressive communities. Since the majority of Southampton residents use on-site septic systems, they are typically encouraged not to use sink disposals and the benefits of backyard composting are twofold.

Curbside collection of food scraps is gaining some traction in some cities such as San Francisco, California and Portland Oregon. On the east coast to a lesser extent. However, since Southampton does not have a local wastewater treatment plant or Anaerobic Digester any food scraps collected would have to be hauled to a distant facility, which may make it cost prohibitive.

While anaerobic digestion has become a fashionable management strategy for biosolids and potentially food waste and other organics, the high cost of the technology is prohibitive on a scale useful strictly for Southampton. Any anaerobic digestion facility or large scale food composting facility will likely need to be a regional facility serving the entire east end of Long Island.

In 2013, Long Island Compost announced that they were going to develop a large-scale commercial anaerobic digester on Long Island. The project was estimated to cost $50M and received a NYSERDA Grant for $1.53M as well as other funding offsets. The digester will be constructed in Yaphank and will have process products including electricity, RNG, compost, and treated wastewater. When this regional facility is operational, it will provide the Town of Southampton a viable option for an end-user of any food waste and organic collection program.

Adding food scraps to the existing leaf and yard waste composting operation is a possibility. This will likely require some processing of the food wastes prior to introducing it to the current composting operations. The Town will evaluate processing food waste with their lawn and yard waste in the future.

Findings and progress on food scrap management will be included in future SWMP Annual Reports.

5.6.5 Composting

Southampton currently has a successful composting facility that sells as much as 6,400 tons of compost each year. This would represent approximately 80 percent of the 8,100 tons of yard trimmings produced in Southampton according to the NYSDEC Model. Currently there is no plan to expand this facility.

5.6.6 Material Recycling Facility (MRF)

The Town of Southampton operates four (4) Transfer Stations and currently contracts with various local disposal companies, recycling companies and end-use receivers to accept solid wastes and recyclables. Recyclables are source separated and the Town operated transfer stations regularly achieve a recycling rate of over 40 percent. Because of this high recycling rate, further processing via a MRF is not considered a financially viable option at this time.

5.6.7 Single Stream Recycling

Single stream recycling is potential possibility in the future, for both the Town operated transfer stations and as a requirement for private carters operating in Southampton. Many communities have

Section 6

Integrated System Selection (2015 – 2024)

In 2011, the Town Council unanimously approved to proceed with Alternative 1 as the preferred Solid Waste Management Plan. This alternative will continue current solid waste operations with the addition of permitting and tracking of private carters. In addition, the Town council also decided to continue to evaluate operational efficiencies in solid waste management while further developing education and outreach programs. The following outlines the 2015 – 2024 solid waste management approach for the Town of Southampton.

6.1 Selected Solid Waste Management Plan

While operations have changed significantly in the last 20 years, from local landfill closure to continued advancement of recycling operations, the current approach to solid waste management has been consistent and that approach has provided residents with a level of service, cost, seasonality, and flexibility of choice that is acceptable for permanent and seasonal residents. Thus, from the alternative analysis outlined in Section 5 of this report, the alternative selected reflects a continuation of current practices with some improvements to promote NYSDEC 2025 overall waste reduction goals. The following outlines the selected alternative in detail.

6.1.1 Continue Solid Waste Operations

Currently, the Town operates four (4) transfer stations that incorporate a PAYT program. MSW, recyclables, yard waste, and other specialty waste items, as outlined in Sections 1 through 4 of this report, are accepted at Town facilities. This system has worked well for residents and, with some modifications as detailed herein, is the selected alternative for the next 10 years.

6.1.2 Recyclables Recovery Program

The Town currently operates a Pay-As-You-Throw (PAYT) program that incentivizes recycling by charging for each bag of MSW while accepting recyclables free of charge. Currently metals, white goods, bulky items, commingled containers, paper, cardboard, and construction and demolition debris are accepted at Town-operated transfer stations. Because of the consistently high recycling rate at Town facilities, this program will be continued unchanged.

6.1.2.1 Metals, White Goods, and Bulky Items

Metals and white goods, otherwise termed as scrap metal, include miscellaneous post-consumer steel products including washing machines, dryers, air conditioners, automobiles, and other bulky ferrous products. Bulky items and scrap metal are collected at Hampton Bays and North Sea transfer stations, where items are collected in a general area and handled by Town staff to a secondary receiving facility.

In 2014, approximately 338 tons of metal were collected in Southampton, accounting for 8.3% of all recycled material. Gershow Recycling Corporation paid $219 per ton for all material received in 2014.

6.1.2.5 Construction & Demolition Debris

Construction and demolition (C&D) debris, including all wood, concrete, and other miscellaneous debris generated during such activities, accounted for 23% of all recyclable materials in 2014 (including C&D). More than 1,200 tons, was collected at the North Sea transfer station alone. Currently, there is no purchasing market for this waste stream; however it is collected and repurposed by various end-use processing facilities. Currently, the Town delivers its C&D materials primarily to Brookhaven, which is approximately 30 miles each way.

6.1.2.6 Other Existing Recycling Programs and Initiatives

In addition to mature market recycling programs, Southampton also has several small scale initiatives which will be continued:

- The Town adopted a single use plastic bag ban in 2014.
- Regularly updated, accessible, public-friendly website which includes information on fee schedules, recycling center information, S.T.O.P. day information, and the Local SWMP;
- Revolving S.T.O.P. days at various locations within the Town to allow ease of access for residents;
- In addition to existing programs and initiatives, the following recycling programs are currently in development;
- Developing a comprehensive program for recycling in municipal buildings;
- Developing active partnerships with schools to encourage recycling and develop recycling programs;
- Expanding promotion of recycling services offered within the Town, including e-waste recycling for businesses; and
- Increasing recycling at local libraries, parks, and schools
- While no formal pharmaceutical take-back program exists, several entities within the Town currently accept unused (unregulated) pharmaceuticals, including local Southrifty Drug Store (also accepts used eye glasses), Southampton Hospital (sharps only), and Peconic Bay Medical Center. Residents are encouraged to these facilities as needed.

6.1.3 Organics Recovery Program

For the last 20 years, Southampton has managed a source separated leaf and yard waste program, as outlined in Section 3. Hampton Bays, North Sea, and Westhampton stations are registered to collect and process up to 10,000 tons of yard waste per year.

6.1.3.1 Leaf and Yard Waste

Local mandatory source separation laws were amended in 1988 to include leaf and yard waste. At that time, private carters were required to collect leaf and yard waste along with MSW and recycling.

6.2.1 Permit and Track Private Curbside Collection Carters

In order to better understand (and work to improve) the recycling rates and overall MSW production within Southampton, the Town will develop and implement a permitting system for all private carters operating within the Town. This program will require haulers to provide accurate and timely information on MSW collection and recycling rates of their customers. This program will be developed with input from private carters currently operating in Southampton in order to best frame a program that works for both groups.

Residents will continue to contract directly with carters but will be required to obtain a permit to operate in Southampton. Conditions of obtaining the permit could include: mandatory recycling, reporting MSW and recycling tonnage, as well as other administrative and legal requirements.

The Town will initiate the permitting and tracking program through revisions to Code Chapter 205 (renamed Waste Management). The Town has already held five roundtable discussions with private carters, and held two (2) public hearing on March 10, 2015 and April 14, 2015. . Final code revisions will be presented to the Town Council for approval.

Upon passing the code revisions, standards and minimum qualifications to obtain a permit will be established. Private carters must be made aware of the new requirement to obtain a permit and must be given enough time to understand and comply with the new standards. Minimum requirements to obtain a permit may include, but may not be limited to:

- A list of all vehicles, including vehicle license numbers, the applicant intends to utilize for the collection of Solid Waste and Recyclables in the Town of Southampton;
- The names and addresses of all partners, limited or otherwise, if applicant is a partnership, or of all officers and directors and shareholders, if the applicant is a corporation;
- The applicant, or any officers of the applicant, shall provide a record of a prior conviction or convictions of any crime for which the applicant pled or was found guilty. If the applicant is a corporation, partnership or other business entity, it shall also provide a record of a prior conviction or convictions of any crime for which it, or any officer thereof, pled or was found guilty;
- A detailed account of the total estimated weight of refuse and recyclables by type within the last 12 months collected by the applicant within the Town of Southampton;
- A copy of the Suffolk County Department of Health Services permit issued to the carter for garbage to be transported in the body trucks and their identified disposal locations. Said permit shall include the list of authorized trucks to be operated by the carter;
- For non SCDHS permitted vehicles, the carter shall provide a list of vehicles to be used within the Town of Southampton, identifying the following information: make, year, model of chassis, body style, volume, tonnage capacity, color and NYS vehicle registration number for each vehicle used;

- Offering Town reusable shopping bags (currently available for purchase at several local retailers);
- Beginning school e-waste recycling;
- Reusing Toner Cartridges
- Introducing adopt-a-bike (for reuse only); and
- Adding S.T.O.P. days.
- Paperless Offices/Permit Applications

All initiatives are subject to funding and staff limitations.

6.2.6 Food Waste

As previously described in Chapter 5, in 2013, Long Island Compost announced that they were going to develop a large-scale commercial anaerobic digester (AD) on Long Island. The digester will be constructed in Yaphank and will have process products including electricity, RNG, compost, and treated wastewater. When this regional facility is operational, it will provide the Town of Southampton a viable option for an end-user of any food waste and organic collection program.

In addition to supporting a potential AD facility in Yapank, the Town will begin to assess potential capacity to begin food waste composting at a small scale at their existing leaf and yard waste composting facilities. This may begin by working with high volume food waste generators such as institutions, municipal buildings, and supermarkets to assess the feasibility of this initiative.

If the Town's initial assessment determines this to be to the benefit to residents and the necessary regulatory and physical infrastructure exists, a plan will be developed to further study the potential for collecting, processing, and marketing food scraps in Southampton.

Education and outreach will continue to focus on residents and commercial entities managing home-scale or on-site composting as well as any and all services that the Town will offer in support.

6.2.7 Traffic Studies

In an effort to improve service to residents, the Town will conduct a traffic survey at each transfer station. Data to be collected will include traffic counts and rate of traffic with respect to time and day. The results of this survey will be used to analyze potential adjustments to the hours of operation and management of each location to best allocate Town resources. It is expected that traffic studies will be conducted at each of the transfer stations over the next three years.

6.2.8 Marine Plastic

The Town has resisted recycling of marine plastic because of the relatively high volume, low weight of this thin plastic film makes it difficult to collect and store efficiently. This material is typically used to cover boats during the winter months. As a boating community, Southampton generates a large amount of this material annually. The Town will explore applying for NYSDEC Division of Materials

Section 7

Implementation Schedule

7.1 Previously Implemented Changes

Over the years, the Town has continued to make adjustments and improvements to the solid waste management practices. The following Table 7-1 is a summary of improvements and changes made since the original SWMP.

Table 7-1

Improvements and Changes Since 1995

Year Initiated	*Description of Change*
1995	PAYT Initiated
	Recycling Coordinator Position Created/Filled
1996	North Sea Landfill (NSL) Closed for Waste Disposal
	Enterprise Fund Initiated
1997-1998	NSL Cell 3 Capped
	Upgraded Leachate Collection at NSL
	NSL Cell 4 and Lagoon Area Designated as Park Land
	Hampton Bays Transfer Station (HBTS) Upgrades Complete
	Great East-End Clean-Up (GEECU) Initiated
	Sold 500 Home Composting Units
	Pilot Program on Video Surveillance
1999-2000	Leaf & Yard Waste Recycling Program Initiated
	Sold 300 Home Composting Units
	HBTS Begins to Accept Bulky Items
	Freon Gas Recovery Program Initiated
2001-2002	S.T.O.P Program Initiated; Closed permanent HHW Facility
	Sold 200 Home Composting Units Annually
	E-Waste Program Study
2003-2004	Sold 200 Home Composting Units Annually
	E-Waste Program Initiated
	Leaf & Yard Waste Recycling Expanded to 3 Transfer Stations
2005-2006	Solid Waste Division Director Appointed
	Disposal and Recycling Contracts Renewed
2007-2008	Permanent E-Waste Facility at North Sea Transfer Station (NSTS) Opened
	NSTS Sustainability Capital Improvements
	Vehicle Batteries Accepted at S.T.O.P. Days Only
	Discontinued Home Compost Unit Sales
2009-2010	NSTS Major Site Improvements
	SWMP Update Consultant Hired (CDM Smith)
2011-2012	SWMP Alternatives Analysis Conducted
	Met with 5 Private Curbside Collection Carters to Discuss Potential Permitting and Tracking Program
	Submitted 2011-2025 SWMP (December 8, 2011)
	Seed to Plant Stop & Swap Initiated
2012-2014	Developing Comprehensive Recycling Program for Municipal Buildings
	Revitalizing the Education and Outreach Program
	Initiating E-Waste Recycling for Businesses
	Received NYSDEC Comments on Draft 2011-2025 SWMP
	Enacted Town-wide Ban on Single Use Plastic Bags

The Town understands this lack of data and is taking steps to begin to obtain this information. As indicated, the Town is beginning a program to permit and track private carters operating within the Town limits.

The Town used the NYSDEC MSW CCAP model to generate MSW estimates using 2014 as a base year. In 2014, the Town had an estimated full-time population equivalent of 92,072 persons. The Town defaulted to the USEPA average waste generation rate of 4.43 lbs/day/person (this is below the NY State average of 5.15 lbs/day/person). For 2014, the CCAP model was run for both 15% of the population and 85% of the population representing the waste collected at the Town transfer stations and the waste collected by private carters which, if add together represent the total waste generated.

Finally, the model was finally run starting with 2015 and continuing through 2025 using population projections while holding the 4.43 lbs/day/person generation rate constant.

Data and Estimates from 15% of Population

Using the 2014 model, the predicted total tonnages generated by the 15% of the population using the transfer stations (11,165 tons) are similar to the actual tonnage collected at the transfer stations (10,987 tons). This close proximity of predicted rates to actual rates lends confidence to the assumptions used to develop the model. The NYSDEC model breaks down the waste stream into 8 major material categories and 43 subcategories. The Town breaks down their waste stream into different categories, so some manipulation of the data was required to compare the model to actual tonnage managed by the Town. **Table 7-3** summarizes the 2014 actual tonnage data from the transfer station and the estimated tonnages from the NYSDEC CCAP model.

Table 7-3

Waste Stream	*Units*	*Actual 2014 Southampton Transfer Station Diverted*	*Estimated 2014 NYSDEC Model for 15% Population Transfer Station*	*Percent of 2014 NYSDEC Estimate Diverted By Transfer Stations*
Commingled Recyclables[1]	Tons	1,320	2,158	61.2%
Mixed Paper[2]	Tons	1,388	2,439	56.9%
Cardboard	Tons	845	941	89.8%
Metal[3]	Tons	338	711	47.5%
E-Waste	Tons	113	181	62.4%
Tires	Tons	30	181	16.6%
Total Organics				
Food Waste	Tons	0	1,513	0%
Yard Waste	Tons	1,200	1,200	100%
Total Textiles	Tons	0	639	0%
RECYCLABLES TOTAL	Tons	5,234	6,611	61.2%
C & D Debris[4]	Tons	1,212	1,201	100.9%
TOTAL DIVERTED	Tons	6,446		57.7%
TOTAL DISPOSED	Tons	4,541		40.7%
TOTAL WASTE STREAM	Tons	10,987	11,165	

TOTAL DISPOSED	Tons	48,403	76.5%
TOTAL WASTE STREAM	Tons	63,275	

(1) Comingled Recyclables includes Total Plastics plus Ferrous/Aluminum Containers plus Glass
(2) Mixed Paper includes Total Paper minus Corrugated Cardboard
(3) Metal includes Total Metals minus Ferrous/Aluminum Containers
(4) C&D includes Total Misc. plus Wood minus Electronics & Tires

Based on The NYSDEC CCAP model and assume recycling percentages, it is estimated that the 85% of the Town's population using private carters diverts approximately 23.5% of the wastes collected curbside.

2014 Data and Estimates from 100% of Population

When the 15% transfer station data is combined with the 85% private carter estimates the overall town-wide diversion rate is estimated to be 28.7% including C&D and Yard Waste. Which is similar to the national average of 30% and well above the NY State average of 20%. **Table 7-5** summarizes the estimated total town-wide recycling rate for 100% of the population in 2014.

Table 7-5

Waste Stream	*Units*	*Assumed 2014 18% Recycle Rate By Private Carters Diverted*	*Actual 2014 Southampton Transfer Station Diverted*	*Total 2014 Estimated Tons Diverted*
Commingled Recyclables(1)	Tons	2,229	1,320	3,549
Mixed Paper(2)	Tons	2,520	1,388	3,908
Cardboard	Tons	971	845	1,816
Metal(3)	Tons	734	338	1,072
E-Waste	Tons	187	113	300
Tires	Tons	187	30	217
Total Organics				
Food Waste	Tons	0	0	0
Yard Waste	Tons	6,802	1,200	8,002
Total Textiles	Tons	0	0	0
RECYCLABLES TOTAL	Tons	13,630	5,234	18,864
C & D Debris(4)	Tons	1,242	1,212	2,454
TOTAL DIVERTED	Tons	14,872	6,446	21,318 (28.7%)
TOTAL DISPOSED	Tons	48,403	4,541	52,944 (71.3%)
TOTAL WASTE STREAM	Tons	63,275	10,987	74,262

(1) Comingled Recyclables includes Total Plastics plus Ferrous/Aluminum Containers plus Glass
(2) Mixed Paper includes Total Paper minus Corrugated Cardboard
(3) Metal includes Total Metals minus Ferrous/Aluminum Containers
(4) C&D includes Total Misc. plus Wood minus Electronics & Tires

Section 8

Laws and Regulations

8.1 State Regulations

Solid waste management in NY State falls under the Title 6 NYCRR Part 360 Regulations by which the State sets design standards and operational criteria for all solid waste management facilities. NYSDEC is currently revising these regulations. The Town will continue to follow the Part 360 Regulations which regulate all four (4) Transfer Stations and will follow any revisions that pertain to their facilities or operations.

8.2 Local Legislation

8.2.1 Single Use Bag Ban

Southampton has continued to take a lead in Solid Waste Management in New York State. In December 2014, Southampton (and the neighboring Town of East Hampton) adopted a Code that banned single use plastic bags. As of April 22, 2015 (Earth Day),retail establishments are prohibited from using single use plastic bags under 2.25 mils in thickness. In addition, paper bags will be required to be made of 100% recyclable material and must have the words "reusable" and "recyclable" printed on the bag.

8.2.2 Permit and Track Carters

In order to achieve the goals set forth in this SWMP, in 2015, the Town plans to adopt code amendments to Town Code Chapter 205 Waste Management that will allow the Town to require each private curbside collection carter operating within Southampton to obtain a permit. The permit will require carters to provide the Town with information regarding how much waste is collected, where the waste is hauled for processing and disposal, and what recycling is offered and how material is being recycled.

This authoring of this legislation will require collaboration between the Solid Waste Division and the Town Council as well as support and input from citizen action groups and NYSDEC. It is expected that the code amendments will be adopted and the permit and track initiative will begin in late 2015.

8.2.3 Other Legislation

The Town will review current codes which apply to Solid Waste Management to determine if additional adjustments are necessary in order to conform to this SWMP. Codes, including those which require participation in leaf and yard waste removal and/or recycling, will be modified, as necessary, to conform to the 2015-2024 SWMP. Any changes will follow the aforementioned process of collaboration among divisions and communication with citizen action groups.

Town of Southampton Town Code Chapter 205 Waste Management Code is included as Appendix D.

Section 9

Conclusion

As shown in Section 7, the Town strives to continuously improve their solid waste management program. This is reflected in the overall 41 percent recycling rate achieved by the Town operated Transfer Stations (not including C&D and Yard Waste).

This 2015 -2024 SWMP was developed in cooperation with the Town Council, Department of Municipal Works - Solid Waste Division, and with support from the Solid Waste Advisory Committee. The program largely echoes the program shifts detailed in the 1990 Solid Waste Management Plan and subsequent modification in 1995. In addition, new program elements identified herein will be adopted as detailed in Sections 6, 7, and 8.

The largest expected change anticipated in this 2015-2024 SWMP is that the Town will begin to permit and track curbside collections carters operating within its borders. Once Code revisions are adopted, the Town will require carters to submit MSW and recycling data as a condition of their permit. The data provided will allow the Town to better understand the 85 percent of solid wastes managed by the private sector. The Town will initiate this change after the 2015-2024 SWMP is approved by NYSDEC. It is expected that code revisions will be adopted in 2015 and the program will begin in late 2015. After a full year of MSW and recycling data is received and evaluated (expected in 2016) the Town will begin to make recommendations to improve recycling amongst the private carters, if necessary.

This SWMP was written to reflect the goals of the New York State Beyond Waste Plan which focuses on overall final refuse reduction through active solid waste management at the local planning unit level with participation in multi-stream recycling, organic matter composting, and education and outreach to increase awareness of the role consumers have in the waste cycle. Some of the goals, particularly in terms of overall recycling participation, have surpassed state guidelines, others, including overall reduction with privately carted waste, will be implemented over the course of several years following adoption of this plan, while the remaining, in terms of overall waste reduction, will be the basis for which outreach campaigns and citizen participation programs will be continuously revised throughout the conclusion of this SWMP.

TOWN OF SOUTHAMPTON

Debris Management Plan

Prepared by Municipal Works
June 2015

Town Of Southampton
Debris Management Annex

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6.0 SUMMARY

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Town of Southampton Debris Management Contracts

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1.0 INTRODUCTION

1.1 Purpose of the Town of Southampton Debris Management Plan (TOS Plan)

The Town of Southampton in conjunction with other Towns and Suffolk County has developed Debris Management Plans. Each plan is based on individual criteria for effectively managing normal waste through pre established collection and disposal methods. Different waste streams should be maintained as separate operationally and as much as possible following a disaster event to avoid contamination, and reduce the quantity of material to be landfilled by increased recycling.

1.1.1 Types of Natural Disasters – The Town of Southampton, along with remaining areas of Suffolk County and Long Island are subject to natural disasters including but not limited to hurricane events that can result in high wind and flooding damage, earthquakes and wild fires that can result in large quantities of debris for clean up. The Town, working with Suffolk County has worked to develop a plan with the most probabilistic debris cleanup scenario. The County and Towns have developed and predicted waste scenarios based on FEMA HAZUS software package utilizing GIS Technology for standard estimating of potential losses from earthquakes, floods and hurricanes.

1.1.2 Objectives – The objective of the Town of Southampton Debris Management Plan are

- Provide organizational structure, guidance, and standardized guidelines for clearance, removal, staging, reduction, recycling, processing, and disposal of debris caused by major debris generating events.
- Mitigate potential health hazards from hazardous debris materials.
- Develop tracking and documentation procedures required to allow the reimbursement of debris removal, recycling, and disposal efforts resulting from a disaster.
- Coordinate partnering relationships through communications and pre-planning with local, State, and Federal agencies which have debris management responsibilities.

1.1.3 Phases of Debris Clearance

1.1.3.1 Phase 1 – Occurs during and immediately after the event. Phase 1 consists of clearing the debris that hinders immediate lifesaving actions and that poses an immediate threat to public health and safety, such as the inability to access critical infrastructure. This is typically performed by work force labor and equipment, and time and materials contracts.

1.1.3.2 Phase 2 Typically begins within seven days of the event and consists of removing and disposing of the debris that hinders then orderly recovery of the Town and poses less immediate threats to health and safety, activating pre-positioned contracts and notifying citizens of debris removal procedures.

1.1.4 Contracts

1.1.4.1 Pre Event Preparation and Planning – The Town of Southampton has planned for an expect to manage debris removal operations following a major natural disaster. The Town shall utilize existing operational contracts for disposal of MSW, Recyclables, and Construction and Demolition Debris. Following a declared event, in which the Town requires additional resources to manage waste from a natural disaster, the Town shall move to a

Notice to Proceed on in place Disaster Recovery Contracts (Appendix A) to assist in waste collection, storage and removal operations. We shall make sure the Town is up to date on Work Force Equipment information and Truck Certification Forms. The Town shall identify and provide training to monitors.

1.2 Authorities

1.2.1 Local Governments – The Town of Southampton is located within Suffolk County. The Town of Southampton includes within its boundaries an Indian Nation and several incorporated Villages as listed below:

- Village of Westhampton Beach
- Village of Westhampton Dunes
- Village of Quogue
- Village of Southampton
- Village of Sagaponack
- Village of Sag Harbor
- Village of North Haven

The Town of Southampton offers the use of its Debris Management, Waste Management Facilities to all Villages and Nations within its boundaries. In the event of a major event, the Villages coordinate debris collection within their governmental boundaries, when assistance is needed, their DPW heads, communicate and coordinate with the Town of Southampton who assists them accordingly.

1.2.2 State Authorities- With regard to disasters and debris management, NYS Executive Law provides authority for actions to be undertaken in a "local state of emergency"

1.2.2.1 Division of Homeland Security & Emergency Services (NYS DHSES) – Comprised of four offices dedicated to protect New Yorkers, their property, and the State's economic well-being from acts of terrorism and natural and manmade emergencies or disasters. The offices include Counter Terrorism, Emergency Management, Fire Prevention, and Control and Interoperable & Emergency Communications – who coordinate the response of State agencies in support of local government.

1.2.2.2 Department of Environmental Conservation (NYSDEC) – NYSDEC Is charged with conserving, improving and protecting natural resources of the state. The Town shall work cooperatively with the NYSDEC to further the goals and policies of the Town's Solid Waste Management Plan and under disaster scenarios in which large quantities of debris requires emergency authorizations for increased capacity of existing waste management facilities, and if additional vegetative storage sites are required.

1.2.2.3 New York State's Multi Hazard Mitigation Plan (NYS HMP) – Plan Constituency – NYS updated its Multi-Hazard Mitigation Plan to meet FEMA guidelines set forth in the Disaster Mitigation Act of 2000. The Suffolk County Multi-Jurisdictional Hazard Mitigation Plan, approved by FEMA in 2014, is consistent with the NYS HMP. The County wide plan ensures that all Towns, Villages, an Native American Nations, the Suffolk County Water Authority and certain PNPs within the County

are eligible to access federal grant funding for mitigation projects to reduce the negative impacts of future events.

1.2.3 Federal Authorities – There are a number of federal agencies invested with varying authorities for debris management activities. These agencies are further discussed in the Main Body of this document.

1.3 Plan Maintenance – The Town of Southampton section of the Plan shall be reviewed annually by each of the ten participating Town partners and the County to update any changes in debris contractor status, annual contracts, permits, or other short term variable items. The plan in its entirety shall be reviewed every five years by the County, Towns, and NYSDEC, NYS DHSES, FEMA and other agencies to ensure it meets current requirements.

2.0 DISASTER TYPES AND DEBRIS MODELING PROJECTIONS

2.1 Overview – This chapter summarizes the types of natural disasters that could potentially occur in the County, and the resulted waste summaries for the Town of Southampton. While this Plan is applicable to both natural disasters and man-made disasters, the focus of this Plan is debris management resulting from natural disasters.

In 2014 Suffolk County's Multi-Jurisdictional Hazard Mitigation Plan approved by FEMA including a complete hazard analyses and risk assessment for natural disasters which may affect the county. The plan utilized a probabilistic approach to quantifying risks and debris projects based on FEMA's HAZUS estimating tools.

2.2 Debris Modeling Projections

For planning purposes in this Debris Plan, Suffolk County has used debris projections from Hurricane-winds, Floods, and Earthquakes based on probabilistic occurrences developed in the preparation of the 2014 FEMA approved Hazard Mitigation Plan. The estimates were derived from FEMA's HAZUS estimating tool (version 2.1). Hurricane - wind and Flood projections are based upon probabilistic 100-year and 500-year return period events, while the Earthquake model is based upon 500-year and 2500-year return period events.

The debris projections for the 100 year events exceed 1,700,000 tons of material. This total is derived by combining the debris projections shown for both the Hurricane – wind and Flood 100 year return period events shown in the tables below.

It should be noted that this debris projection agrees almost exactly with the Major Hurricane debris projection for Suffolk County, of 1,775,000 tons, contained within the *2012 Regional Debris Management Plan,* produced by the Regional Catastrophic Planning Team. The total was based upon present day modeling that was done to re-create the Storm of '38 for debris projections. The Regional Plan was sponsored by FEMA, and consisted of planning team representatives from New York, New Jersey, Connecticut and Pennsylvania, as well as the US ACE, US Department of Agriculture, US EPA. The US ACE Hurricane Debris Estimating Model was also independently used to identify the projected debris totals that could be expected if the 1938 hurricane were to strike Suffolk County today. This was done for comparative estimating purposes for identifying and verifying projected debris quantities.

Pre-disaster modeling and projections provide weight/volume estimates for

preparation of debris management sites and pre-positioning of resources. For each hurricane or other disaster event, these projections will be reviewed, analyzed, and refined using available modeling formulas and known data.

Debris measurements may be expressed in either weight (tons) or volume (cubic yard) units. This discrepancy can lead to confusion in temporary and long term storage requirements, transportation needs, and final disposal costs.

In order to standardize projections and analysis of debris quantities shown in Tables 2.1 – 2.6, the following guidelines should be used:

- For total debris projections from hurricanes, both the hurricane –wind and flood components (as shown in Tables 2.1 and 2.2) must be combined.
- Footnotes appearing in Tables 2.1-2.6 should be reviewed before using the data for analysis, projections or planning purposes.
- Debris unit conversions factors between tons and cubic yards shall be based on FEMA's HAZUS estimating tool as follows:
  - For Vegetative and un-compacted tree debris, 10 cubic yards (CY) of un-compacted vegetative debris volume = 1 ton of vegetative debris weight.
  - For Construction and Demolition (C&D) debris, 4 cubic yards (CY) of C&D debris volume = 1 ton of C&D debris weight

Tables 2.1-2.3 identify the estimated debris generated for each probabilistic disaster striking the Town of Southampton.

Tables 2.4-2.6 show the actual debris quantities generated for each of three recent disasters to strike the Town of Southampton: the 2007 Nor'easter (DR – 1692); Hurricane Irene (DR – 4020); and Super Storm Sandy (DR – 4085). The totals identified were taken directly from individual Project Worksheets generated by FEMA, NYS OEM and the specific municipality for each of the three disasters. Some types of debris are displayed in both cubic yard and ton measurement units as a result of the Project Worksheet (PW) reporting. There is no duplication in these totals. For clarity and standardization, footnotes identify totals converted to tons.

Table 2.1: Debris Production for 100- and 500-Year Mean Return Period Hurricane-Related Winds

Jurisdiction	Brick and Wood (tons)		Concrete and Steel (tons)		Tree (tons)		Eligible Tree Volume (cubic yards)	
	100 Year	500 Year	100 Year	500 Year	100 Year	500 Year	100 Year	500 Year
Southampton	102,625	1,927	2,272	0	131,724	10,223	420,463	32,741
Suffolk County	**366,663**	**2,264,426**	**5,185**	**77,043**	**541,111**	**694,762**	**2,188,628**	**4,362,392**

Source: HAZUS-MH 2.1

NOTES:

1. **Total Suffolk County Debris Projection for the 100 year return Hurricane-wind event is 912,959 tons.**
2. **For a Total Wind and Flood debris projection for a hurricane, combine the Wind event from the above with the corresponding Flood event in Table 2.2**

Table 2.2: Debris Production for 100- and 500-Year Mean Return Period Flood Event

Jurisdiction	500 – Year		2,500 – Year	
	Brick/Wood (tons)	Concrete/Steel (tons)	Brick/Wood (tons)	Concrete/Steel (tons)
Southampton	6,286	1,360	44,269	15,956
Suffolk County	**100,281**	**28,884**	**829,707**	**517,070**

Jurisdiction	100-Year Flood Event				500-Year Flood Event			
	Total (tons)	Finish (tons)	Structure (tons)	Foundation (tons)	Total (tons)	Finish (tons)	Structure (tons)	Foundation (tons)
Southampton	227,499	129,714	48,324	49,462	370,958	164,165	96,761	110,035
Suffolk County	**798,181**	**410,684**	**186,491**	**201,006**	**1,201,997**	**517,957**	**326,735**	**357,305**

Source: HAZUS-MH 2.1
NOTES: Total Suffolk County Debris Projection for the 100 year return Flood event is 798,181 tons; For a Total Wind and Flood debris projection for a hurricane, combine the Flood event from above with the corresponding Hurricane-wind event in Table 2.1.

Table 2.3: Estimated Debris Generated by the 500- and 2,500-year Mean Return Period Earthquake Event
Source: HAZUS-MH 2.1

NOTES: Total Suffolk County Debris Projection for a 500 year return Earthquake event is 129,165 tons

Table 2.4: Debris Production Totals Generated by the 2007 Nor'easter (DR-1692)

Jurisdiction	Vegetative Debris		Construction & Demolition (C&D)		Household Hazardous Waste (HHW)		White Goods		E-Goods		Mixed Debris		Total	
	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS
Southampton	610	0	0	0	0	0	0	0	0	0	0	0	**610**	**0**
Suffolk County	25	16,984	0	0	0	0	0	0	0	0	0	0	**25**	**16,984**
Total	**1,820**	**16,984**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1,820**	**16,984**

Notes: Total debris generated for DR-1692 calculated as 17,166 tons- based on a conversion factor of 10 CY per ton of vegetative.

Table 2.5: Debris Production Totals Generated by Hurricane Irene (DR-4020)

Jurisdiction	Vegetative Debris		Construction & Demolition (C&D)		Household Hazardous Waste (HHW)		White Goods		E-Goods		Mixed Debris		Total	
	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS
Southampton	37,824	0	0	0	0	0	0	0	0	0	0	0	**37,824**	**0**
Suffolk County	0	17,814	0	0	0	0	0	0	0	0	0	0	**0**	**17,814**
Total	**409,816**	**54,172**	**187**	**125**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**15**	**410,003**	**54,297**

Notes: Total debris generated from DR-4020 calculated as 95,342 tons - based on conversion factors of: 10 CY per ton of vegetative debris; and 4 CY per ton of C&D and other debris.

Table 2.6: Debris Production Totals Generated by Super Storm Sandy (DR-4085)

Jurisdiction	Vegetative Debris		Construction & Demolition (C&D)		Household Hazardous Waste (HHW)		White Goods		E-Goods		Mixed Debris		Total	
	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS	CY	TONS
Southampton	119,936	899	0	0	0	0	163	0	0	0	360	0	**120,459**	**899**
Suffolk County	465,352	0	0	0	0	0	0	0	0	0	0	0	**465,352**	**0**
Total	**1,458,050**	**71,088**	**14,233**	**61,547**	**0**	**63**	**163**	**0**	**0**	**0**	**1,003**	**1,639**	**1,473,449**	**134,337**

Notes: Total debris generated from DR-4085 calculated as 284,067 tons – based on conversion factors of: 10 CY per ton of vegetative debris; and 4 CY per ton of C&D and other debris.

3.0 ROLES OF GOVERNMENT AND THE PRIVATE SECTOR

The Town of Southampton as a local government recognizes the importance of taking a proactive approach to coordinating and managing debris removal operations as part of the Town's overall Emergency management Plan. The Town recognizes that in the event of a large scale disaster, assistance from outside agencies to perform recovery and clean up will be necessary. In a large scale event the resulting debris in the Town may be so extensive that it can only be successfully managed through adequate pre-planning and the coordinated efforts of the local communities, State and Federal government.

3.1 Suffolk County

Under New York State Executive Law, Article 2-B, the Suffolk County Executive may declare a state of emergency and issue emergency orders in the event of a public emergency or reasonable apprehension of immediate danger thereof. The Suffolk County Executive's decision to declare a disaster will be based largely on information and advice provided to them by staff operating in the Emergency Operations Center (EOC). Consultation with town supervisors may also be conducted. The potential impact of the emergency event on county agency operations as well as town response capabilities shall be considered in determining the need for an emergency declaration.

After an Emergency Declaration has been issued, it is the responsibility of agencies operating within the EOC to follow through on the issuance by providing public information on the situation and affected areas, enforce emergency orders, utilize feedback networks amongst agencies of the same discipline at the local, State, and Federal levels, and ensure extraordinary powers are available to agencies under the emergency order are properly implemented. In compliance with local, State, and Federal laws, the Commissioner of FRES will be the Incident Commander throughout the course of operations.

It is the responsibility of the Commissioner of Suffolk County Fire, Rescue and Emergency Services (FRES) to activate the EOC and notify all appropriate agencies at their discretion in times of emergency. This can include any

emergency, from a weather event, to a Terrorist or WMD attack. For emergencies such as weather events, which are often pre-forecasted, FRES will activate the EOC at the appropriate level to ensure adequate preparation before arrival of the storm. EOC Activation Levels are as follows:

- Level 3: Controlled emergency situation without a serious threat to life, health or property which requires no assistance beyond initial first responders. Under this activation, the Debris Task Force will not be utilized.
- Level 2: Limited emergency situation with some threat to life, health, or property, but confined to a limited area, often within a municipality or involving a small population. Under this activation, the Debris Task Force may be utilized at the discretion of the Commissioner.
- Level 1: Full emergency situation with a major threat to life, health, or property, involving large populations or multiple municipalities. Under this activation, the Debris Task Force will be utilized throughout the duration of operations.

As required by law, Suffolk County FRES shall serve as the official source of coordination between Suffolk County and all levels of government for the duration of recovery operations. FRES shall conduct briefings beginning 72-hours before the expected arrival of gale-force winds, and periodically after that.

FRES will coordinate activities and resource needs through the EOC. SC FRES, in conjunction with the Communications Bureau and with assistance from the Community Emergency Response Team (CERT), shall be responsible for monitoring all potential threats, and coordinating disaster recovery activities through the EOC. It will be the responsibility of FRES to ensure that all operations are being conducted in compliance with the National Response Framework (NRF), specifically Emergency Support Function (ESF) #3: Public Works and Engineering Annex, and ESF #14: Long-Term Community Recovery and Mitigation Annex. Coordination of all disaster debris operations shall also be conducted in compliance with the National Incident Management System (NIMS).

It should be noted that Suffolk County and its ten Towns use the widely accepted E-Team software system for managing and coordinating Emergency Events. The system, which has been in County use for more than a decade, has a proven track record and is extremely flexible in its response and recovery capabilities. Its ease of use, interoperability, performance, mapping abilities, database support and compliance with the federal Incident Command Structure (ICS) and NIMS all contribute to the system's functionality. E-Team will be used in the monitoring and coordination of debris generating events from the initial planning phase through final stages of recovery.

FRES will monitor all debris response and recovery activities by both primary and supporting agencies throughout all operational periods. It will be their responsibility to ensure that emergency communications plans are in place, and that health and safety procedures are being followed in accordance with OSHA regulations. They should provide debris forecasts and estimations to all teams involved, and provide them damage assessment priorities. Throughout operations, FRES will monitor all phases of debris response and recovery. This includes ensuring that all waste is disposed of properly, in accordance with Federal, State, and local law and regulations. In addition, they are to monitor all

procurement procedures, and review all debris contracts. The Logistics division shall be assigned to monitor all equipment assets throughout operations, and all media inquiries are to be handled by FRES' Public Information Officer (PIO).

3.2 The Town of Southampton internal work force.

3.2.1 Staff Roles and Responsibilities- The Town of Southampton will incorporate the assistance of many different departments in the management of various quantities of debris resulting from a natural disaster. The Town of Southampton shall also work to assist Villages and Indian Nations to resolve outstanding debris management issues within those communities. Debris Management Operations will be overseen by several different departments as the recovery process evolves.

3.2.2 Staffing Organization - The Town of Southampton Emergency Management Officer shall direct the Town forces in the event of a natural disaster. The Town of Southampton has been pro-active in the preparation of a Debris Management Plan and contracts that it has in place for both removing debris of various types to deposition areas and the monitoring of such activities. The Waste Management Division Head shall work as the "Debris Manager" and shall work closely with the Highway Superintendent, Suffolk County Office of Emergency Management (SCOEM) and the New York State Department of Environmental Conservation (NYSDEC) during and immediately following a disaster to contact contractors and determine priority areas as included herein which have to be cleared for Emergency Services to Hospitals, Fire Stations, Ambulances, Utilities, Evacuation Centers. The "Debris Manager" shall supervise the "Debris Management Staff" and shall additionally coordinate efforts with the Town's Chief Environmental Analyst and Employee Safety Officer to address environmental and hazardous materials**.**

3.2.3 Roles and Responsibilities - During a natural or man-made disaster, the Emergency Management Officer shall remain in communication with the Debris Management Officer to ensure that Debris Management Operations are in compliance with public safety and public assistance programs.

3.2.3.1 Staffing Assignments and Duties

Supervisors Office – The Supervisors Office shall coordinate Emergency Management Officer and Department Heads to initiate Pre Storm Operations including providing all contact information is available. Mobilizing General Services to coordinate with Employee Safety and Senior Services to make sure Town Staff has appropriate safety gear, and that we make necessary accommodations for Senior Centers. In addition, they will coordinate Public Service Announcements utilizing various media sources.

Police Department – Shall coordinate and supervise the Emergency Operations Center (EOC). They shall be in direct contact with Suffolk County, Supervisor's Office, and the call center to ascertain the status of the situation. The Police

Department oversees the Bay Constables Office who patrol the Town of Southampton Waters. This active line of communication is very effective of alerting appropriate staff, property owners of storm related issues.

Municipal Works – Shall be actively engaged in pre disaster planning and preparation and following landfall of disaster in the recovery. Staff shall be directed to obtain initial assessments of Town Facilities. Waste Management staff shall be directed to operate debris sites. Municipal Works Force Account Labor include:

- Director of Municipal Works (DMW) – Oversees Waste Management, Engineering, Intermodal Transportation, Facilities Management, Sustainability. Shall work as liaison between DMW divisions and other Town Departments.
- Facilities Management – Shall work with the DMW to assess Town Facility Damage and Debris Management issues on Town Sites.
- Intermodal Transportation – Shall work with GIS following the event to determine areas that are most damaged by debris. Shall take photographs of areas as documentation of debris damage within the Right of Way.
- Waste Management Division Head – Shall work to direct and oversee debris site monitors, compliance with Emergency Authorizations, coordination of Truck Certifications, and obtaining Monitoring photos from Town Waste Management Camera system, or monitors point and shoot cameras. Oversees waste management operations. Force Account labor shall include:
    - Labor Crew Leader-Oversees Mechanics, Site Crew Leaders and operations
    - Auto Mechanics – ensure tractor trailer, and equipment function properly
    - Site Crew Leaders- oversee Scale Operators, Laborers, Sanitation Helpers. – to work as Site Debris Monitors in event of emergency.
    - Heavy Equipment Operators (HEO) – Deliver Waste and move Compost
    - Scale Operators- Process Residential drop off payments
    - Laborers – Maintain and keep transfer stations clean and help public.
    - Sanitation Helpers – assist Laborers and /or Scale Operators.
    - Recycling Coordinator – compiles all tickets from all transfer facilities, and works with Director to schedule education opportunities.
    - Account Clerk Typist – Prepares purchase orders, processes payment requests, and schedules and time sheets.

Highway Department – Shall be actively engaged in pre disaster planning and preparation. Highway Department shall be engaged in the active event and post event recovery. Highway Staff will participate in the call center and deploy assets as necessary and safe during the event. Highway Department will work with emergency debris contractors during the 70 hour after event timeline, and the Town and County contractors following the 70 hour event timeline. Force Account labor shall act as Debris Site Monitors and directors of onsite clean up. Highway Department Force Account Labor include the following:

- Highway Superintendent – manages and directs all Hwy Operations
- Deputy Superintendent of HWYs
  - Highway General Supervisor
  - Assistant General Foreman
  - Administrative Staff of
    - Bridgehampton Operational Staff –
    - East Quogue/Flanders Operational Staff –
    - Hampton Bays Operational Staff –
    - North Sea Operational Staff –
    - **No**yac Operational Staff –
    - **We**sthampton Operational Staff –
    - **Tr**affic Control/Traffic Safety Sign Shop –
    - **R**epair Shop – .

Parks and Recreation – Shall be actively engaged in pre disaster planning and preparation. The Parks Department shall be deployed following the event to ascertain damage to municipal facilities, and assist in clean up operations and documentation. The Parks Maintenance Division oversees the Town Beach and other Recreational facilities which tend to be impacted by contaminated sands issues. These result from sand intrusion into Septics. When a natural disaster hits, there is general damage of beach front facilities including the parking lots, which result in sand/asphalt mixtures which need to be separated and screened for disposal and replenishment.

- Superintendent of Parks & Recreation – oversees overall department operations.
- Assistant Director of Youth Programs
- Administration Staff
- Sr. Beach Manager – Seasonal
  - Chief Lifeguards
  - Beach Managers
  - Lifeguards
  - Beach Attendants
- Parks Maintenance Supervisor
  - Assistant Crew Leaders
  - Docks and Marinas
  - FT/PT Parks Maintenance Staff

- Administration Staff – The Town of Southampton has to have a structure in which the on ground staff need direction and guidance on how to abide by the Town of Southampton, New York State, and Federal rules and regulations. The Town of Southampton has made the decision to be pro-active with Disaster Debris Management, and in such has prepared public bidding documents that shall be in place prior to disasters. During the storm tracking period, prior to impact, the Debris Manager will make contact to Contractors with executed contracts to communicate the storm status. Immediately following the storm, the Debris Manager shall obtain all required bonds for contract so that the Contractor may begin mobilization and work.
- The Town Attorney's Office will lead the review process for all legal matters in the debris pick up and debris management planning process. In addition to advising the debris management planning staff, the office will also review contracts, review all insurance policies, and/or establish policies for accessing private property and building condemnation process.
- The Comptroller's Office shall be the lead in the Town's procurement efforts, and contract extensions as required. The Comptrollers Office will be the main point of contact for Project Worksheets associated with the disaster and shall be the coordinator of finances.

3.3 THE TOWN ROLE - The Town will be the first responders in a disaster situation. The Town will also be an active participant in the event pre-planning and shall act as a liaison and/or coordinating agent to the Shinnecock Nation and Incorporated Villages. These agencies are separate governmental agencies residing within the Town of Southampton. The Town of Southampton does not have a curbside pick up program of MSW and C&D. The Town operates four transfer stations for residential self haulers to bring waste to. In the event of a natural disaster, the Town shall clean the right of ways of material.

3.3.1 Pre-Event Planning - The Town shall communicate/coordinate pre-event planning action items, distribute information on opportunities as they become available from Suffolk County, New York State, and Federal Agencies.

The Town shall issue a list of emergency contact information for all appropriate staff, while Department/Division Heads shall coordinate emergency contact protocol. The Town shall review inventory of equipment, ensure that all vehicles, generators, and fuel storage areas are filled. Crews shall be assembled and assigned to different areas as appropriate. The Town shall review sites, and make sure that they are prepared, and ensure that facilities have no loose outside materials, items, that could be damaged or blown away during a storm. Pre-event photos of temporary debris storage sites will be taken. Provide TDSR information to both SCFRES and NYSDEC (Appendix B). The Town shall brief staff on monitoring requirements, obtaining new Truck

Certification forms, and documentation of force account labor and equipment use (Appendix C).

3.3.2 Storm Operations – The Town shall maintain its EOC open and staffed in the Police Department during the storm. There shall be open and active communication through SCFRES and the Town. Town GIS Staff will be included in the Town EOC, and will map incoming calls of trees and utility damage and include same on GIS mapping. Highway Maintenance shall perform road clearing so long as it is safe, and take safe harbor when winds become too excessive. Once the storm has passed, Town staff shall assess the damage in Town identifying the worst hit areas and photographing areas. Primary roads will be a priority to clear once all utilities have been cleared. Based on the level of clean up, new staff schedules shall be set, and the waste management program of Transfer Station times, and amnesty shall be discussed, approved, and implemented.

Prior to an immediately following the event, extricating people and providing access to health care facilities are the top priorities; therefore, the major arterial routes are given priority for the emergency services staff such as police, fire, and ambulance service. Emergency operations infrastructure, such as the emergency operations center and supply distribution centers, normally are the next priority.

Immediately after a disaster, the Town will distribute public service announcements advising the public to bring disaster related vegetative debris to the Town's Right –of-Way for "curbside collection". This practice will immediately follow the Town's efforts at opening all roads. The Town will make two rounds to pick up the vegetative disaster debris and will then revert to a Collect in Center method of debris collection. In the curbside collection, debris hall be placed at the ROW for the Town and/or its contractor's collection. In order to avoid waste contamination, the Town will structure its pick up as source-segregated. Trucks designated for a particular debris type collect the assigned debris and deliver it to a temporary staging area, or debris management site, reduction, recycling, or disposal facility.

3.3.3 Post Storm – internal municipalities also have the opportunity to utilize the Town's Transfer Stations in the event of a catastrophic event. Some incorporated villages have their own resources and facilities in which they could obtain NYSDEC Emergency Authorizations for Debris Site Staging. Others utilize the Town's Transfer Facilities on a regular basis and utilize either Inter Municipal Agreements (IMA) or choose to utilize the charge back program for compensating the Town for the municipal delivery of Construction and Demolition Debris and/or Yardwaste.

Following the two rounds of curb side pickup, residents shall be directed to use disaster established collection centers and/or existing transfer facilities for debris deposition. Residents shall transport materials to the Town's transfer facilities.

The Town shall coordinate and oversee debris contractors working within the Town. The Town shall incorporate debris monitoring techniques later described to reduce contractor abuse of work and pay items. The Town shall coordinate and have prepared Emergency TDSR Authorizations for submittal to NYSDEC either before or immediately following the debris event.

In the event that the Town force account labor, or contracted contractors are insufficient to effectively move and dispose of waste, the Town will coordinate with SCFRES for the use of contracts associated with equipment use, and/or debris related Services and Equipment.

3.4 THE COUNTY ROLE – SCFRES shall work with the Towns upon identification of a potential threat of debris resulting event. The Commission of SCFRES shall activate the EOC at appropriate Levels as referenced in Main Chapter 3.4. SCFRES shall serve as the official source of coordination between Suffolk County and all levels of government for the duration of recovery operations. Town Staff including have participated in training of the E-Team Software system. When the EOC is set up, Town representatives are present in the EOC and coordinate operations with local response teams. The Town will estimate debris amounts during initial assessments following the disaster, and then maintain communication on cleanup efforts.

3.5 THE STATE ROLE – The Town shall work with the various state offices in conjunction with Suffolk County to provide information on storm impact, debris management operations, requested help and requested reimbursement. The Town shall provide to and abide by the regulatory requirements of operating waste management sites.

3.5.1 Department of Environmental Conservation (NYSDEC) - The Waste Management Division shall coordinate with the NYSDEC on providing the information required within the Emergency Authorization for Debris Management Sites, and method of disposal / reduction of wastes.

3.6 THE FEDERAL ROLE –The Town shall coordinate with SCFRES to provide daily updates on debris totals and needs. The Town will also coordinate with SCFRES on meeting with FEMA Representatives of Debris sites, supplying information required by FEMA and following up with the Project Worksheets for reimbursement.

4.0 SOLID WASTE MANAGEMENT FRAMEWORK AND DEBRIS MANAGEMENT

4.1 Overview- Southampton is located on the south fork of Long Island's east end and occupies 295.5 square miles of total area. There are multiple villages and one Tribal Nation within its boundaries. Topography of Southampton is relatively flat island terrain with the highest ground elevations inland. Elevation ranges from 0 feet above mean sea level (MSL) in coastal areas in the north and south to 200 feet above MSL in the Town's central areas. This Chapter outlines the local solid waste management framework and the management and disposal of various types of natural disaster debris.

4.2 Solid Waste Management Framework

4.2.1 Solid Waste Management Plan – The Town of Southampton is in the process of updating its Solid Waste Management Program Plan with the New York State DEC. This plan outlines current and projected populations, current and future action items pertaining to the Municipal and Private Waste Management Operations occurring within the Town with the overall goal of reducing the amount of landfilled waste, increasing recycling, material reduction and reuse of material.

4.2.2 Solid Waste Management Infrastructure –

- *Landfills* - The Town of Southampton has a closed landfill located at the North Sea facility (1370 Majors Path, North Sea). This facility has three closed cells.
- *Transfer Stations* - The Town of Southampton Waste Management currently runs and operates four transfer stations, located in West Hampton, Hampton Bays, Southampton, and Sag Harbor.
- *Yardwaste Stations* – The Town of Southampton Waste Management currently runs and operates three yardwaste facilities located at the Westhampton Transfer Station, Hampton Bays Transfer Station and the North Sea Transfer Station. These facilities are regulated, meaning, they generally do not receive more than 10,000 Cubic Yards of material per year. During storm events, the Town requests emergency authorizations to receive additional material.

  Due to the size and topography of the Sag Harbor Transfer Station, this will not be utilized as a disaster debris area but will remain open for regular residential drop off's of MSW, Co-mingled, Cardboard, Paper, and waste oil. maintenance, and transfer facilities. We have haul residential hauled recyclables and MSW to various locations on Long Island.

4.3 Approach to Debris Management -

4.3.1 Waste Management - The Town of Southampton operates transfer stations for residential self haulers only. It is not open and available to Commercial Carters, or private businesses. It is estimated that the Town Transfer Station only receives approximately 15% of the Town's waste stream, the remaining 85% is disposed of by private carters bringing the material to non town facilities. The Town is permitted to accept residential and municipal construction and demolition debris at the North Sea Transfer Station, which is the only Transfer Station that has a scale. The Town operates closed top compaction/ejection trailers to dispose of and haul items such as MSW, recyclables, and open top trailers for bulk waste and C&D wastes. The Town does not have a permitted permanent household hazardous collection program. The Town does contract with a vendor for four days of Household Hazardous Waste (HHW) Collection from one of each of the four Transfer Stations per year. Residents bring HHW to the appropriate station that day during a certain time period and the Vendor takes it off site and legally disposes of it.

Waste Management will monitor and assess the types of waste that result from the natural disaster, and shall coordinate with the County and/or the Town Contractor to determine appropriate disposal areas for Aggregate, Regulated Medical Waste, Asbestos Waste, an Lead Waste.

4.3.2 Highway Department – The Highway Department maintains the Town's Roads including drainage, right of way, winter road maintenance and other associated equipment. The Highway Department has Barns located throughout the Town for quick response times.

4.4 Debris Management Strategies –

4.4.1 Waste Management - Immediately prior to a natural disaster, the Town shall coordinate with the NYSDEC for emergency authorizations to accept C&D at Westhampton, Hampton Bays Transfer Stations, and additional quantities of vegetative material at the currently regulated yardwaste facilities. The Town will offer a one week amnesty for residential self haulers to bring MSW to the transfer stations. The Town Transfer Stations will then accept Municipal and Municipal Contractors working with the Highway Department and other Town Departments to bring debris left on the Town Right of Ways to the Transfer Stations. The Waste Management staff, will move and reduce yard waste as required to allow for more inflow of these materials, while still transporting items such as MSW, Recyclables, and C&D to the Town Contracted transfer stations. The Town owns and maintains a yardwaste tubgrinder. Staff puts storm material in windrows that are later reduced. The Town has operating disposal contracts for MSW, C&D, Recyclables (Comingled containers, Scrap Metals) and play the markets for commodities such as paper and cardboard.

4.4.2 Highway Department – The Town of Southampton Highway Department will be able to begin the process of clearing critical roadways immediately following the event, and progress the process of working with Contracted Debris Removal Crews following the storm to open up major and minor roadways and begin the process of debris removal. The Highway Department after progressing the clearing of streets take inventory of the Highway maintained parcels for damage and begin work to repair their inventory. The Highway Department shall choose one or two senior level employee in a Crew Leader title to act in the capacity of a Monitoring Site Supervisor. The Town shall enter into Contractor agreements to remove debris within the Right-of-Way and Monitoring Services.

4.4.3 Parks and Recreation - The Town of Southampton Parks and Recreation will begin the process of clearing debris from Town improved properties following the storm. Following the debris clearing and removal process, the Parks Department shall assess their facilities, and prepare preliminary damage reports for further inspection and review. Park facilities located at beaches have a primary concern of sanitary system fowling and sand contamination through destruction of paved surfaces. The Town shall coordinate and consider utilizing screens to remove miscellaneous material from the sand and re use on the beach if acceptable to the NYSDEC.

4.4.4 Facilities Management – Shall work to identify debris fall areas on Town managed building sites. They shall coordinate work with the Parks

Department to remove material, and perform preliminary damage reports on building facilities for further inspection and review.

4.4.5 Engineering and Intermodal Transportation – The Engineering and Intermodal transportation Divisions shall obtain from the EOC areas of largest debris fall and begin photo-documenting areas in a safe and careful manner.

4.4.6 Comptrollers & Town Attorney's Office – Immediately following the end of storm, and working with assessments of damage, the Comptroller's Office and Town Attorney's Office will work to execute the Debris Management Contractors Notice to Proceed, and have all appropriate bonds and insurances in place. Then the Highway Department may direct them on cleanup activities. The Town has put a bid and executed a contract for vegetative, C&D, Metal and Appliances, Bulk Items, and Electronics disaster debris removal based on Cubic Yard or Ton after a declared emergency with DRC Emergency Services, LLC.

4.5 Storm Unique Debris Types – Unique storm related debris such as the following are discussed in the main document of the plan. The Town of Southampton shall utilize available assets such as Police Department, Bay Constables, Town Attorney's and Trustees to identify and coordinate Marine related debris types such as vehicles, boats, or material within the waterways or on private properties. In the event of a large scale event that results in either large quantities, of wildlife, domestic animal remains and/or human remains, The Town will notify and take direction from law enforcement officials and Suffolk County Department of Health Services.

5.0 PLANNING AND OPERATIONS: DEBRIS MANAGEMENT SITES AND CONCEPT OF OPERATIONS PLAN

5.1 Overview of Chapter – The Town of Southampton shall have pre determined sites to process all activities associated with massive debris clearance, removal and disposal activities following an event. These shall primarily consist of pre-existing municipal waste sites. In the event that these are insufficient to handle debris in a timely fashion, the Town shall consider either opening up additional Highway Temporary Storage sites, and/or performing additional front end direct haul of material to final disposal and/or transfer station sites.

5.2 Debris Management Sites

5.2.1 Overview – The Town recognizes the importance of having potentially suitable TDSR and Vegetative debris sites pre-identified and ready for use at all times in the event of a disaster. The Town owns and operates four transfer stations located equidistant through the Town, offering an average four mile travel distance to/from facilities. All four of these facilities offer facilities for transfer of MSW and recyclables. Three of these four transfer stations (North Sea, Hampton Bays and Westhampton) offer the site capacity and storage area for vegetative debris. These transfer Stations are registered with the NYSDEC as approved transfer stations and have been utilized in the past as TDSR for wastes, while three of them have been utilized as vegetative debris sites. The location and descriptions of these facilities are located in Appendix B.

5.2.2 Environmental Considerations –After a major disaster occurs, the emphasis is on rapid debris clearance from the public Right of Ways. It is anticipated that the North Sea and Hampton Bays Transfer Stations

will receive debris faster than Westhampton and Sag Harbor and material can be stored on site and transported off site. In the case of vegetative material, the North Sea, Hampton Bays, and Westhampton sites have large land areas that material can be stored on site and then processed as recovery progresses. These TDSR and Vegetative debris sites are optimal as they are not adjacent to surface waters, wetland areas, and have reduced potential to impact the environment.

5.2.3 Site Selection Guidelines for Temporary Debris Storage and Reduction sites and Vegetative Debris Sites – The Town of Southampton has Emergency Authorization requests prepared and ready for submission pursuant to NYS ECL for additional quantity and temporary storage of storm related debris to include C&D, electronics, and recyclables.

5.2.4 Site Operation of a Debris Management Site – The Town of Southampton has operational contracts for the disposal of MSW, Recyclables including comingled recyclables, waste oil and scrap metal and white goods. The Town operates ejection trailers, and if storage within the trailers, becomes a problem, on site storage on asphalt pads, or impervious pads will be provided.

5.2.4.1 Storwmater Controls – Sediment and erosion control measures to reduce and control waste leachate and erosion potential shall be controlled by silt fence, and inlet protection.

5.2.4.2 Volume Reduction Methods - Reducing and/or recycling disaster-related debris has financial and environmental advantages. These operations can decrease the overall cost of a debris removal operation by reducing the amount of material that is taken to a landfill. This diminishes the cost of final disposition in the form of tipping fees. In the case of recycling, potential end-use products for specific markets may offset the cost of operations even more.

5.2.4.2.1 Compaction – Compaction by both Heavy Equipment and ejection trailers will be performed

5.2.4.2.2 Grinding and Chipping – Vegetative debris is the most common material reduced by chipping and grinding. The Town currently owns and maintains a tub grinder that it utilized during its operational maintenance and recycling efforts for its annual leaf and brush clean up programs. Chipping and grinding typically reduces the volume of vegetative debris by approximately 75%. The remaining volume of material is generally in either mulch and/or compost.

5.2.4.3 Staffing - The Site Manager shall ensure that the site is set up to the layout pre-described by the Town based on the type of disaster. The Site Manager shall be familiar with the site prior to the event, and have knowledge of the existing facilities and proposed location of monitoring towers and the segregated debris deposition areas.

The site manager is responsible for supervising the overall day-to-day operations, maintaining daily logs, preparing site progress reports, and enforcing safety and permitting requirements during site operations. The site manager is also responsible for

scheduling the environmental monitoring and updating the site layout. The site manager has oversight for monitoring the activities of the debris removal contractors and the onsite debris processing contractors to ensure they comply with the terms of their contracts.

5.2.5 Site Remediation / Closure checklist for Temporary Debris Storage and Reduction Sites and Vegetative Debris Sites - - - - - - The Town shall coordinate with other departments to conduct the post event clean up and closeout. The Town shall perform close out sampling as required by NYSDEC.

5.3 Concept of Operations Plan for Disaster Debris Management

5.3.1 Overview – Suffolk County has developed a Concept of Operations Plan (COP) for Disaster Debris Management, Activation, and Use of the Debris Removal and Monitoring Contracts. The Town of Southampton will also conform with this operations plan. The COP describes the phases of clean up and priorities associated with the clean up.

5.3.2 Activities Timeline – The Concept of Operations Activities Timeline is segmented into four major operational time periods:

5.3.3 Pre Landfall Phases - -4 to 0 days (day 0 is landfall)
Notice Event Activation of Debris Removal and Monitoring Contractors. When the County Wide Debris Management Recovery Team is activated, the Town will attend all meetings. It shall perform the internal activities, and communicate same to incorporated Villages and Shinnecock Nation:

- Identify potential threats and impacts
- Assess available resources
- Discuss potential resource sharing, including personnel and assets; prepare draft task orders
- Identify pre-placed contracts and confirm availability for stand-by or activation
- Coordinate deployment of personnel and pre-positioning of equipment, as appropriate
- Activate Debris Management Branch in Suffolk County EOC, such as FEMA Debris subject matter experts.
- Photograph all TMDLs; inventory on site waste materials and equipment. Move any possible on site material ahead of landfall.
- Repair and fill all available equipment with fuel.

5.3.4 Phase I – Initial Response/Debris Clearance: 0 – 6 days
Phase I is the initial response and consists primarily of clearing disaster debris from the public roads and right of ways that hinders immediate life saving actions that poses an immediate threat to public health and safety. Phase 1 period generally consists of de-energizing downed lines on primary roadways, so that the debris can be removed. The State will clear State roads, the County shall clear County Roads, and the Town shall clear Town roadways. Material is generally moved to the sites of

the road in this initial response. The initial clearance will be done based on the following priorities and on field assessments:

1) Support to Search and Rescue and other life-saving resources.
2) Critical life-sustaining facilities (i.e., hospitals, nursing homes, other).
3) Additional life-sustaining facilities (i.e., emergency feeding and sheltering sites, Local Distribution Points, other).
4) Critical community support facilities (i.e., police, fire, EMS, and emergency management sites, other).
5) Critical infrastructure facilities (i.e., Electrical Utilities, Telecommunications Utilities, other).
6) Longer- term sustaining facilities (i.e., water treatment facilities, wastewater treatment facilities, water pumping stations, other).
7) PSEGLI Restoration Operations
8) NYSDOT contractors for Staging Area Reduction

Immediate debris clearing actions on State and local roads and properties should be supervised by the Town of Southampton using all available resources. The Town of Southampton shall perform initial assessment of debris removal needs. If appropriate, the Town shall execute debris management contracts to remove debris from the Town. The Town has an executed contract in place for such required times, that is activated based on a notice to proceed (Appendix A). The state and county shall, when appropriate and/or requested provide support of the Town's debris management operations when conditions permit based on feedback. Each impacted municipality shall assess and shall activate their own contracts, and if appropriate request assistance from County and/or State officials.

5.3.5 Phase 2 – Recover/Debris Removal: 7 to 29 days

Phase 2 consists of removing, segregating, and disposing of the debris that hinders the orderly recovery of the community and poses less immediate threats to health and safety. Phase 2 could last up to a year or longer and may involve reassessment of debris quantities, operations of debris staging areas, public education, and debris separation, collection, storage, recycling and disposal activities. The Town shall coordinate and communicate on a regular basis with SC FRES on debris quantity and requested assets. Phase 2 shall progress appropriately from the Phase I priorities such as public roads, bridges, and essential facilities (Police, Hospital, Ambulance, Fire Stations, Water Supply facilities, and communication towers. Following clearing those critical facilities, governmental business facilities followed by recreational facilities.

5.3.6 Post Recovery – Public Assistance, TDSR/Vegetative Debris Site Closure and Quality Assurance: 30 to 180 days

Monitor Town, Village and Shinnecock Nation recovery operations and progress, including closeout of temporary debris sites, develop after action reports and revise plans, as appropriate. Prepare and review all necessary documentation and participate in all required aspects of applications for FEMA's Public Assistance Program.

6.0 SUMMARY

6.1 Summary Statement

- If a catastrophic storm, such as the 100 year return period probabilistic hurricane-wind and flood event identified in Chapter 2 were to strike the Town of Southampton, it is estimated that approximately 464,120 tons of debris would be generated and spread across the entire Town as a result. This far exceeds the average annual amount of solid waste processed in Southampton Town during the year. The debris would block roadways making transportation and access to areas very difficult if not impossible for all residents. Public safety and protection of lives and property would be compromised until the massive quantities of debris could be cleared and removed.

Recovery from recent storms, such as Hurricane Irene and Super Storm Sandy, were effectively carried out because of knowledge and implementation of FEMA guidance documents, County wide Cooperation, multi-jurisdictional planning efforts and effective debris removal and disposal contracts. This cooperative effort has led to the development of this greater Plan, which includes the pre positioning of contracts to streamline the contracting process. The Town is now better positioned to effectively work with adjacent municipalities and the County to respond to such a storm event because of these documents in place.

APPENDIX A

TOWN OF SOUTAHMPTON WASTE CONTRACTS

MSW AND BULK WASTES

RECYCLABLES AND CONSTRUCTION AND DEMOLITION DEBRIS

EWASTE

DISASTER DEBRIS WASTES

PROPOSAL

TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

CONTRACT FOR MUNICIPAL SOLID WASTE DISPOSAL

THE UNDERSIGNED BIDDER HAS CAREFULLY EXAMINED THE ATTACHED CONTRACT DOCUMENTS AND WILL SUPPLY AND DELIVER ALL SPECIFIED ITEMS FOR THE TOWN OF SOUTHAMPTON IN ACCORDANCE WITH THE FOLLOWING PRICES:

TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, NEW YORK

PROPOSAL FOR MUNICIPAL SOLID WASTE DISPOSAL

BIDDER NAME: Eastern Resoure Recycling Inc.

BIDDER ADRESS: 88 Old Dock Rd
Yaphank, NY 11980

I. TOWN DELIVERY OF MUNICIPAL MSW

The undersigned Bidder has carefully examined the attached contract documents and will provide all necessary labor, materials, equipment and incidentals required to accept and properly dispose of the Municipal Solid Waste described in the Bid Specifications at the unit price listed below.

For the acceptance of up to 12,000 tons of Municipal Solid Waste per year:

$ 64.71 /ton*

Sixty Four Dollar and Seventy One Cents Dollars/ton *
Amount in words

Please list the location of the Transfer Station, days of operation and operating hours for each day it is open.

Location: 88 Old Dock Rd, Yaphank NY 11980

Days Open: Monday thru Saturday

Operating Hours: Mon - Fri 6am - 4pm Sat 6am - 12pm

* The initial per ton amount noted above will be subject to an Annual Rate Adjustment.

8/31/10
Date

Vincent Maggio Jr President
Print Name / Title

Vincent Maggio Jr
Signature of Bidder's Authorized Representative

NOTE: The Town of Southampton reserves the right to waive any informalities in any bids received, and/or reject any and all bids.

The Town does not guarantee any quantity of business under this contract. No estimate of volume is available or represented in this proposal form.

RESERVATION OF RIGHTS

The Town Board of the Town of Southampton reserves certain rights with respect to this Request for Bids, including but not limited to the following:

The Town Board reserves the right to award this Contract to the lowest qualified bidder, to waive any informalities in bids received, and to reject and declare invalid any or all bids deemed not in the best interest of the Town. The Town Board also reserves the right to award this Contract after approval is received from the regulatory agencies having jurisdiction thereof. In awarding this Contract, the Town is not bound by the quantities stated in the Bid Form. It is emphasized that the quantities are approximations only. No guarantee is made for any quantities stated nor is a guarantee made for the total bid or alternate total bid. Such total bid or alternate total bid are for the purpose of guidance in awarding the Contract only. Payment shall be on the basis of actual work done at the unit prices quoted.

On acceptance of this bid, the undersigned binds himself or themselves to enter into written Contract with the Town and to furnish security for faithful performance of the terms of said Contract, where required, and the insurance as required by the Conditions of Contract, and to process the work diligently so as to complete all the work required.

In default of the successful bidder's obligation to enter into a Contract with the Town for the work specified herein at the prices offered herein, and to provide at the time of execution of the contract the required contract security and documentation of insurance, the undersigned bidder agrees that the certified check or bid bond herewith deposited with the Town shall be paid and delivered to the Town as liquidated damages of such default. The certified checks or bid bonds of all remaining unsuccessful bidders <u>except</u> the second lowest bidder will be returned upon award of the Contract to the lowest bidder. After the execution of a Contract between the Town and the successful bidder and provision by the successful bidder of the required contract security and documentation of insurance, the bid security of the successful bidder and the second lowest bidder will be returned.

Bidder's Business Name: Eastern Resource Recycling, Inc.

Signature: Vincent Maggio Jr

Print Name: Vincent Maggio Jr.

Title: President

Date: 8/31/10

GENERAL MUNICIPAL LAW - SECTION 103-a and 103-b

GROUNDS FOR CANCELLATION OF CONTRACT BY MUNICIPAL CORPORATIONS

Upon the refusal of a person, when called before a grand jury to testify concerning any transaction or contract had with the State, and political subdivision thereof, a public authority or with any public department, agency or official of the State or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract,

a) such person, and any firm, partnership or corporation, of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or any public department, agency or official thereof for goods, work, or services, for a period of five years after such refusal, and to provide also that,

b) any and all contracts made with any municipal corporation or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be cancelled or terminated by the municipal corporation without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation for goods delivered or work done prior to the cancellation or termination shall be paid.

This condition shall be further subjected to any other provisions or subsequent amendments to Section 103-a and 103-b of the General Municipal Law.

In acknowledgment of the above:

Bidder's Business Name: Eastern Resource Recycling Inc.

Signed by: Vincent Maggio

Title: President

Date: 8/31/10

GENERAL MUNICIPAL LAW - 103-d

Non-Collusive Bidding Certificate

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under the penalty of perjury, that to the best of his knowledge and belief:

(A) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, and for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor or potential competitor;

(B) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to the opening, directly or indirectly to any other bidder, competitor or potential competitor;

(C) No attempt has been or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

I hereby affirm, under the penalty of perjury, the foregoing statement is true:

Signed by: Vincent Maggio

Title: President

Date: 8/31/10

Affix corporate seal if contractor is a corporation.

BIDDER'S QUALIFICATIONS

All questions must be answered and the information given must be clear and comprehensive. If necessary, questions may be answered on separate attached sheets.

Section A.

1. Name of Bidder: Eastern Resoure Recycling Inc.

2. Main Office Address: 88 Old Dock Rd, Yaphank, NY 11980

3. When Organized: 2007

4. If a Corporation, Indicate State Incorporated In: New York

5. **NAME OF PARTNERS** **HOME ADDRESS OF PARTNERS**

(If Bidder is a FIRM, state here the name and home address of each member thereof)

If Bidder is a CORPORATION, complete the information below:

Name and Address of President: Vincent Maggio Jr, 22 Sanciff Lane, Miller Place NY 11764

Name and Address of Vice President: John Maggio, 300 N. County Rd, Miller Place, NY 11764

Name and Address of Secretary: _____

6. Does any other contractor, vendor or person have, hold, or may derive any actual or beneficial percentage of interest in any other form of ownership of the Bidder in an amount of 5% or more? Yes/No No

If yes, please provide:

Name: _____

Address: _____

Section B.

Provide information below regarding similar contracts held:

Organization Name:	Contact Person (Name and Phone Number):
_____	_____
_____	_____
_____	_____

Amount of Contract:	Date Completed:
_____	_____
_____	_____
_____	_____

Section C.

1. Have you ever failed to complete any contract awarded to you? Yes/No NO

2. Have you ever defaulted on a contract? Yes/No NO If yes, state where and why:

_____

_____

3. Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a contract? Yes/No NO

If yes, state name of individual, other organization and reason:

_____

_____

4. Has any officer or partner of your organization ever failed to complete a contract in his/her own name? Yes/No NO If yes, state name and reason:

_____

_____

5. In what other lines of business are you financially interested?

Maggio Sanitation Service Inc.

6. Who will personally supervise this contract?

Name and Phone Number: Dominic Testa

Title: Supervisor

Email Address: Dominic@EasternRR.com

7. Do you have, or can you obtain, sufficient personnel and equipment to perform this contract as required by the "Bid Proposal"? Yes/No Yes

8. Provide names and phone numbers of local (Long Island) government references:

Ed Hubbard 451-6210

John Reeve 727-3200 ext 391

Jim Heil 348-7600

9. Provide contact names and phone numbers for emergencies that require an immediate response:

Day: 631-775-5900

Night: 631-774-8852 - Dominic Testa
516-779-7278 - Vincent Maggio

10. List all major equipment you will utilize to perform all work. Indicate whether you currently own or lease the equipment, or will lease it (attach a separate sheet if necessary).

Payloader, Excavator and other equipment as necessary.

11. Successful Bidder shall provide the Town, at the signing of the contract, the following information:

a. Table of Organization of the CONTRACTOR showing the names and addresses of all individuals serving on the Board of Directors or comparable body of the CONTRACTOR.

b. Proof of financial capability and a detailed financial statement.

Section D.

(*Delete phrases that are not applicable)

I, Vincent Maggio Jr the *(applicant herein),

(an officer or agent of the corporate applicant) namely its President ,(list

corporate interest) (swears) or (affirms) under the penalties of perjury that:

1. The following persons have a direct or indirect interest in this bid:

NAME	ADDRESS	DATE OF BIRTH
Vincent Maggio Jr	22 Seacliff Lane, Miller Place, NY 11764	
John Maggio	300 N. Country Rd, Miller Place, NY 11764	

(In case of corporations, all officers of the corporation and stockholders owning more than 5% of the corporate stock must be listed. Attach an additional sheet, if necessary).

2. The following person(s) listed immediately above are related by blood or marriage to an officer or employee of the OWNER. Attach an additional sheet, if necessary.

NAME	RELATIONSHIP	NAME/POSITION OF EMPLOYEE/OFFICER
Dominic Testa	Father in Law	Supervisor

False statements made herein are punishable as a Class A misdemeanor pursuant to 210.45 of the Penal Law.

Eastern Resource Recycling Corp.
Legal Name of Person/Firm/Corporation

By: Vincent Maggio Jr

AGREEMENT
Successor and Assigns

This Agreement shall bind the successor, assigns and representatives of the parties hereto.

IN WITNESS WHEREOF, the parties hereunto set their hands and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

TOWN OF SOUTHAMPTON

BY: _____
Anna Throne-Holst, Supervisor

BY: _____
Vendor

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the 18th day of January 2010, Anna Throne-Holst, to me known who, being by me duly sworn, did depose and say that he/she resides at Sag Harbor, that she is the Supervisor of the Town of Southampton, the corporation described in and which executed the foregoing instrument; her signature on this instrument was so affixed by authorization of the Town Board of said corporation, and that she signed her name thereto in like order.

NOTARY PUBLIC

ALLISON MANCUSO
Notary Public, State of New York
No. 01MA6110871 Suffolk County
Commission Expires June 1, 12

STATE OF NEW YORK)

) ss.:

COUNTY OF SUFFOLK)

On the 17 day of December in the year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Vincent Maggio Jr. personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

LORI L. McNULTY
NOTARY PUBLIC, State of New York
No. 4921494; Suffolk County
Commission Expires February 22, 2014

New York State Department of Environmental Conservation
Division of Environmental Permits
SUNY @ Stony Brook, 50 Circle Road
Stony Brook, New York 11790-3409
Telephone (631) 444-0366
Facsimile (631) 444-0360
Website: www.dec.state.ny.us

Alexander B. Grannis
Commissioner

September 16, 2009

Two Brothers Property Management Corp.
9 Commercial Blvd.
Medford, NY 11763

RE: Permit No.: 1-4722-05676/00001
Facility/Program No.: 52-W-151

Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6 NYCRR, Part 621) we are enclosing your permit. Please read all conditions carefully.

If you are unable to comply with any conditions, please contact us at the above address .

Sincerely,

Marilyn E. Peterson
Environmental Analyst

MEP/ls
Enclosure

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER		EFFECTIVE DATE
1-4722-05676/00001		September 10, 2009
FACILITY/PROGRAM NUMBER(S)	PERMIT	EXPIRATION DATE(S)
52-W-151	Under the Environmental Conservation Law	September 9, 2014

TYPE OF PERMIT ☐ New ☐ Renewal ☐ Modification ☐ Permit to Construct ☐ Permit to Operate

- ☐ Article 15, Title 5: Protection of Waters
- ☐ Article 15, Title 15: Water Supply
- ☐ Article 15, Title 15: Water Transport
- ☐ Article 15, Title 15: Long Island Wells
- ☐ Article 15, Title 27: Wild, Scenic and Recreational Rivers
- ☐ Other:
- ☐ 6NYCRR 608: Water Quality Certification
- ☐ Article 17, Titles 7, 8:SPDES
- ☐ Article 19: Air Pollution Control
- ☐ Article 23, Title 27: Mined Land Reclamation
- ☐ Article 24: Freshwater Wetlands
- ☐ Article 25: Tidal Wetlands
- ■ Article 27, Title 7; 6NYCRR 360: Solid Waste Management
- ☐ Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management
- ☐ Article 34: Coastal Erosion Management
- ☐ Article 36: Floodplain Management
- ☐ Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control

PERMIT ISSUED TO			TELEPHONE NUMBER
Two Brothers Property Management Corp., 9 Commercial Blvd., Medford, NY 11763			(631) 696-6300
ADDRESS OF PERMITTEE			
9 Commercial Blvd., Medford, NY 11763			
CONTACT PERSON FOR PERMITTED WORK			TELEPHONE NUMBER
Cashin Associates, 1200 Veterans Memorial Highway, Hauppauge, NY 11788			(631) 348-7600
NAME AND ADDRESS OF PROJECT/FACILITY			
Eastern Resource Recycling Inc., 88 Old Dock Road, Yaphank			
COUNTY	TOWN	WATERCOURSE	NYTM COORDINATES
Suffolk	Brookhaven		

DESCRIPTION OF AUTHORIZED ACTIVITY:

Construct and operate a 600 ton per day Construction and Demolition (C & D) debris processing facility and a 500 ton per day transfer station averaged over a two week period.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified **(see page 2)** and any Special Conditions included as part of this permit

PERMIT ADMINISTRATOR:	ADDRESS	
Susan V. Ackerman (MEP)	SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409	
AUTHORIZED SIGNATURE	DATE	
	September 16, 2009	Page 1 of 8

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS

General Condition 1: Facility Inspection by the Department

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

General Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

General Condition 3: Applications for Permit Renewals or Modifications

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least:

a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and

b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 1, SUNY Bldg #40, Stony Brook NY 11790-2356

General Condition 4: Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit in accordance with 6 NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;

b) failure by the permittee to comply with any terms or conditions of the permit;

c) exceeding the scope of the project as described in the permit application;

d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

SPECIAL CONDITIONS

Project Description

Construct and operate a 600 ton per day construction and demolition (C&D) debris processing facility, and a 500 tons per day transfer station averaged over a two week period.

Part I - Construction Requirements

1. The Permittee shall construct the facility in compliance with Engineering Report, dated February, 2009, odor prevention submissions dated June, 2009, and the Department approved construction plans and related documents prepared by Cashin Associtcs, P.C. and other consultants.

2. The Permittee shall have a Professional Engineer in the State of New York certify that all construction has been completed in accordance with 6 NYCRR Part 360-1.11(e).

3. The Permittee may not commence operations until the Permittee demonstrates compliance with 6 NYCRR Part 360-1.10(b) and receives Department approval that all Part I - Construction Requirements have been complied with.

4. Duration of construction must not exceed two calendar years.

Part II - Operational Requirements

1. **General Requirements**

1. The Permittee, Eastern Resource Recycling, Inc. must strictly conform to the following:

a. Engineering Report, dated February 2009, odor prevention submissions dated June, 2009, the most recently approved version of the Operations and Maintenance (O&M) Manual, and related documents prepared by Cashin Associtcs, P.C. and other consultants.

b. 6 NYCRR Part 360 in effect.

c. The provisions of this permit.

2. Within 6 months of commencing operations, the Permittee must submit the final O&M Manual as required by 6 NYCRR Part 360-16.4(a).

2. Authorized Activities

The Permittee is authorized to receive and process up to 600 tons per day of construction and demolition debris (C&D) and 500 tons per day of municipal solid waste (MSW) averaged over a two week period. The two waste streams shall be kept separate at all times.

3. Onsite Waste Handling

a. All activities involving C&D, recyclables, and MSW, including but not limited to sorting, processing, storing, loading, and unloading shall be performed inside the building.

b. C&D shall not remain onsite for more than 30 calendar days from receipt, recovered recyclables shall not remain onsite for more than 60 calendar days from receipt, and MSW shall not remain onsite for more than 7 calendar days from receipt.

4. Operational Requirements

a. Hours of operation shall not conflict with any local ordinances.

b. The facility shall post signs showing hours and days of operation, and prohibiting hazardous, medical and other unauthorized wastes from being accepted at the site. The signs shall be located in such a way that they are visible to any vehicle approaching the facility entrance.

c. An attendant shall be on duty during all hours of operation. The attendant shall inspect all vehicles entering the facility, rejecting any loads containing unauthorized materials.

d. Odor, vermin, noise, dust, and litter shall be controlled at all times. The Permittee shall immediately implement any controls required by the Department, including cessation of facility operations.

e. The Permittee shall maintain fire protection equipment in accordance with

local laws and ordinances.

f. In the event that any unauthorized materials are received at the facility, they shall be contained properly and secured immediately. The Department and the Suffolk County Department of Health Services shall be notified within 24 hours of the event. The waste shall be removed by a transporter authorized under 6NYCRR Part 364 to transport such waste. A written report of the event shall be submitted to the Department within 5 working days.

g. The Permittee must not accept solid waste generated within a municipality that has either not completed a comprehensive recycling analysis or is not included in another municipality's comprehensive recycling analysis satisfying the requirements of Part 360-1.9(f), which has been approved by the Department, and implemented feasible recyclables recovery program.

h. The high speed doors must remain closed at all times, except when providing access for trucks or equipment to enter or exit the facility building. In addition, all loaded trailers must be directly sprayed with odor neutralizing agent on all the exterior surfaces of the unwrapped bales and/or loose MSW, as well as on the truck/trailer tires prior to exiting the facility building.

5. <u>On-Site Environmental Monitor (OEM)</u>

A. The Respondents shall fund environmental monitoring services to be performed by the Department. These monitoring services will include, but not be limited to, the following:

1. Monitoring of the facilities to ensure compliance with both Solid Waste Regulations and this consent order.

2. Provide inspections and compliance monitoring to the Respondent's facility.

3. Provide monitoring to the surrounding area to monitor for the facility impacts to the surrounding area.

4. Review facility operational records and observe operational procedures.

5. Investigate and respond to reported violations and complaints.

6. Offer technical assistance to the Respondent, and answer questions

from the public.

7. Maintain files and databases.

8. Review annual reports, permit applications, permit modifications, correspondence relating to the facility and other submittals to the Department.

10. Prepare documentation for enforcement actions.

B. Funds necessary to support the monitoring services and requirements for the coming year shall be provided to the Department by the Respondent on an annual basis. The sum to be provided is based on annual environmental monitoring service costs of the Department and is subject to annual revision. Subsequent annual payments shall be made for the duration of this Permit or until the monitoring requirement no longer exists, whichever comes first.

C. The Respondent shall be billed annually for each fiscal year beginning on April 1. If this Permit is to first become effective subsequent to April 1, the initial payment may be for an amount sufficient to meet the anticipated cost of the monitoring through the end of the current fiscal year.

D. The Department may revise the required payment on an annual basis to include all of the Department's costs associated with the monitoring services. The annual revision may take into account such factors as inflation, salary increases, changes in operating hours and procedures, increase or decrease in the amount of monitoring necessary, and increase or decrease in the number of OEM and/or OEM supervisors necessary. Upon written request by the Permittee the Department shall provide the Permittee with a written explanation of the basis for any revision or modification. If such a revision is required, the Department will notify the Permittee of such a revision no later than 60 days in advance of such revision.

E. Prior to making its annual payment, the Permittee will receive, and have an opportunity to review, an annual work plan that the Department will undertake during the year.

F. Payments are to be in advance of the period in which they will be expended.

6. <u>Residual Solid Waste Disposal</u>

The Permittee shall only send residual waste to properly authorized disposal facilities. The Permittee shall maintain contracts with disposal facilities. Prior to sending residual C&D and MSW to a disposal facility, the Permittee shall provide the Division of Solid and Hazardous Materials with:

a. A complete copy of each state authorization required to operate the disposal facility, and

b. A copy of any contract between the Permittee and the disposal facility stating the amount of waste it would accept from the Permittee, and any conditions placed on such acceptance.

Prior to the expiration of any state authorization for a disposal facility to operate, the Permittee must submit a complete copy of the renewed or extended authorization to the Division of Solid and Hazardous Materials. If the Permittee fails to submit such a copy, or if for any reason a disposal facility loses any governmental authorization required for its operation (including failure to renew permit, permit suspension, permit revocation, facility closure, cessation of operation, or facility abandonment), the Permittee must immediately cease sending solid waste to that facility. The Permittee must immediately notify the Division of Solid and Hazardous Materials of such cessation and the reasons for the same.

7. **Operational Records and Reporting Requirements**

a. A daily log of the solid waste received and transported must be maintained by the Permittee at the facility. The daily log shall include the following information:

I) Type, quantity, and origin of material received,

ii) quantity and destination of all recyclables,

iii) quantity and destination of all non-recyclables and residuals transported for disposal. All construction and demolition debris transported off-site shall be accompanied by a tracking document.

b. The Permittee shall also maintain at the facility all weight tickets, hauling receipts, disposal receipts, invoices, etc. to support the entries made into the daily log. These records and receipts shall be maintained for 7 years after their creation and be available immediately to the Department upon request.

c. The Permittee shall submit an annual report to the Central Office Director of Division of Solid and Hazardous Materials at 625 Broadway, 9th floor, Albany, NY 12233 and the Region 1 Solid and Hazardous Materials Engineer at 50 Circle Road, SUNY, Stony Brook, NY 11790-3409. The report must be submitted no later than sixty days after the first day of January following each year of operation on forms prescribed by or acceptable to the Department.

8. Financial Assurance

a. The Permittee shall maintain a form of financial assurance acceptable to the Department in the amount of $500,000 for a proper Part 360 closure of the facility. In subsequent years, the Department may modify the amount of financial assurance required to adjust for increases in closure costs.

b. Anytime that the Permittee fails to maintain financial assurance required by this permit, the Permittee must immediately cease accepting solid waste until financial assurance acceptable to the Department is in place. Within 30 days from the cessation of the required financial assurance, the Permittee shall have all solid waste (including recyclables) removed from the facility and the facility shall be in "broom clean" condition.

International Credit of North America Reinsurance, Inc. **BOND # I00132**

SERVICE CONTRACT PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That, Eastern Resource Recycling, Inc., (hereinafter called the Principal), and International Credit of North America Reinsurance, Inc. (hereinafter called the Surety) a corporation of the State of New York and who has an office at 2564 Brunswick Pike, Suite 106, Lawrenceville, NJ 08646 are held and firmly bound unto the Town of Southampton (hereinafter called the Obligee), in the full and just sum Two Hundred Fifty Thousand Dollars AND 00/100 ($250,000.00) to the payment of which sum, well and truly to be made, the said Principal and Surety bind themselves, their and each of their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounded Principal has entered into a certain written contract for Disposal of Solid Waste with the above mentioned Obligee dated November 30, 2010 for a period of five (5) years, which contract is hereby referred to and made a part hereof as fully and to the same extent as if copied, at length herein, and

WHEREAS, the Obligee has agreed to accept a bond guaranteeing the performance of said contract for a period of one year.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the above bounden Principal shall well and truly keep, do and perform, each and every, all and singular matters and things in said contract set forth and specified to be by the said Principal kept, done and performed, at the time and in the manner in said contract specified during the term of this bond, and shall pay over, make good and reimburse to the above named Obligee, all loss and damage which said Obligee may sustain by reason of failure or default on the part of said Principal, then this obligation shall be void, otherwise to be and remain in full force and effect.

PROVIDED, HOWEVER, that this bond is subject to the following conditions and provisions:

1. This bond is for the term beginning January 1, 2011 and ending December 31, 2011.
2. In the event of default by the Principal in performance if the contract during the term of this bond the Surety shall be liable only for the loss to Obligee due to actual excess costs of performance of the contract up to the termination of the term of this bond and in no event shall the liability of the surety exceed the penal sum of this bond.
3. No claim, action, suit or proceeding, except, as hereinafter set forth, shall be had or maintained against the Surety of this instrument unless same be brought or instituted and process served upon the Surety within six months after the effective date of this bond.
4. Neither non-renewal by the Surety, nor failure, nor inability of the Principal to file a replacement bond shall constitute loss to the Obligee recoverable under this bond.
5. The bond may be extended for additional terms at the option of the Surety, by continuation certificate executed by the Surety.

Signed and sealed this 3rd day of December 2010.

Principal: Eastern Resource Recycling, Inc.,

Witness

By: Vincent Maggio Jr President

Title

Surety: International Credit of North America Reinsurance, Inc.

Witness Frances Frazzano

By: _____

Brendan Gethins, Attorney-in-Fact

SURETY ACKNOWLEDGEMENT

STATE OF NEW JERSEY

COUNTY OF MORRIS

On this 3RD day of DECEMBER, , in the year 2010 before Personally comes Brendan A. Gethins, Jr., to me known; who, being sworn, deposes and says that he/she resides in the town of Whippany, that he/she is the Attorney-In-Fact of the International Credit of North America Reinsurance. Inc. the Corporation described in and which executed the foregoing instrument; that she knows the seal of the said Corporation that the seal affixed to the said instrument is such Corporate seal; that it was so affixed by the order of the Board of Directors of such Corporation, and that she signed his name thereto by like order.

Frances A. Frazzano
(Signature & Title of Official Taking Acknowledgement)

Frances A. Frazzano
Notary Public - State of New Jersey
My commission expires May 10, 2012

Power No: 0020-317

Agency Code. WAL02

International Credit of North America Reinsurance, Inc.
(Hereinafter referred to as "Company")
100 Park Avenue, Suite 1500
New York, NY 10017

LIMITED POWER OF ATTORNEY

Know all men by these presents that INTERNATIONAL CREDIT OF NORTH AMERICA REINSURANCE, INC , a corporation duly organized under the laws of the State of New York ("Company") does hereby appoint **Walter F. Foster, Michael J. Tully, Michele Charette and Brendan Gethins** of **The Whitewood Agency Ltd.** its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred, to make, execute, seal and deliver for and on its behalf as surety, in general, any and all bonds, undertakings, and recognizances in an amount not to exceed the penal sum of **Five Hundred Thousand ($500,000)** for any single obligation. The execution of such bonds or undertakings in pursuance of these presents, shall be binding upon said Company as fully and amply, to all intents and purposes, as if such bonds were signed by the President, sealed with the corporate seal of the Company, and duly attested by Secretary, hereby ratifying and confirming all the acts of said Attorney(s)-in-Fact pursuant to the power herein given. This Power of Attorney is made and executed pursuant to, and by authority of, the following Resolutions adopted by the unanimous written consent of the Board of Directors of International Credit of North America Re, Inc on the 20th day of November, 2007:

"**Resolved**: That the President, or any Vice President, may execute for and on behalf of the Company any and all Bonds, and all other writings obligatory in the nature thereof, the same to be attested when necessary and the seal of the Company affixed thereto by the Secretary, or any Assistant Secretary; and that the President, or any Vice President, may appoint and authorize Attorney(s)-in-Fact to execute on behalf of the Company any and all such instruments and to affix the seal of Company thereto; and that the President, or any Vice President, may at any time remove such Attorney(s)-in-Fact and revoke all power and authority given to any such Attorney(s)-in-Fact."

"**Resolved**: That Attorney(s)-in-Fact may be given full power and authority to execute for and in the name of the Company and all Bonds, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Secretary, and further, Attorney(s)-in-Fact are hereby authorized to verify any affidavit required to be attached to such bonds, and all other writings obligatory in the nature thereof, and are also authorized and empowered to certify to a copy of any resolution of the Directors having to do with the execution of Bonds, and all other writings obligatory in the nature thereof, and certify copies of the Power of Attorney or with regard to the powers of any of the officers of the Company or of Attorney(s)-in-Fact."

This Power of Attorney is signed and sealed under the authority of the following Resolution adopted by the Executive Committee of the Board of Directors of International Credit of North America Reinsurance, Inc. on the 20th day of November, 2007.

"**Resolved**: That the signature of the President, or any Vice President, and the signature of the Secretary or any Assistant Secretary may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting any bond, or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer, to be valid and binding upon the Company with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, INTERNATIONAL CREDIT OF NORTH AMERICA RE, INC., has caused these presents to be signed by its President and its corporate seal to be hereto affixed, duly attested by its Secretary this 7th day of January, 2009.

International Credit of North America Re, Inc.

Attest: Eric Valentin, Secretary

By Bridget Kutz, President

STATE OF NEW YORK
COUNTY OF NEW YORK

On this 7th day of January, 2009; before me personally appeared Bridget Kutz, President and Eric Valentin, Secretary, of International Credit of North America Reinsurance, Inc., personally known to me to be the individuals and officers described in and who executed the preceding instrument, and they acknowledge the execution of the same, and being duly sworn by me, sayeth that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the corporate seal of said Company and that the said corporate seal and their signatures as such officers are duly affixed and subscribed to the said instrument by the authority and direction of said Company.

DIANNE YOUNG
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 6-30-2010

Notary Public

CERTIFICATE

I, the undersigned Chairman of the Board of International Credit of North America Reinsurance, Inc. a New York Corporation, do hereby certify that the foregoing Power of Attorney is in full force and has not been revoked, and furthermore, that the Resolutions of the Board of Directors set forth in the Power of Attorney are now in force

Signed and sealed at the County of New York Dated this **3RD** day of **DECEMBER,** . 20**10** .

Rafael Agliata, Chairman of the Board

ICNA Re, Inc.
2654 Brunswick Pike
Lawrenceville, NJ 08648
1-866-459-4262

FINANCIAL STATEMENT

as of March 31, 2009
Statutory Basis

Bonds	$ 0	Reserve for Losses and Loss Expense	$ 9,190
Stocks	115,230	Reserve for Unearned Premium	217,722
Cash & Short-Term Investments	2,144961	Reserve for Expenses, Taxes, Licenses And Fees	0
Agents' Balances or Uncollected Premiums	0	Funds Held Under Reinsurance Treaties	0
Reinsurance Recoverable on Loss Premiums	0	Other Liabilities	21,963
Other Admitted Assets	560	Capital Stock	1,000,000
		Surplus	1,011,875
		TOTAL POLICYHOLDERS SURPLUS	2,011,875
TOTAL ASSETS	$ 2,260751	TOTAL LIABILITIES AND POLICYHOLDERS SURPLUS	$2,260,750

Bonds and stocks are valued in accordance with the basis adopted by the National Association of Insurance Commissioners. Securities carried at $1,558,283 in the above statement are deposited as required by law.

CERTIFICATE

Bridget Kutz, President, and Eric Valentin, Secretary and Treasurer of ICNA Re, Inc., being duly sworn each for himself, deposes and says that they are the above described officers of the said Company and that on the 31st day of March 2009, the Company actually possessed the assets set forth in the foregoing financial statement, except as hereinbefore indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of said Company on the 31st day March, 2009, according to the best of their information, knowledge and belief.

Bridget Kutz
President

Treasurer

JIANNE YOUNG
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 6-30-2010

STATE OF NEW YORK)
COUNTY OF NEW YORK)

On this 30th Day of April, 2009, before me came the above named officers of ICNA Re, Inc. to me known to be the individuals and officers described herein, and acknowledge that they executed the foregoing instrument and affixed the seal and said corporation thereto by authority of their office.

RIDER TO
INTERMUNICIPAL AGREEMENT
BETWEEN THE TOWN OF BROOKHAVEN and
THE TOWN OF SOUTHAMPTON

WHEREAS, the **TOWN OF BROOKHAVEN ("BROOKHAVEN")**, a municipal corporation of the State of New York, having its principal offices at One Independence Hill, Farmingville, NY 11738 and the **TOWN OF SOUTHAMPTON,** a municipal corporation of the State of New York, having its principal offices at 116 Hampton Road, Southampton, NY 11968 (hereinafter the "**MUNICIPALITY**" or "**SOUTHAMPTON**") entered into an Agreement, dated August 18, 2011 which provides as follows:

WHEREAS, municipal corporations in the State of New York, including the **PARTIES** herein, are authorized under General Municipal Law §119-o to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the Municipality, through a contractor, currently collects Construction and Demolition Debris ("C&D"), defined herein; and Recyclables, defined herein, from the residential properties and other entities located throughout the Municipality that are suitable for transfer, recycling and disposal, at the Brookhaven Landfill Complex operated by the Town of Brookhaven at Horseblock Road, Yaphank, N.Y. ("Brookhaven Facility"); and

WHEREAS, Brookhaven owns and operates a Landfill Complex including solid waste management, transfer station, and recycling facilities located in the Brookhaven Landfill Complex at Horseblock Road, Yaphank, N.Y. which accepts processed and unprocessed C&D, and Recyclables; and

WHEREAS, the Town of Southampton wishes to continue to dispose of the C&D, defined herein, and Recyclables, defined herein, at the Brookhaven Facility, and Brookhaven wishes to accept such material for disposal under the terms previously agreed to; and

WHEREAS, the Town of Southampton wishes to modify the existing Agreement to expand the materials accepted by Brookhaven to include Street Sweepings, defined herein, and Brookhaven agrees to accept such Street Sweepings for disposal at its Landfill Complex; and

WHEREAS, both the Towns of Brookhaven and Southampton desire to work cooperatively together to provide an environmentally sound and cost-effective arrangement for disposing of C&D and Recyclables and Street Sweepings collected in the Town of Southampton consistent with applicable law; and

WHEREAS, the cooperative action of Brookhaven and Southampton is expected to be to the economic benefit of each Party and will serve a public purpose for each Party; and

WHEREAS, the municipalities have adopted respective resolutions authorizing the execution of this Rider to extend and modify the existing agreement to continue until December 31, 2015, and modify to include the Town of Brookhaven accepting from the Town of Southampton street sweepings.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS AND AGREEMENTS HEREIN CONTAINED THE PARTIES AGREE, WARRANT AND COVENANT AS FOLLOWS:

1. Purpose and Intent. The purpose of this Rider to the Agreement is to extend and modify the terms and conditions of the original Agreement by which the Municipality will deliver, and Brookhaven will accept, Processed and Unprocessed C&D, defined herein, and Recyclables, defined herein, and going forward, Street Sweepings, as defined herein, at Brookhaven's Landfill Complex located on Horseblock Road, Yaphank, New York.

2. Definitions

The term "Street Sweepings" shall mean the municipal solid waste, soil, and other material collected through the street cleaning operations conducted by or on behalf of the Municipality.

3. Term. The base term of this Agreement shall commence upon execution by the PARTIES and shall expire on **December 31, 2015.**

4. Tipping Fee and Payment and Weight Records

Street Sweepings Tipping Fee and Payment. The Municipality shall pay Brookhaven Eighteen Dollars ($18) per ton term for the disposal of Street Sweepings pursuant to this Agreement. The fee for any option year shall be modified by multiplying the price for 2013 Street Sweepings by the dividend of the Consumer Price Index for All Urban Consumers (CPI-U) for New York-Northeastern New Jersey for January of the option year and the CPI-U for January of 2015. All other terms for tipping fees and payment as defined therein and contained in the original Agreement, dated August 18, 2011, remain unchanged.

CONFLICTS:

In the case of a conflict between the provisions of this rider and the provisions of the original Agreement, dated August 18, 2011, the provisions of this rider shall prevail.

IN WITNESS WHEREOF, the parties hereto have set their hands and seal the date and year first above written.

TOWN OF BROOKHAVEN

By: _____ KY 1-5-15
~~Supervisor and/or~~ Deputy Supervisor Date

TOWN OF SOUTHAMPTON

By: _____ 12 10 14
~~Supervisor and/or Deputy~~ Supervisor Date
Anna Throne-Holst,

STATE OF NEW YORK)
) SS.:
COUNTY OF SUFFOLK)

On the 5th day of January, 2015, before me personally came David J. Panico, to me known, who, being by me duly sworn, did depose and say that he is the ~~Supervisor~~/Deputy Supervisor of the **TOWN OF BROOKHAVEN**, the municipal corporation described in and which executed the foregoing instrument; that he signed his name thereto by order of the Town Board of the Town of Brookhaven.

Carol C Dono
Notary Public

CAROL C. DONO
Notary Public, State of New York
No. 01DO5052424
Qualified in Suffolk County
Commission Expires January 2, 2018

STATE OF NEW YORK)
SS.:
COUNTY OF SUFFOLK)

On the 10th day of December, 2014, before me personally came Anna throne-Holst, to me known, who, being by me duly sworn, did depose and say that she is the Supervisor of the Town of Southampton, the municipal corporation described in and which executed the foregoing instrument; that she signed her name thereto by order of the Town Board of the Town of Southampton.

Notary Public

Allison Mancuso
Notary Public, State of New York
No. 01MA6110871 Suffolk County
Commission Expires June 1, 16

TOWN OF SOUTHAMPTON

INVITATION TO BID

FOR VEGATATIVE DISATER DEBRIS REMOVAL BASED ON CUBIC YARD (CY) or TON AFTER A DECLARED EMERGENCY

SEALED BIDS DUE IN TOWN CLERK'S OFFICE,
116 HAMPTON ROAD, SOUTHAMPTON
ON OR BEFORE 2:00 PM ON August 14, 2012

TABLE OF CONTENTS

VEGATATIVE DISASTER DEBRIS REMOVAL BASED ON CUBIC YARDS (CY) OR TON AFTER A DECLARED EMERGENCY

TOWN OF SOUTHAMPTON

SUFFOLK COUNTY, NEW YORK

		Page Color
Table of Contents	---	(white)
Notice to Bidders	NTB	(white)
Information & Instructions to Bidders	IB-1 thru 9	(white)

All proposal pages (PF) which are indicated by being green in color or containing a watermark on the side of the page require the vendor's information.

Proposal Form	PF-1 thru 5	(green or watermarked)
General Municipal Law Forms	PF-6 thru 7	(green or watermarked)
Bidder's Qualification Forms	PF-8 thru 14	(green or watermarked)
Form of Bid Bond	PF-15 thru 17	(green or watermarked)
Conditions of Contract	CC-1 thru 21	(white)
General Conditions	GC-1 thru 13	(white)
Contract Signature Form	CSF-1 thru 3	(white)
Technical Specifications	Attached	(white)
Drawings	Attached	(colored)

RESOLVED, as per the request of Department of Municipal Works, Division of Waste Management that the Town Clerk be and hereby is authorized to advertise for public bid as per the following:

NOTICE TO BIDDERS

TAKE NOTICE, that sealed bids will be received by the Town Clerk, Southampton Town Hall, on August 14, 2013 at 2:00 p.m., prevailing time, when they will be publicly opened and read aloud for:

Vegetative Disaster Debris Removal Based on Cubic Yard (CY) or Ton After a Declared Emergency

Specifications are available beginning on Thursday, July 18, 2013 at 8:30 a.m. online at www.southamptontownny.gov/TownClerk or in person at the Town Clerk's Office, 116 Hampton Road, Southampton between the hours of 8:30 a.m. and 4:00 p.m., Monday through Friday, (except Holidays). These specifications have met with the approval of the Office of Contracts Administration.

Bidders interested in this project are REQUIRED to visit www.labor.ny.gov, (home page), go to Govt. & Research, Public Work, Article 8, Original Wage Schedule, Left side-Access Previously Requested Schedule, Original Rate Schedule Online, then enter the PRC# 2013006308 to view the original prevailing wage schedule. Employees under this title must be paid the wage rate(s) indicated on this schedule. The winning vendor(s) will be provided an original wage schedule with their contract.

A refundable bid deposit of $50.00, payable by check or money order only, will be required for each copy of the plans, specifications, and contract documents.

Each bidder must provide with its bid a bond equal to ~~five~~ 100% percent of his/her total bid payable to the order of the Town of Southampton, with sufficient sureties in accordance with instructions contained within Section 10.0 of the Scope of Services contained within the Bid Package.

Each proposal must be submitted in a sealed envelope clearly marked "**Vegetative Disaster Debris Removal Based on Cubic Yard (CY) or Ton After a Declared Emergency.**"

The Town Board of the Town of Southampton reserves the right to waive any informalities in bids received, and/or reject any or all bids.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

INSTRUCTIONS TO BIDDERS

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INSTRUCTIONS TO BIDDERS

1. RECEIPT AND OPENING OF BIDS

Pursuant to Town Board Resolution, the Town of Southampton invites bids on the forms herein provided for the **Vegetative Disaster Debris Removal Based on Cubic Yard (CY) or Ton after a Declared Emergency** at the time, date and place indicated in the Notice to Bidders.

2. FORM, PREPARATION AND PRESENTATION OF PROPOSAL

Bidders should return the *entire bid package*, with the information requested on the green pages completed.

Each proposal must be submitted on the forms provided. Bids must be contained in a sealed envelope marked "Vegetative Disaster Debris Removal Based on Cubic Yard (CY) or Ton after a Declared Emergency".

Bidders must provide ALL INFORMATION requested on GREEN PAGES.

INCOMPLETE SUBMISSIONS MAY BE REJECTED!!

- If a question is not applicable, indicate by writing "N/A" in answer space

- All blank spaces for bid prices must be filled in, in ink, in both words and figures, with a total or gross sum for which the bid is made. In case of discrepancy between the unit price and total amount bid for any item, the unit price, as expressed in words, shall govern.

- All Bidders Qualifications questions must be answered

- General Municipal Law forms must be signed

- Bids that contain any omission, erasure, alteration, addition or items not called for in the itemized bid form, or that contain irregularities of any kind may be rejected.

3. QUALIFICATIONS OF BIDDERS

Forms for qualifications of bidders giving evidence of sufficient facilities, equipment, experience and financial ability to insure completion of the work have been provided, and must be filled out in their entirety. The Town reserves the right to require the Low Bidder to submit additional documentation prior to the award of the bid.

4. REJECTION OF BIDS

(a) The Town Board reserves the right to reject any bid if the information submitted in the qualifications statement or an investigation of such bidder fails to satisfy the Town Board that

such bidder is properly qualified to carry out the obligations of the Contract and to complete the work contemplated therein. Conditional bids will not be accepted.

(b) The Town Board reserves the right to reject any and all bids, in whole or in part, to waive any information in any or all bids, to require additional documentation from the lowest responsible bidder, and to accept the bid or part thereof which it deems most favorable to the Town after all bids have been examined and/or checked. No bid shall be withdrawn for a period of forty-five (45) days after being publicly opened and read.

5. BIDDERS' RESPONSIBILITY

(a) Bidders are cautioned not to submit bids until after having inspected the site of the proposed improvement and having made themselves familiar with local conditions. The attention of persons intending to submit bids is specifically called to the paragraph of the Contract which debars a Contractor from pleading misunderstanding or deception because of estimates or quantities, character, location or other conditions surrounding the same. Special attention is called to the notes on the Plans or in the itemized form of bid, which are made a part of this Contract, which may alter or revise the Specifications for the particular contract.

(b) No representation is made as to the existence or nonexistence of ground water which may in any way impede the work proposed to be accomplished. Each bidder shall fully inform himself as to ground water and sub-surface conditions prior to submitting his bid.

(c) The bid shall include the complete cost of furnishing all materials, labor and equipment necessary to complete the work in accordance with the Plans and Specifications, including all other expenses incidental thereto.

(d) Bidders must examine the Plans and Specifications and exercise their own judgment as to the nature and amount of the whole of the work to be done, and for the bid prices, must assume all risks of variance by whomsoever made in computation or statement of amounts or quantities necessary to fully complete the work in strict compliance with the Contract Documents.

(e) The Contractor shall assume all risks and responsibility and shall complete the work in whatever material and under whatever conditions he may encounter or create, without extra cost to the Town.

(f) No pleas of ignorance or misunderstanding of conditions that exist or that may hereafter exist, or of conditions or difficulties that may be encountered in the execution of the work under this Contract, as a result of failure to make the necessary examinations and investigations, will relieve the Contractor from its obligation to fulfill in every detail all of the requirements of the Contract documents, or will be accepted as a basis for any claims whatsoever for extra compensation, or for an extension of time.

(g) The Contractor acknowledges that per NYS Labor Law §220 in which the Contractor must submit Certified Payroll to the Town, he will submit this payroll with every bill submitted. The Contractor understands, no bill will be paid without the Certified Payroll that pertains to it.

6. CONSTRUCTION TERMS AND CONDITIONS

The successful bidder is advised that the work specified in the Conditions of Contract, together with the Information for Bidders, Form of Bid, Plans, Specifications and instructions of the **Vegetative Disaster Debris Removal Based on Cubic Yard (CY) or Ton after a Declared Emergency** or its duly authorized representative will be rigidly enforced.

7. SECURITY FOR FAITHFUL PERFORMANCE AND MAINTENANCE

The Contractor shall furnish a Performance Bond equal to one hundred percent (100%) of the amount of the bid as security for the faithful performance of the Contract, and for the payment of all persons performing labor or furnishing materials in connection with this Contract.

A) The Performance Bond shall remain in full force and effect for a period of not less than one (1) year. After the project had been completed and has received final sign off by the Department Head, the Town requires a maintenance bond to replace the performance bond; the maintenance bond shall remain in effect for a period of not less than one (1) year after the date of final acceptance of the work.

Within five (5) days after issuance of a Work Order to proceed in excess of the One Hundred Performance Bond provided by Contractor, the successful bidder must deliver to the Town a new Performance Bond in an amount equal to one hundred percent (100%) of the estimated Work Order over the amount of the original bond.

B) Additional or Substitute Bond: If at any time the Town shall be or become dissatisfied with any surety or sureties then upon the Performance Bond, or if for any reason such bond shall cease to be adequate security to the Town, the Contractor shall within five (5) days after notice from the Town to do so, substitute an acceptable bond in such form and sum and signed by such other surety as may be made until the new surety is found qualified
In the event the successful bidder is unable to perform the contract, the successful bidder will be liable for and agrees to pay to the Town on demand, the difference between the price bid and the price for which such contract shall subsequently be rebid, including the cost of such rebidding, less the amount of such deposit. No plea of mistake in such accepted bid shall be available to the bidder for recovery of his deposit or as a defense to any action upon accepted bid unless said mistake can be proven by documentary evidence acceptable to the Town.

The bid security shall be returned after filing and approval of the Performance Bond by the Town and the execution of the Contract by both parties.

8. FOREIGN CONTRACTORS

Foreign Contractors must comply with the provisions of Articles 9A and 16 of the Tax Law, as amended, prior to submission of a bid for the performance of this work. The certificate of the New York State Tax Commission to the effect that all taxes have been paid by the foreign contractor shall be conclusive proof of the payment of taxes. The term "foreign contractor" as used in this subdivision means in the case of an individual, a person who is a legal resident of another state or foreign country; and in the case of a foreign corporation, one organized under the laws of a state other than the State of New York.

9. LIEN LAW

Attention of all persons submitting bids is specifically called to the provisions of Section 25, Subdivision 5, Section 25A and 25B of the Lien Law, as amended, in relation to funds being received by a contractor for a public improvement declared to constitute trust funds in the hands of such Contractor to be applied first to the payment of certain claims.

10. SUBCONTRACTORS AND SUPPLIERS

Within five days after receipt from the **DIRECTOR OF MUNICIPAL WORKS** of notice to begin work, the Contractor will furnish written notice of names of all subcontractors to be employed on the project and the general items of work to be done by them. Simultaneously, the Contractor shall furnish written notice of the names of suppliers of materials to be used on the project. The Town may disapprove for good cause any subcontractor or material supplier selected by the Contractor by giving written notice of its disapproval within five (5) days after receiving the names of subcontractors and material suppliers, to the Contractor who shall thereupon promptly notify the Town of the names of the subcontractor or material supplier selected in replacement which shall again be subject to approval by the Town.

11. PENAL LAW

Attention is called to Section 1918 of the Penal Law as follows:

Construction or blasting near pipe conveying combustible gas

No person shall discharge explosives in the ground, nor shall any person other than a state or county employee regularly engaged in the maintenance and repair thereof excavate in any then existing street, highway, or public place, unless notice thereof in writing shall have been given at least seventy-two hours in advance to the person, corporation or municipality engaged in the distribution of gas in such territory. The person having direction or control of such work shall give such notice, and further he shall ascertain whether there is within one hundred feet in such street, highway or public place, or in the case of a proposed discharge of explosives within a radius of two hundred feet of such discharge, any pipe of any other person, corporation or municipality conveying combustible gas, and if thereby any such person, corporation or municipality. Provided, however, that in any emergency involving danger to life, health, or property it shall be lawful to excavate without using explosives if the notices

prescribed herein are given as soon as reasonable possible, and to discharge explosives to protect a person or persons from an immediate and substantial danger of death or serious personal injury if such notices are given before any such discharge is undertaken. Any such work shall be performed in such manner as to avoid danger to any pipe conveying combustible gas. Any violation of the provisions of this section shall be a misdemeanor.

12. REFUSAL TO WAIVE IMMUNITY

Pursuant to the provisions of Section 103-A of the General Municipal Law, in the event that the bidder or any member, partner, director or officer of the bidder, should refuse when called before a grand jury to testify concerning any transaction or contract had with the State, any political subdivision thereof, a public authority or with any public department, agency or official of the State or of any political subdivision thereof, or of an authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract, such person, and any firm, partnership or corporation of which he is a member, partner, firm director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with an municipal corporation or any public department, agency, or official thereof, for goods, work or services, for a period of five (5) years after such refusal, and any and all contracts made with any municipal corporation or any public department, agency, or official thereof on or after the first day of July, 1959, by such person and any firm, partnership or corporation of which he is a member, partner, director or officer may be canceled or terminated by the municipal corporation without incurring any penalty or damages on account of such cancellation or termination, but any moneys owing by the municipal corporation for goods delivered or work done prior to the cancellation or termination shall be paid.

13. ADDENDA AND INTERPRETATIONS

Every request for information or interpretation of the Contract Documents or Drawings must be addressed in writing to the **Office of Contracts Compliance** via email to **amancuso@southamptontownny.gov**; and to be given any consideration, must be received at least five (5) days prior to the date fixed for the opening of bids. Any such interpretations or supplemental instructions will be in the form of written addenda, and will be emailed/mailed or faxed to all prospective bidders. The failure of any bidder to receive any such addenda will not relieve the bidder of any obligation under his bid as submitted. Any addenda so issued shall become part of the Contract Documents.

14. LIQUIDATED DAMAGES

Liquidated damages in the amount set forth in the Conditions of Contract attached hereto may be assessed for each consecutive calendar day of delay not excusable as provided in the Contract Documents.

15. EXEMPTION FROM SALES AND USE TAXES

In accordance with Chapter 513 of the laws of 1974 adopted by the New York State Legislature, amending section 1115 (a) of the tax law, specifically paragraphs 15 and 16,

political subdivisions, as described in subdivision (a) paragraph (L) of section 1116 of the tax laws, of the State of New York are exempt from the payment of sales and use taxes imposed on tangible personal property within the limitations specified in tax law 1115 (a) (15) and (16).

(15) Tangible personal property sold to a contractor, subcontractor or repairman for use in erecting a structure or building of an organization described in subdivision (a) of section 1116, or adding to, altering or improving real property, property or land of such an organization, as the terms real property, property and land are defined in the real property tax law; provided, however, no exemption shall exist under this paragraph unless such tangible personal property is to become and integral component part of such structure, building or real property.

(16) Tangible personal property sold to a contractor or repairman for us in maintaining, servicing or repairing real property, or land of an organization described in subdivision (a) of section 1116, as the terms real property, property or land are defined in the real property tax law; provided, however, no exemption shall exist under this paragraph unless such tangible personal property is to become an integral component part of such structure, building or real property.

Contractors entering into Contract with the Town of Southampton shall be exempt from payment of sales and use tax as described above. Procedures and forms are available to the Contractor direct from the Instructions and Interpretations Unit, State of New York, Department of Taxation and Finance, State Campus, Albany, New York, 12227.

16. METHOD OF AWARD

All bids will be compared on the basis of the lump sum prices identified by the Contractor in the Proposal Form. The bid shall include the complete cost of furnishing all materials, labor and equipment necessary to complete the work in accordance with the Plans and Specifications, including all other expenses incidental thereto.

The Town of Southampton reserves the right to award to single or multiple vendors, in whole or in part, by item, by class, by category, or to establish primary/secondary contracts, whichever the Town deems to be in the best interest of the Town of Southampton and its constituents.

17. TIME FOR COMPLETION

The bidder, when submitting his bid, must be prepared to commence work not later than three (3) days after an emergency situation has been declared and TOWN is in receipt of a fully executed contract, unless the Town shall authorize a delay. The time for completion of this Contract shall be a maximum of sixty (60) days from the date the work commences, unless otherwise extended in accordance with the Conditions of Contract and Specifications.

18. AFFIDAVIT ON COMPLETION

The Contractor, upon completion of the work, shall file with the Town an affidavit to the effect that all persons who did work or furnished materials to him under these Specifications have been fully paid and satisfied, and that no mechanics liens exist against the work. The final payment and any retainage payment shall not be made until this affidavit is received.

19. PAYMENTS

Upon completion of work (or portions thereof) under this Contract, the Contractor shall notify the **DIRECTOR OF MUNICIPAL WORKS** of his/her completion of the work. The **DIRECTOR OF MUNICIPAL WORKS** will than make an interim inspection of the work site and submit to the Contractor a "punch list" if required. Upon completion of all work at the project site, the Contractor shall notify the **DIRECTOR OF MUNICIPAL WORKS** of his completion of all work. The **DIRECTOR OF MUNICIPAL WORKS** will then make a final inspection of the work site and submit to the Contractor a "punch list" if required.

Upon interim acceptance of the work at the work site by the **DIRECTOR OF MUNICIPAL WORKS**, and after the Contractor submits the required one-year maintenance bond, the bill (which must be submitted within 30 days of final acceptance), and the Certified Payroll for the bill (as required by NYS Labor Law §220), the Contractor shall be paid ninety percent (90%) of the cost of work completed at the work site. Upon final acceptance of the work at the work site by **DIRECTOR OF MUNICIPAL WORKS**, and after the Contractor submits any outstanding Certified Payrolls and affidavits as required by NYS Labor Law §220, the Contractor shall be paid the remaining ten percent (10%) of the cost of work completed at the work site.

20. PURCHASE ORDER

Contractor shall not commence, nor will they be compensated for, any services performed prior to the Contractor submittal of a numbered Southampton Town Purchase Order. The Contractor is to obtain the numbered purchase order from the Town Official responsible for Administration of the Project.

21. LABOR LAW

The Contractor and each and every subcontractor performing work at the site of the project to which this Contract relates shall comply with the applicable provisions of the Labor Law, as amended, of the State of New York.

Attention is called to certain provisions of the Labor Law, as set forth in the Conditions of Contract, Paragraph 11, which are hereby referred to and made a part hereof.

The Notice to Bidders attached indicates the Department of Labor's PRC# for the applicable prevailing wage schedule for this project. The Vendor is required to obtain and be guided by the wages contained therein. The winning vendor will be provided an original prevailing wage schedule.

22. INSURANCE REQUIRED BY THE TOWN OF SOUTHAMPTON

The successful bidder will be required to procure and pay for, at his/her expense, the following types of insurance with limits of coverage as further specified in the General Contract Provisions:

(a) Workers Compensation Insurance, as required by Applicable Law, the coverage must be evidenced on a C-105.2 form or if exempt on the CE-200 form. If you have questions please visit www.wcb.ny.gov

(b) Disability Benefits Insurance must be evidenced on a DB-120.1 form or if exempt on the CE-200 form. If you have questions please visit www.wcb.ny.gov

(c) Liability Insurance to include bodily injury and injury to property in the amount of $1,000,000 per occurrence, the Accord form is acceptable to evidence the liability coverage. The Town will be named as an additional insured on the Liability policy.

(d) Owners Contractor's Protective Liability Insurance

(e) Automobile Liability Insurance

This contract will not be signed by the Town's Supervisor until all required insurances are received.

23. TERM OF THE CONTRACT/CONTRACT PERIOD AND EXTENSION

The term of the Contract shall be from the date of execution of the Contract by the Supervisor or her designee until

The term of this Contract shall be for a period of one (1) year from the date of execution of the contract by the Town Supervisor or his/her designee and the Town has the option to renew this contract for a period of four (4) additional one (1) year periods upon agreement of the parties, if doing so would be in the best interest of the Town.

All bills pertaining to this Contract must be submitted no later than thirty days (30) after completion and final sign off by the Department Head.

24. WAGE RATES

The rates of wages determined by the New York State Industrial Commissioner pursuant to the Labor Law, which are to be paid on this project, are to be found on website provided in Notice to Bidders, the vendor awarded the contract shall be provided with an original wage schedule.

TOWN OF SOUTHAMPTON
SUFFOLK COUNTY, N.Y.

PROPOSAL FORM

VEGETATIVE DISASTER DEBRIS REMOVAL BASED ON CUBIC YARD (CY) OR TON AFTER A DECLARED EMERGENCY

The undersigned bidder has carefully examined the Contract, plans, and specifications, and the site for the proposed construction, and will provide all labor, materials, equipment, and incidentals as necessary and called for by said Contract, plans, and specifications, in strict accordance with the requirements of the Town of Southampton, for **VEGATATIVE DISASTER DEBRIS REMOVAL BASED ON CUBIC YARD (CY) OR TON AFTER A DECLARED EMERGENCY** for the following unit prices.

Amount in Words:

Five Hundred Four Thousand Eight Hundred Four Dollars and Ninety two cents

Amount in Figures:

$ 504,804.92

Vendor Form – this page requires vendor's information

PRICES ARE ALL INCLUSIVE OF ALL CONTRACTOR COSTS FOR MANAGING THE LISTED DEBRIS. CONTRACTORS ARE ADVISED TO FILL IN ALL OPEN CELLS FOR PRICING OPTIONS.

			Col. A	Col. B	Col. D	Col. E
Awar d No.	Item No.	Description	Pricing Basis	Price for Collection/ DMS Operations & Processing/ Transportation to North Sea Transfer Station	Estimated Quantity	Total Price based on processing/transportation to Town Facility
East of Canal						
	1	Clean Vegetative Debris	Ton	$163.25	2,000	$326,500.00
	2	Construction and Demolition Debris	Ton	$163.25	500	$81,625.00
	3	Scrap Metal & Appliances	Ton	$163.25	1 ton	$163.25
	4	Household Goods/Furniture	Ton	$225.23	1 ton	$225.23
	5	Electronics (computers, monitors, televisions)	Ton	$225.23	1 ton	$225.23
TOTAL BID COMPARISON AWARD NO. East of Canal (add items 1-6)						$408,738.70

Contractor shall provide an accurate quote for this debris category after the disaster that may be less than the price listed on this bid sheet. Unbalanced bids may be caused for rejection.

ALL ITEMS IN AN AWARD GROUPING (I.E. 2, 3, 4.....) MUST BE COMPLETED TO BE CONSIDERED A RESPONSIVE BID

Vendor Form – this page requires vendor's information

PRICES ARE ALL INCLUSIVE OF ALL CONTRACTOR COSTS FOR MANAGING THE LISTED DEBRIS. CONTRACTORS ARE ADVISED TO FILL IN ALL OPEN CELLS FOR PRICING OPTIONS..

	Item No.	Description	Pricing Basis	Price for Collection/ DMS Operations & Processing/ Transportation to Town of Southampton Transfer Facility as indicated	Estimated Quantity	Total Price based on processing/transportation to Town Facility
West of Canal						
	1	Clean Vegetative Debris	CY	HBTS/WHTS $ 27.32 /CY	2,000	$54,640.00
	2	Construction and Demolition Debris	Ton	NSTS $ 163.25 /Ton	250	$40,812.50
	3	Scrap Metal /Appliances	Ton	HBTS/WHTS $ 163.25 /ton	1	$163.25
	4	Household Goods/Furniture	Ton	HBTS/WHTS $ 225.23 /ton	1	$225.23
	5	Electronics (computers, monitors, televisions)	Ton	HBTS $ 225.23 /ton	1	$225.23
TOTAL BID COMPARISON AWARD NO. West of Canal (add items 1-6)						$96,066.21

Hazardous household waste pricing is the maximum price. Contractor shall provide an accurate quote for this debris category after the disaster that may be less than the price listed on this bid sheet. Unbalanced bids may be caused for rejection.

ALL ITEMS IN AN AWARD GROUPING (I.E. 2, 3, 4.....) MUST BE COMPLETED TO BE CONSIDERED A RESPONSIVE BID

Vendor Form – this page requires vendor's information

The undersigned hereby acknowledges receipt of the following Addenda (if any):

Addendum No.	Dated
Addendum 1	received 8-1-2013
Addendum 2	received 8-6-2013

RESERVATION OF RIGHTS

The Town Board of the Town of Southampton reserves certain rights with respect to this Request for Bids, including but not limited to the following:

The Town Board reserves the right to award this entire Contract to the lowest qualified bidder, or to award individual items of the bid to separate vendors. The Town Board reserves the right to waive any and all informalities in all bids received, and/or to reject and declare invalid any or all bids deemed not in the best interest of the Town. The Town Board also reserves the right to award this Contract after approval is received from the regulatory agencies having jurisdiction thereof. In awarding this Contract, the Town is not bound by the quantities stated in the Bid Form. It is emphasized that the quantities are approximations only. No guarantee is made for any quantities stated nor is a guarantee made for the total bid or alternate total bid. Such total bid or alternate total bid are for the purpose of guidance in awarding the Contract only. Payment shall be on the basis of actual work done at the unit prices quoted.

On acceptance of this bid, the undersigned binds himself or themselves to enter into written Contract with the Town and to furnish the required security for faithful performance of the terms of said Contract and the insurance as required by the Conditions of Contract, and to process the work diligently so as to complete all the work required under this Contract within t**he time frame indicted on the Notice to Proceed and/or Work Order provided by the Director of Municipal Works** from the date of receipt of a fully executed Contract from the Town.

In default of the successful bidder's obligation to enter into a Contract with the Town for the work specified herein at the prices offered herein, and to provide at the time of execution of the contract the required contract security and documentation of insurance, the undersigned bidder agrees that the certified check or bid bond herewith deposited with the Town shall be paid and delivered to the Town as liquidated damages of such default. The certified checks or bid bonds of all remaining unsuccessful bidders <u>except</u> the second lowest bidder will be returned upon award of the Contract to the lowest bidder. After the execution of a Contract between the Town and the successful bidder and provision by the successful bidder of the required contract security and documentation of insurance, the bid security of the successful bidder and the second lowest bidder will be returned.

The Town Board reserves the right to award this Contract to the lowest qualified bidder and to reject and declare invalid any or all bids deemed not in the best interest of the Town. Payment shall be on the basis of actual work completed for the prices quoted. Contractor will be paid the total contract amount after the project is completed to the satisfaction of the **DIRECTOR OF MUNICIPAL WORKS**.

Signature of person, firm or corporation making this Proposal:

Secretary/Treasurer

(Contractor) (Title)

Date: 8-12-13

Mailing Address: 740 Museum Drive Mobile, AL 36608

Phone No.: 251-343-3581

Vendor Form – this page requires vendor's information

GENERAL MUNICIPAL LAW - SECTION 103-a and 103-b

GROUNDS FOR CANCELLATION OF CONTRACT BY MUNICIPAL CORPORATIONS

Upon the refusal of a person, when called before a grand jury to testify concerning any transaction or contract had with the State, and political subdivision thereof, a public authority or with any public department, agency or official of the State or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract,

a) such person, and any firm, partnership or corporation, of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or any public department, agency or official thereof for goods, work, or services, for a period of five years after such refusal, and to provide also that,

b) any and all contracts made with any municipal corporation or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be cancelled or terminated by the municipal corporation without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation for goods delivered or work done prior to the cancellation or termination shall be paid.

This condition shall be further subjected to any other provisions or subsequent amendments to Section 103-a and 103-b of the General Municipal Law.

In acknowledgment of the above:

Bidder's Business Name: DRC Emergency Services, LLC

Signed by: _____

Title: Secretary/Treasurer

Date: 8-12-13

Vendor Form – this page requires vendor's information

GENERAL MUNICIPAL LAW - 103-d

Non-Collusive Bidding Certificate

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under the penalty of perjury, that to the best of his knowledge and belief:

(A) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, and for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor or potential competitor;

(B) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to the opening, directly or indirectly to any other bidder, competitor or potential competitor;

(C) No attempt has been or will be made by the bidder to induce any other person, partnership, or corporation to submit or not to submit a bid for the purpose of restricting competition.

I hereby affirm, under the penalty of perjury, the foregoing statement is true:

Signed by: _____

Title: Secretary/Treasurer

Date: 8-12-13

Affix corporate seal if contractor is a corporation.

Vendor Form – this page requires vendor's information

BIDDER'S QUALIFICATIONS

All questions must be answered and the information given must be clear and comprehensive. If necessary, questions may be answered on separate attached sheets.

Section A.

1. Name of Bidder: DRC Emergency Services, LLC

2. Main Office Address: 740 Museum Drive Mobile, AL 36608

3. When Organized: September 12, 2001

4. If a Corporation, Indicate State Incorporated In: Alabama

5. **NAME OF PARTNERS** **HOME ADDRESS OF PARTNERS**

(If Bidder is a FIRM, state here the name and home address of each member thereof)

N/A

If Bidder is a ~~CORPORATION~~ Limited Liability Company, complete the information below:

Name and Address of President: Gerald Lee Busby, 740 Museum Drive Mobile, AL 36608

Name and Address of Vice President: N/A

Name and Address of Secretary: Cary A. DesRoches, 740 Museum Drive Mobile, AL 36608

6. Does any other contractor, vendor or person have, hold, or may derive any actual or beneficial percentage of interest in any other form of ownership of the Bidder in an amount of 5% or more? Yes/No X

If yes, please provide:

Name: Seven Continents Holdings, LLLP - Owner

Address: 2201 Jack Warner Parkway, Suite 200 Tuscaloosa, AL 35401

Vendor Form – this page requires vendor's information

Section B.

Provide information below regarding similar contracts held:

Organization Name:	Contact Person (Name and Phone Number):
NYSDOT - Nassau and Suffolk Counties	John McGullam 631-774-7993
City of Houston, TX	Harry Hayes 713-837-9103
LADOTD	Rhett Desselle 225-379-1836

Amount of Contract:	Date Completed:
Approx. $16,618,797.01	March 2013 - Super Storm Sandy Debris Removal
Approx. $58,104,612.00	September 2009 - Hurricane Ike Debris Management
Approx. $105,000,000.00	June 2006 - Hurricane Katrina Debris Removal

Section C.

1. Have you ever failed to complete any contract awarded to you? Yes/No No

2. Have you ever defaulted on a contract? Yes/No No If yes, state where and why:
N/A

3. Has any officer or partner of your organization ever been an officer or partner of some other organization that failed to complete a contract? Yes/No No

If yes, state name of individual, other organization and reason:
N/A

4. Has any officer or partner of your organization ever failed to complete a contract in his/her own name? Yes/No No If yes, state name and reason:
N/A

5. In what other lines of business are you financially interested?
N/A

6. Who will personally supervise this contract?

Name and Phone Number — Title

Tony Swain — Regional Manager

Email Address: tswain@drcusa.com

7. Do you have, or can you obtain, sufficient personnel and equipment to perform this contract as required by the "Bid Proposal"? Yes/No Yes

8. Provide names and phone numbers of local (Long Island) government references:

John McGullam, NYSDOT 631-774-7993

9. Provide contact names and phone numbers for emergencies that require an immediate response:

Day: Tony Swain, 251-402-3052 Night: Tony Swain, 251-402-3052

10. List all major equipment you will utilize to perform all work. Indicate whether you currently own or lease the equipment, or will lease it (attach a separate sheet if necessary).

Please see attached available equipment list

11. Successful Bidder shall provide the Town, at the signing of the contract, the following information:

a. Table of Organization of the CONTRACTOR showing the names and addresses of all individuals serving on the Board of Directors or comparable body of the CONTRACTOR.

b. Proof of financial capability and a detailed financial statement.

Section D.

(*Delete phrases that are not applicable)

I, Cary A. DesRoches the *(applicant herein),

(an officer or agent of the corporate applicant) namely its Secretary/Treasurer ,(list corporate interest) (swears) or (affirms) under the penalties of perjury that:

Vendor Form – this page requires vendor's information

1. The following persons have a direct or indirect interest in this bid:

NAME	ADDRESS	DATE OF BIRTH
Seven Continents Holdings, LLLP	2201 Jack Warner Pkwy, Suite 200 Tuscaloosa, AL 35401	

(In case of corporations, all officers of the corporation and stockholders owning more than 5% of the corporate stock must be listed. Attach an additional sheet, if necessary).

2. The following person(s) listed immediately above are related by blood or marriage to an officer or employee of the OWNER. Attach an additional sheet, if necessary.

NAME	RELATIONSHIP	NAME/POSITION OF EMPLOYEE/OFFICER
N/A		

False statements made herein are punishable as a Class A misdemeanor pursuant to 210.45 of the Penal Law.

DRC Emergency Services, LLC
Legal Name of Person/Firm/Corporation

By: _____

Tax ID# 63-1283729

Vendor Form – this page requires vendor's information

The following is a true and correct copy of the resolution adopted by: See attached Corporate Resolution

Corporation at a meeting of its Board of Directors on the_____ day of _____, 2013.

(Seal of Corporation)

Secretary

Legal name of person, firm or corporation making this bid:

DRC Emergency Services, LLC

Dated 8-12-13

Bidders Seal

NOTES:

(1) Where a bidder is a firm, the bid must be signed in the name of the firm by a member of the firm who must sign his own name immediately hereunder as Partner.

(2) Where a bidder is a corporation, the bid must be signed in the name of the corporation by a duly authorized officer or agent thereof having knowledge of the matters stated in the bid and such officer or agent shall also subscribe his own name, the office he holds, and the seal of the corporation must be affixed.

(3) The bid must be sworn to by the person signing it, using one of the appropriate forms of acknowledgement, which follow.

(4) The bidders shall date the Form of Affidavit, fill in all blank spaces and complete the Questionnaire" which follows as part of bid.

(5) In case of any discrepancy in the bidder's extensions or total, the Town's computation of extensions and totals will govern.

Vendor Form – this page requires vendor's information

FORM OF AFFIDAVIT WHERE BIDDER IS AN INDIVIDUAL N/A

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

_____, being duly sworn, deposes and says: I am the person described in and who executed the foregoing bid and the several matters therein stated are in all respects true.

_____
(Signature of person who signed bid)

Subscribed and sworn to before

me this_____ day of _____, 2013.

_____
(Notary Public)

FORM OF AFFIDAVIT WHERE BIDDER IS AN ENTITY OTHER THAN A CORPORATION *Limited Liability Company

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

Cary A. DesRoches
being duly sworn, deposes and says: I am ~~a member~~ Secretary/Treasurer of DRC Emergency Services, LLC, the firm described in and which executed the foregoing bid. I subscribed the name of the firm thereto on behalf of said firm, and the several matters therein stated in all respects are true.

_____
(Signature of person who signed the bid)

Subscribed and sworn to before me:

This 12th day of August, 2013.

Erika M Hl
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Apr 13, 2014

Vendor Form – this page requires vendor's information

CONDITIONS OF CONTRACT

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1. CONTRACT DOCUMENTS AND DEFINITIONS

The Notice to Bidders, Instructions to Bidders, Proposal Form, Form of Bond, Conditions of Contract, General Conditions, Supplemental General Conditions, Specifications, Form of Contract, Construction Drawings, together with any Addenda, shall form part of this Contract, and the provisions thereof shall be as binding upon the parties hereto, as if they were herein fully set forth. The table of contents, titles, heading, headlines, and marginal notes contained herein are solely to facilitate reference to various provisions of the Contract Documents and in no way affect, limit or cast light upon the interpretation of the provisions to which they refer. Whenever the term "Contract Documents" is used, it shall mean and include the Notice to Bidders, Instructions to Bidders, Proposal Form, Form of Bond, Conditions of Contract, General Conditions, Supplemental General Conditions, Specifications, Form of Contract, Construction Drawings and any Addenda. In case of any conflict or inconsistency between the provisions of the Contract and those of the Specifications, the provisions of this Contract shall govern.

EXTRA WORK: The term "extra work", as used herein, refers to and includes all work required by the Town, which in the judgment of the Town involves changes in or additions to work required by the Plans, Specifications and any Addenda in their present form and which is not covered by a specific unit price in the Form of Bid.

SUBCONTRACTOR: The term "subcontractor" shall mean any person, firm or corporation supplying labor and material for work at the site of the project but not including the parties to this Contract.

NOTICE: The term "notice" as used herein, shall mean and include written notice. Written notice shall be deemed to have been duly served when delivered to, or at last known business address of, the person, firm or corporation for whom intended, or his, their, or its duly authorized agents, representatives, or officer or when enclosed in a postage prepaid wrapper or envelope addressed to such person, firm or corporation at his, their or its last known business address and deposited in a United States mailbox.

DIRECTED, REQUIRED, APPROVED, ACCEPTABLE: Whenever they refer to the work or its performance, "directed", "required", "permitted", "ordered", "designated", "prescribed" and words of like import shall imply the direction, requirement, permission, order, designation or prescription of the Town, and "approved", "satisfied", or "satisfactory", "in the judgment of", and words of like import shall mean approved, or acceptable to, or satisfactory to or in the judgment of the Town.

2. SCOPE OF THE WORK

The Contractor will furnish all plant, labor, materials, suppliers, equipment and other facilities and things necessary or proper for, or incidental to, the work contemplated by this Contract as required by, and in strict accordance with the applicable Plans, Specifications and Addenda prepared by the Town and/or required by, and in strict accordance with, such changes as are ordered and approved pursuant to this Contract, and will perform all other obligations imposed on him by this Contract.

3. COMPENSATION TO BE PAID TO THE CONTRACTOR

(a) Payment(s) made under this Contract will be made on the basis of the actual work completed in accordance with the Contract Documents. No separate payment will be made for mobilization, bonds, insurance, etc. Contractor is advised to include such costs in the lump sum prices bid. Contractor will be paid the total Contract amount after the project is completed to the satisfaction of the Town. There will be no partial payments.

(b) Extra Work: The Town may, at any time, by a written order and without notice to the Sureties, require the performance of such extra work or changes in the work as it may find necessary or desirable. The amount of compensation to be paid to the Contractor for any extra work, as so ordered, shall be determined as follows:

1) By such applicable unit prices, if any, as set forth in the Contract; or

2) If no such unit prices are set forth, then by unit price or by a lump sum mutually agreed upon by the Town and the Contractor; or

3) If no such unit prices are so set forth and if the parties cannot agree upon unit prices or a lump sum; then by actual net cost in money to the Contractor of the materials, permits, wages of applied labor, premiums for Workmen's Compensation Insurance, payroll taxes required by law, rental for plant and equipment used (excluding small tools) to which total cost will be added twenty (20%) percent as full compensation for all other items of profit costs and expenses, including administration, overhead, superintendence, insurance, insurance other than Workmen's Compensation Insurance, materials used in temporary structures, allowances made by the Contractor to subcontractors, additional premiums upon the performance bond of the Contractor and the use of small tools.

4. TIME OF ESSENCE

IN AS MUCH AS THE PROVISIONS OF THIS CONTRACT RELATING TO THE TIME OF PERFORMANCE AND COMPLETION OF THE WORK ARE FOR THE PURPOSE OF ENABLING THE Town TO PROCEED WITH THE CONSTRUCTION OF A PUBLIC IMPROVEMENT IN ACCORDANCE WITH A PREDETERMINED PROGRAM, SUCH PROVISIONS ARE OF THE ESSENCE OF THIS CONTRACT. REFER TO INSTRUCTIONS TO BIDDERS FOR ADDITIONAL INFORMATION REGARDING CONSTRUCTION SCHEDULE.

5. COMMENCEMENT OF WORK

The Contractor agrees that he will commence work immediately upon Notice to Proceed provided by Director of Municipal Works.

6. TIME OF COMPLETION

The time of completion of the entire Contract work shall be as stipulated in the Instructions to Bidders. The entire work order must be satisfactorily completed so that the project improvements thereunder are available to the Town for use within the stipulated completion time.

The Town reserves the right to order the Contractor to suspend operations when, in the opinion of the Town, improper weather conditions make such action advisable, and to order the Contractor to resume operations when weather and ground conditions permit, this information shall be conveyed in writing to the Contractor and they must sign the letter indicating their acceptance of same. This letter shall be submitted to the Office of Contracts Administration to be filed with the original contract. The days during which such suspension of work is in force are not chargeable against the specified completion time.

7. LIQUIDATED DAMAGES FOR DELAYS

The time limit being essential to and of the essence of this Contract, the Contractor hereby agrees that the Town shall be and is hereby authorized to deducted and retain out of the money which may be due or may become due to said Contractor under this agreement, the sum of One Thousand Dollars **($1,000.00)** per day which amount is hereby agreed upon, fixed and determined by the parties hereto as the liquidated damages, including overhead charges, services, inspector's wages and interest on the money invested, that the Town will suffer by reason of such default, for each and every day during which the aforesaid work may be incomplete over and beyond the time herein stipulated for its completion, provided, however, that the Town shall have the right to extend the time for the completion of said work.

8. EXTENSIONS OF TIME; NO WAIVER

If the Contractor shall be delayed in the completion of his work by reason of unforeseeable causes beyond his control and without his fault or negligence, including but not restricted to, acts of God or of the public enemy, fires, floods, epidemics, quarantine restrictions, strikes, riots, civil commotions or freight embargoes, the period herein above specified for completion of his work shall be extended by such time as shall be fixed by the Town.

No such extension of time shall be considered a waiver by the Town of its right to terminate the Contract for abandonment or delay by the Contractor as hereinafter provided, or relieve the Contractor from full responsibility for performance of his obligations hereunder.

Where Contractor is prevented from completing work due to a delay beyond his control, an extension of the Contract time shall be Contractor's sole and exclusive remedy for such a delay. In no event shall Town be liable to Contractor, any subcontractor or supplier any other person or organization for damages arising out of or resulting from delays caused by or within the control of Contractor or delays beyond the control of Contractor.

9. WEATHER

During unsuitable weather, all work must stop when such work would be subject to injury and Contractor shall transfer his men and materials to those parts of the work where weather conditions will not have any effect on the workmanship to any damages on account of such damages or suspension, and he must protect any work that might be injured by the elements and make good any work that is injured.

10. CONTRACT SECURITY

The Contractor shall furnish a Performance Bond equal to one hundred percent (100%) of the amount of the bid as security for the faithful performance of the Contract, and for the payment of all persons performing labor or furnishing materials in connection with this Contract.

A) The Performance Bond shall remain in full force and effect for a period of not less than one (1) year. After the project had been completed and has received final sign off by the Department Head, the Town requires a maintenance bond to replace the performance bond; the maintenance bond shall remain in effect for a period of not less than one (1) year after the date of final acceptance of the work.

Within five (5) days after issuance of a Work Order to proceed in excess of the One Hundred Performance Bond provided by Contractor, the successful bidder must deliver to the Town a new Performance Bond in an amount equal to one hundred percent (100%) of the estimated Work Order over the amount of the original bond.

B) Additional or Substitute Bond: If at any time the Town shall be or become dissatisfied with any surety or sureties then upon the Performance Bond, or if for any reason such bond shall cease to be adequate security to the Town, the Contractor shall within five (5) days after notice from the Town to do so, substitute an acceptable bond in such form and sum and signed by such other surety as may be made until the new surety is found qualified.

In the event the successful bidder is unable to perform the contract, the successful bidder will be liable for and agrees to pay to the Town on demand, the difference between the price bid and the price for which such contract shall subsequently be rebid, including the cost of such rebidding, less the amount of such deposit. No plea of mistake in such accepted bid shall be available to the bidder for recovery of his deposit or as a defense to any action upon accepted bid unless said mistake can be proven by documentary evidence acceptable to the Town.

The bid security shall be returned after filing and approval of the Performance Bond by the Town and the execution of the Contract by both parties.

11. LAW AND ORDINANCES

In the performance of the Contract, the Contractor will be required to observe and obey all Federal, State, County and local laws, ordinances, codes and regulations relating to the performance of the Contract including but not limiting labor employed thereon, materials supplied, obstructing streets and highways, maintaining signals, storing, handling and use of explosives and all other general ordinances and state statutes affecting him or his employees or his work hereunder in his relations with the Municipality or any other person, and also all laws, codes, ordinances controlling or limiting the Contractor while engaged in executing the work under the Contract.

As a condition of the Contract, the Contractor shall and does hereby agree to comply with all requirements of the labor laws of the State of New York.

The Contractor shall comply with the provisions of Sections 291-299 of the Executive Law and Civil Rights Law, shall furnish all information and reports deemed necessary by the State Commission for Human Rights, the Attorney General and the Industrial Commissioner for purposed of investigation to ascertain compliance with such sections of the Executive Law and Civil Rights Law.

The Contract may be forthwith cancelled, terminated or suspended, in whole or in part, by the contracting agency upon the basis of a finding made by the State Commission for Human Rights that the Contractor has not complied with these laws.

The Contractor hereby expressly agrees to comply with all the provisions of the Labor Law and any and all amendments thereto, insofar as the same are applicable to this Contract. The Labor Law, as amended, provides that no laborer, workman or mechanic in the employ of the Contractor, subcontractor or other person doing or contracting to do the whole or a part of the work contemplated by this Contract, shall be permitted or required to work more than eight (8) hours in any one (1) calendar day, except in cased of extraordinary emergency caused by fire, flood or danger to life or property; that no such person shall be employed more than eight (8)

hours in any day or more than five (5) days in any week except in such emergency; that the wages to be paid for a legal day's work as herein before defined, to laborers, workmen or mechanics upon the work called for under this Contract or upon any material used upon, or in connection therewith, shall not be less than prevailing rate for a day's work in the same trade or occupation in the locality within the state where such work is to be done and each Laborer, workman or mechanic employed by the Contractor, subcontractor or other person about or upon the work shall be paid the wages herein provided; that employees engaged in the construction, maintenance, and repair of highways and in water works construction outside the limits of cities and villages are no longer exempt from the provisions of the Labor Law which require the payment of the prevailing rate of wages and the eight (8) hour day.

Relevant sections of the Labor Law are excerpted below; however, Contractor is responsible to familiarize himself with all requirements of all sections of the Labor Law applicable to this Contract.

Section §220 of the NYS Labor Law now requires contractors and subcontractors to submit "Certified Payrolls" to the Town every thirty days. The Contractor agrees to submit said payroll that pertains to each job a bill is submitted for. **NO BILL WILL BE PAID WITHOUT THE RECEIPT OF THE CERTIFIED PAYROLL.**

Section 220 of the Labor Law, as amended, increases the penalties against contractors who do not comply with the provisions of the law, and requires that contractors provide written notice to employees of their right to receive prevailing wage and to list each employee's classification and prevailing wage rate on the employee's pay stub.

Section 220-A of the Labor Law, as amended by Chapter 472 of the Laws of 1932, provides that before payment is made by or on behalf of the State of any city, county, town or village or other civil division of the state of any sums due on account of a contract for a public improvement, it is the duty of the Comptroller or the financial officer of the Municipal Corporation to require the Contractor and each and every subcontractor to file a certified statement in writing, in satisfactory form, certifying to the amounts then due and owing to any and all laborers for daily or weekly wages on account of labor performed upon the work of the Contractor, setting forth therein the names of the persons whose wages are unpaid and the amount due each respectively.

Section 220-B of the Labor Law, as so amended, provides that any interested person who shall have previously filed a protest in writing objecting to the amounts due or to become due to him for daily or weekly wages for labor performed on the public improvement for which the Contract was entered into, or if for any reason, it may be deemed advisable, the Comptroller of the State or financial officer of the Municipal Corporation may deduct from the whole amount of any payment on account thereof of the sums or sum admitted by any contractor or subcontractor in such statement or statements so filed to be due and owing by him on account of labor performed and may withhold the amount so deducted for the benefit of the laborers for daily or weekly wages, whose wages are unpaid as shown by the verified statements filed by any contractor or subcontractor and may pay directly to any person the amount or amounts so shown to be due for such wages.

Section 220-C of the Labor Law, as so amended, provides the penalty for making of a false oath or verification.

Section 220-D of the Labor Law provides that the advertised Specifications for every contract for the construction, reconstruction, maintenance and/or repair of highways to which the State, County, Town and/or Village is a party shall contain a provision stating the minimum rate of hourly wage that can be paid, as shall be designated by the Industrial Commissioner, to the laborers employed in the performance of the Contract either by the Contractor, Subcontractor or other person doing or contracting to do the whole or part of the work contemplated by the Contract, and the Contract shall contain a stipulation that such laborers shall be paid not less

than such hourly minimum rate of wage. Any person or corporation that willfully pays, after entering into such Contract, less than such stipulated minimum hourly wage scale shall be guilty of a misdemeanor and upon conviction, shall be punished for a first offense by a fine of Five Hundred Dollars ($500.00) or by imprisonment; for a second offense by a fine of One Thousand Dollars ($1,000.00) and in addition thereto, the Contract on which the violation has occurred shall be forfeited, and no such person or corporation shall be entitled to receive any sum nor shall any officer, agent or employee of the State pay the same or authorize its payment from the funds under his charge or control to any person or corporation for work done upon any contract, on which the Contractor has been convicted of second offense in violation of the provisions of this section.

Section 220-H of the Labor Law, **effective July 18, 2008**, requires that, for every contract for the construction, re-construction, maintenance and/or repair of public work to which the state or a municipality is a party, where the total cost of all work to be performed under the contract is at least two hundred fifty thousand dollars, all laborers, workers, and mechanics employed in the performance of the contract on the public work site, either by the contractor, sub-contractor or other person doing or contracting to do the whole or part of the work contemplated by the contract, shall be certified prior to performing any work on the project as having successfully completed a course in construction safety and health approved by the United States department of labor's occupational safety and health administration that is at least ten hours in duration.

The minimum wage rates established by the Industrial Commissioner, State of New York, for this Contract are set forth herein above as part of "Information to Bidders".

12. QUALIFICATIONS FOR EMPLOYMENT

No person under the age of sixteen (16) years and no person currently serving sentence in a penal or correctional institution shall be employed to perform any work on the project under this Contract. No person whose age or physical condition is such as to make his employment dangerous to his health or safety or to the health or safety of others, shall be employed to perform any work on this project; provided, however, that such restrictions shall not operate against the employment of physically handicapped persons, otherwise employable, where each person may be safely assigned to work which they can able perform.

13. NON-DISCRIMINATION

There shall be no discrimination because of race, creed, or color in the employment of persons for work under this Contract, whether performed by the Contractor or any Subcontractor. Neither shall the Contractor and Subcontractor or any person acting on behalf of the Contractor or Subcontractor discriminate in any manner against or intermediate any employee hired for the performance of work under this Contract on account of race, creed or color.

There may be deducted from the amount payable to the Contractor by the Town under this Contract a penalty of Five Dollars ($5.00) for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of this paragraph; provided that for a second or any subsequent violation of the terms of this

paragraph, this Contract may be canceled or terminated by the Town and all monies due or to become due hereunder may be forfeited.

Contractor expressly agrees to comply with Title VI of the Civil Rights Act of 1964, as amended, and all other applicable Federal, State, and/or Local laws, ordinances, rules, regulations and order prohibiting discrimination in hiring or employment opportunities. It shall not be an excuse for non-compliance that Contractor has or intends to delegate any of its responsibilities to any union, training program, other source of recruitment or other entity, but Contractor shall remain primarily responsible for compliance hereunder.

Contractor expressly agrees to comply with the Americans with Disabilities (ADA) Act of 1990.

In accordance with Section 312 of the Executive Law:

(a) Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, and rates of pay or other forms of compensation;

(b) at the request of the Town, Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein; and

(c) Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" of the preceding paragraphs in every subcontract over $25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this Contract; or (ii) employment outside New York State; or (iii) banking services, insurance policies or the sale of securities. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity, which effectuates the purpose of this section. The Town shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the Town shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Governor's Office of Minority and Women's Business Development pertaining hereto.

Contractor hereby agrees to comply with the intent of the applicable provisions of Executive Law Article 15-A and the regulations promulgated thereunder. Executive Law §§312 and 316 are hereby incorporated by reference.

14. PAYMENT OF EMPLOYEES

The Contractor and each of his subcontractors shall pay each of his employees engaged in work on the project under this Contract according to provisions set forth by the New York State Department Labor and other applicable laws.

15. ESTIMATES & PAYMENTS

(a) Payment(s) made under this Contract will be made on the basis of the actual work completed in accordance with the Contract Documents. No separate payment will be made for mobilization, bonds, insurance, etc. Contractor is advised to include such costs in the lump sum prices bid. Contractor will be paid the total Contract amount after the project is completed to the satisfaction of the Town. There will be no partial payments.

b) No payments will be made for materials delivered to the site which have not been incorporated into the work.

16. ACCEPTANCE OF FINAL PAYMENT CONSTITUTES RELEASE

The acceptance by the Contractor of the final payment shall be, and shall operate as a release to the Town from all claims and all liabilities to the Contractor for all the things done or furnished in connection with this work and for every act and neglect of the Town and others relating to or arising out of, this work, excepting the Contractor's claims for interest upon the final payment, if this payment be improperly delayed. No payment, however, final or otherwise, shall operate to release the Contractor or his sureties from any obligations under this Contract or the Performance Bond.

17. CONSTRUCTION REPORTS

The Contractor shall submit to the Town prior to commencing any work under this Contract, a detailed schedule and plan of operations indicating the manner in which the Contractor proposed to prosecute the work and a time schedule therefore. Such schedules are not intended to bind the Contractor to a pre-determined plan or procedure, but rather to enable the Town to coordinate the work of the Contractor with work required of, and to be performed by others. The detailed schedule shall include a list of the subcontractors and material suppliers he proposed to use on the work.

The Contractor shall furnish the Town with periodic estimates for partial payments as required elsewhere in the Contract Documents, and in addition thereto will furnish the Town with a detailed estimate for final payment.

Prior to being eligible to receive the final payment under this Contract, the Contractor shall furnish the Town with substantial proof that all bills for services rendered and materials supplied have been paid.

The enumeration of the above reports in no way relieves the Contractor of his responsibility under existing Federal or State Laws of filing such other reports with agencies as may be required by such existing laws or regulations.

18. INSPECTION AND TESTS

All material and workmanship shall be subject to inspection, examination and test by the Town at any time during the construction and at any and all places where manufacturing of materials used and/or construction is carried on.

Without additional charge, the Contractor shall furnish promptly all reasonable facilities, labor and materials necessary to make any tests required by the Town an/or required by the Specifications

If at any time before final acceptance of the entire work, the Town considers necessary or advisable an examination of any portion of the work already completed, by removing or tearing out the same, the Contractor shall upon request, furnish promptly all necessary facilities, labor and materials for such examination. If such work is found to be defective in any material respect, due to the fault of the Contractor or any subcontractor, or if any work shall be covered over without the approval or consent of the Town, whether or not the same shall be defective, the Contractor shall be liable for the expense for such examination and of satisfactory reconstruction.

If, however, such approval and consent shall have been given and such work is found to meet the requirements of this Contract, the Contractor shall be recompensed for the expense of such examination and reconstruction in the manner herein provided for the payment of cost of extra work.

The selection of laboratories and/or agencies for the inspection and tests of supplies, materials or equipment shall be subject to the approval of or designated by the Town. Satisfactory documentary evidence that the material has passed the required inspection and tests must be furnished to the Town prior to the incorporation of the material in the work. Any rejected work will be removed from the site of the project completely at the expense of the Contractor.

19. PLANS AND SPECIFICATIONS: INTERPRETATIONS

The Contractor shall keep at the site of the work one copy of the Plans and Specifications signed and identified by the Town. Anything shown on the Plans and not mentioned in the Specifications or mentioned in the Specifications and not shown in the Plans shall have the same effect as if shown or mentioned in both. In case of any conflict or inconsistency between the Plans and Specifications, the Specifications shall govern. Any discrepancy between the figures and drawings shall be submitted to the Town whose decision thereon shall be conclusive.

20. SUBSURFACE CONDITIONS FOUND DIFFERENT

Should the Contractor encounter subsurface conditions at the site materially differing from those shown on the Plans or indicated in the Specifications, he shall immediately give notice to the Town of such conditions, before they are disturbed; the Town shall thereupon promptly investigate the conditions and if the Town finds that they materially differ from those shown on the Plans or indicated on the Specifications, he shall at once make such changes in the Plans an/or Specifications as he may find necessary. Any increase or decrease of cost resulting from such changes will be adjusted in the manner provided herein for adjustment as to extra and/or additional work and changes.

21. CONTRACTOR'S TITLE TO MATERIALS

No materials or supplies for the work shall be purchased by the Contractor or any subcontractor subject to any chattel mortgage or under a conditional sale or other agreement by which an interest is retained by the seller. The Contractor warrants that he has good title to all materials and supplies used by him in the work.

22. SUPERINTENDENCE BY CONTRACTOR

At the site of the work, the Contractor shall give his constant, personal attention to the work or employ a construction superintendent or foreman who shall have full authority to act for the Contractor. It is understood that such representative shall be acceptable to the Town and shall be one who can be continued in that capacity for the particular job involved unless he ceases to be on the Contractor's payroll. The Contractor's superintendent and foreman must be able to read and speak the English language or provide an interpreter.

23. PROTECTION OF WORK, PERSONS AND PROPERTY

Precaution shall be exercised at all times for the proper protection of all persons, property and work. The Contractor shall give notice to the Town of utilities which may serve the area and request their assistance in predetermining the location and depth of various pipes, conduits, manholes, and other underground facilities. The safety provisions of the Manual of Accident Prevention in Construction published by the Associated General Contractors of America, to the extent that such provisions are not in contravention of applicable law. The Contractor shall furnish entirely at his own expense any and all additional safety measures deemed necessary by the Town to adequately safeguard the traveling public.

The Contractor shall, at all hours of the day, safely guard and protect his own work and adjacent property from any damage and shall replace or make good any such damage, loss or injury, unless such be caused directly by errors contained in the Contract Documents, or by the Town or its duly authorized representatives.

The Contractor shall provide and maintain such watchmen, barriers, lights, flares and other signals at his own expense, as will effectively prevent any accident in consequence of his work for which the Town might be liable. The Contractor shall be liable for all injuries or damage caused by his act or neglect, or that of his employees.

The Contractor shall take particular care to avoid the blocking of fire hydrants, fire alarm boxes, letter boxes, traffic signals or other visible devices maintained for the use of the public.

24. REPRESENTATIONS OF CONTRACTOR

The Contractor represents and warrants:(a) That he is financially solvent and that he is experienced in, and competent to, perform the type of work involved under this Contract and able to furnish the plant, materials, supplies and/or equipment to be furnished for the work; and

(b) That he is familiar with all Federal, State and Municipal Law, ordinances and regulations which may in any way affect the work of those employed hereunder, including but not limited to any special acts relating to the work; and

(c) That such work required by these Contract Documents as is to be done by him can be satisfactorily constructed and used for the purpose for which is intended and that such construction will not injure any person or damage any property; and

(d) That he has carefully examined the Plans, Specifications and the site of the work, and that from his own investigations he has satisfied himself as to the nature and location of the work, the character, location, quality and quantity of surface and subsurface materials, structures and utilities likely to be encountered, the character of equipment and other facilities needed for the performance of the work, the general local conditions which may in any way affect the work or its performance.

25. PATENT RIGHTS

As part of his obligation hereunder and without any additional compensation, the Contractor will pay for any patent fees or royalties required in respect to the work or any part thereof and will fully indemnify the Town for any loss on account of any infringement of patent rights unless prior to his use in the work a particular process or a product of a particular manufacturer he notifies the Town in writing that such process or product is an infringement of a patent.

26. AUTHORITY OF THE TOWN

In the performance of the work, the Contractor shall abide by all orders and directions and requirements of the Town and shall perform work to the satisfaction of the Town, at such time and places, by such methods, and in such manner and sequence as it may require. The Town shall determine the acceptability, and fitness of all parts of the work, shall interpret the Plans, Specifications, Contract Documents and any extra work orders and shall decide all other questions in connection with the work. Upon request, the Town shall confirm in writing any oral orders, directions, requirements or determinations. The enumeration herein or elsewhere in the Contract Documents of particular instances in which the opinion, judgment, discretion or determination of the Town shall control, or in which work shall be performed to the Town's satisfaction or subject to the Town's approval or inspection, shall not imply that only matters similar to those enumerated shall be so governed and so performed.

27. CHANGES AND ALTERATIONS

The Town reserves the right to make alterations in location, line, grade, plan, form or dimensions of the work, or any part thereof, either before or after the commencement of construction. If such alterations diminish the amount of work to be done, no claim for damages or anticipated profits will be warranted on the work, which may be dispensed with. If such alterations increase the amount of work, such increased shall be paid for according to the quantity of work actually done and at the prices for such work as contained in the schedule of prices.

Contractor is not entitled to an increase in the Contract price or for an extension of the Contract time with respect to any work performed that is not required by the Contract as amended or modified except as modified by a valid amendment to the Contract or change order approved by Town.

If any change affecting the services to be performed under this Contract is required by the provisions of any bond to be given to a surety or the total Contract price changes, the giving of such notice will be Contractor's responsibility, and the amount of each applicable bond will be adjusted accordingly.

28. CORRECTION OF WORK

All work and all materials, whether incorporated into the work or not, all processes of manufacture and all methods of construction shall be at all times and places subject to the inspection of the Town, which shall be the final judge of quality, materials, processes of manufacture and methods of construction suitable for the purpose for which they are used. Should they fail to meet the Town's approval, they shall be forthwith reconstructed, made good and replaced and/or corrected as the case may be, by the Contractor, at his own expense.

If, in the opinion of the Town, it is not desirable to replace any defective or damaged materials or to reconstruct or correct any portion of the work injured or not performed in accordance with the Contract Documents, the compensation to be paid to the Contractor hereunder shall be reduced by such amount as in the judgment of the Town shall be equitable.

The Contractor expressly warrants that his work shall be free from any defects in materials or workmanship and agrees to correct any defects, which may appear within one year following the final completion of the work. Neither the acceptance of the completed work nor payment therefore shall operate to release the Contractor or his sureties from any obligations under or upon this Contract or the Performance Bond.

29. WEATHER CONDITIONS

In event of temporary suspension of work or during inclement weather or whenever the Town shall direct, the Contractor will, and will cause his subcontractors to protect carefully his and their work and materials against damage or injury from the weather. If in the opinion of the Town any work or material shall have been damaged or injured by reason of failure on the part

of the Contractor or any of his subcontractors to protect his or their work, such work and materials shall be removed and replaced at the expense of the Contractor.

30. THE TOWN'S RIGHT TO WITHHOLD PAYMENTS

The Town may withhold from the Contractor so much of any approved payments due him as may, in the judgment of the Town, be necessary:

(a) To assure the payment of just claims then due and unpaid of any persons supplying labor or materials for the work;

(b) To protect the Town from loss due to defective work not remedied; or

(c) To protect the Town from loss due to injury to persons or damage to the work or property of other contractors or subcontractors of other, caused by the act or neglect of the Contractor or any of his subcontractors. The Town shall have the right, as agent for the Contractor to apply such amounts so withheld in such manner as the Town may deem proper to satisfy such claims or to secure such protection. Such applications of such money shall be deemed payments for the account of the Contractor.

31. THE TOWN'S RIGHT TO STOP WORK OR TERMINATE CONTRACT

If,

(a) the Contractor shall be adjudged bankrupt or make an assignment for the benefit of creditors; or

b) a receiver or liquidator shall be appointed for the Contractor for any of his property and shall not be dismissed within 20 days after such appointment, or the proceedings in connection therewith shall not be stayed on appeal within the said 20 days; or

c) the contractor shall refuse or fail, after notice or warning from the Town, to supply enough properly skilled workmen or proper materials; or

d) the Contractor shall refuse or fail to prosecute the work or any part thereof with such diligence as will insure its completion within the period herein specified (or any duly authorized extension thereof) or shall fail to complete the work within said period; or

e) the Contractor shall fail to make prompt payments to persons supplying labor or materials for the work; or

f) the Contractor shall fail or refuse to regard laws, ordinances or the instructions of the Town or otherwise be guilty of a substantial violation of any provisions of this Contract; then, and in any such event, the Town, without prejudice to any other rights or remedy it may have, may upon seven (7) days notice to the Contractor terminate the employment of the Contractor and his rights to proceed either as to the entire work or (at the option of the Town) as to any portion thereof as to which delay shall have occurred, and may take possession of the work and complete the work by contract or otherwise, as the Town may deem expedient. In such case, the Contractor will not be entitled to receive any further payment until the work is finished. If

the unpaid balance of the compensation to be paid the Contractor hereunder shall exceed the expense of so completing the work (including compensation for additional managerial, administrative and inspection services and any damages for delay), the excess over all such expense shall be paid to the Contractor. If such expense shall exceed such unpaid balance, the Contractor and his sureties shall be liable to the Town for such excess. If the right of the Contractor to proceed with the work is so terminated, the Town may take possession of and utilize in completing the work, such materials, appliances, supplies, plant and equipment as may be on the site of the work and necessary thereof. If the Town does not so terminate the right of the Contractor to proceed, the Contractor shall continue to work.

32. CONTRACTOR'S RIGHT TO STOP WORK OR TERMINATE CONTRACT

If the work shall be stopped by order of the Court or other public authority for a period of three (3) months without act or fault of the Contractor or any of his agents, servants, employees or subcontractors, the Contractor may, upon ten (10) days notice to the Town, discontinue his performance of the work and/or terminate the Contract; in which event, the liability of the Town to the Contractor shall be determined as provided in the paragraph immediately preceding (Paragraph 31), the Contractor shall not be obligated to pay to the Town any excess of the expense of completing the work over the unpaid balance of the compensation to be paid to the Contractor hereunder.

33. RESPONSIBILITY FOR WORK

The Contractor agrees to be responsible for the entire work embraced in this Contract until its completion and final acceptance, and that any unfaithful or imperfect work that may become damaged from any cause either by act of commission or omission to properly guard and protect the work that may be discovered at any time before the completion and acceptance shall be removed and replaced by good and satisfactory work without any charge to the Town, and that such removal and replacement will be performed immediately on the requirement of the Town, notwithstanding the fact that it may have been overlooked by the proper inspector, and partial payment made thereon. It is fully understood by the Contractor that the inspection of the work shall not relieve him of any obligation to do sound and reliable work as herein prescribed, and that any omission to disapprove any work by the Town at or before the time of partial payment or other estimate shall not be construed to be acceptance of any defective work.

34. USE OF PREMISES AND REMOVAL OF DEBRIS

The Contractor expressly undertakes at his own expense:

(a) To store his apparatus, materials supplies and equipment in such orderly fashion at the site of the work as will not unduly interfere with the progress of his work or the work of any of his subcontractors;

(b) To frequently clean up all refuse, rubbish, scrap materials and debris caused by the operations to the end that at all time, the site of the work shall present a neat, orderly and workmanlike appearance;

(c) Before final payment hereunder to remove all surplus material, temporary structures, plants of any description and debris of every nature resulting from his operations.

35. SUITS OF LAW

The Contractor shall indemnify and save harmless the Town from and against all suits, claims, demands or actions for any injury sustained or alleged to be sustained by any party or parties in connection with the construction of the work or any part thereof, or any commission or omission of the Contractor, his employees or agents of any subcontractor, and in case of any such action shall be brought against the Town, the Contractor shall immediately take charge of and defend the same at his own cost and expense.

36. POWER OF THE CONTRACTOR TO ACT IN AN EMERGENCY

In case of an emergency, which threatens loss or injury to property and/or safety of life, the Contractor will be permitted to act as he sees fit without previous instructions from the Town. He shall notify the Town thereof immediately and any compensation claimed by the Contractor due to extra work made necessary because of his acts in such emergency shall be submitted to the Town for approval. Where the Contractor has not taken action but has notified the Town of an emergency indicating injury to persons or damage to adjoining property or to the work being accomplished under this Contract, then upon authorization from the Town to prevent such threatened injury or damage, he shall act as instructed by the Town. The amount of reimbursement claimed by the Contractor on account of any such action shall be determined in the manner provided herein for the payment of extra work.

37. PROVISION REQUIRED BY LAW DEEMED INSERTED

Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to be inserted herein and the Contract shall read and be enforced as though it were included herein, and if through mistake or otherwise, any such provision is not inserted, or is not correctly inserted, then upon the application of either party the Contract shall be forthwith be physically amended to make such insertion.

38. SUBLETTING, SUCCESSOR AND ASSIGNS

The Contractor shall not sublet any part of the work under this Contract nor assign any money due him hereunder without first obtaining the written consent of the Town. This Contract shall insure the benefit of and shall be binding upon the parties hereunder and upon their respective successors and assigns, but neither party shall assign or transfer his interest herein in whole or in part without consent of the other.

39. GENERAL MUNICIPAL LAW CLAUSE

Pursuant to the provisions of Section 103-a of the General Municipal Law, in the event that the Bidder or any member, partner, director or officer of the Bidder, should refuse, when called before a grand jury to testify concerning any transaction or contract had with the State, any political subdivision thereof, a public authority or any public department, agency or official of the State or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract.

Such person, and any firm, partnership, or corporation of which he is a member, partner, partnership, or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or any public contracts made with any municipal corporation or any public department, agency or official thereof for goods, work or services for a period of five (5) years after such refusal, and any and all contracts made with any municipal corporation or any public department, agency or official thereof on or after the first day of July, 1959, by such person, and by any firm, partnership or corporation of which he is a member, partner, director of officer may be cancelled or terminated by the municipal corporation without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation for goods delivered or work done prior to the cancellation or termination shall be paid.

40. GRADES, LINES, LEVELS AND SURVEYS

The Town shall furnish the Contractor with the basic horizontal and vertical controls from which the Contractor shall transfer and stake his lines and grades and for their accuracy.

The Town will establish the basic horizontal and vertical controls at the start of the work, and it shall be the responsibility of the Contractor to safeguard such controls; and if, in the opinion of the Town, these controls are damaged or destroyed either in whole or in part, the Contractor shall pay the cost of having the damaged controls verified, checked, corrected or replaced.

41. CONTRACTOR'S INSURANCE

Contractor shall not commence Work until the Town has approved all the insurance required under this Contract as detailed below. Additionally, the Contractor shall indemnify and save harmless the Town of Southampton from and against all losses and all claims, demands, payments, suits, actions, recoveries, and judgments of every kind or nature, brought or recovered against the Town of Southampton by reason of any act or omission of the Contractor, his agent, or employees in the performance of this Contract.

Contractor shall not permit any subcontractor to commence any Work under this Agreement until satisfactory proof of carriage of the required insurance has been posted with and approved by the Town.

Contractor shall furnish the Town of Southampton, Town Hall, 116 Hampton Road, Southampton, New York 11968, with certificates of each insurance company, insuring Contractor or any subcontractor permitted under this Agreement. All original certificates of insurance shall be filed with the Office of Contracts Administration, located at Town Hall, 116 Hampton Road, Southampton, New York 11968.

All certificates and insurance policies shall bear the policy numbers, the expiration date of the policy and the limits of liability thereunder. The certificates and the policies shall be endorsed to provide the Town of Southampton, Town Hall, 116 Hampton Road, Southampton, New York 11968, with any notice of cancellation at least thirty (30) days prior

to the actual date of such cancellation. FAILURE TO MAINTAIN INSURANCE DURING THE TERM OF THE AGREEMENT SHALL BE GROUNDS FOR TERMINATION FOR CAUSE.

a) AUTOMOBILE POLICY - automobile coverage with limits of no less than $1,000,000.00 combined single limit, in addition to non-owned automobile and hired car coverage on the certificate of insurance. THE TOWN MUST BE NAMED AS ADDITIONAL INSURED ON THE CERTIFICATE OF INSURANCE.

b) GENERAL LIABILITY - Comprehensive general liability with limits of no less than $2,000,000.00 General Aggregate (for both bodily injury and property damage), $1,000,000.00 per occurrence. Coverage shall be issued on a per location and per project basis. In addition, said policy is to provide coverage for (i) premises operations; (ii) completed operations/products liability; (iii) explosion, collapse and underground (when required for Work to be performed underground); (iv) independent contractors; (v) broad form property damage; (vi) contractual liability; and (vii) personal injury liability. THE TOWN MUST BE NAMED AS ADDITIONAL INSURED ON THE CERTIFICATE OF INSURANCE.

c) OWNERS CONTRACTORS PROTECTIVE LIABILITY - An OCP policy with limits of $1,000,000.00 combined single limit, each occurrence, $2,000,000.00 General Aggregate. This insurance must fully cover the legal liability of the Town of Southampton, as Owner. CONTRACTOR SHALL FURNISH THE TOWN WITH THE ORIGINAL INSURANCE POLICY, WHICH WILL SUBSEQUENTLY BE FILED WITH THE OFFICE OF CONTRACTS ADMINISTRATION.

The coverage provided under this policy must not be affected if the Town performs work in connection with the project, either for, or in cooperation with, Contractor or as an aid thereto, whether the same be a part of the Contract or separate there from, by means of its own employees or agents, or if the Town directs or supervises the work to be performed by Contractor.

d) WORKERS COMPENSATION INSURANCE - Proof of Workers Compensation Insurance must be submitted to the Town on forms acceptable to the State Worker's Compensation Board as required under New York Law; specifically, C-105.2 form or if exempt on the CE-200 form. If you have questions please visit www.wcb.ny.gov.

Contractor shall maintain during the life of this Agreement, Workers Compensation for all its employees employed at the site of the project, and in case of any of the Work being sublet, Contractor shall require subcontractor similarly to provide Workers Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by Contractor.

e) DISABILITY BENEFITS LIABILITY INSURANCE - Proof of disability benefits liability insurance must be submitted to the Town on forms acceptable to the State Worker's Compensation Board as required by New York Law, specifically; DB-120.1 form or if exempt on the CE-200 form. If you have questions please visit www.wcb.ny.gov..

All certificates, binders and policies evidencing the above coverage shall stipulate that the Town of Southampton shall receive a thirty (30) day notice of cancellation should the same be cancelled. The named insured shall be "THE TOWN OF SOUTHAMPTON."

42. SUBCONTRACTORS

Before making any subcontract, the Contractor must submit a written statement to the Town giving the name and address of the proposed subcontractor, the portion of the work and materials which he is to perform and furnish, and any other information tending to prove that the proposed subcontractor has the necessary facilities, skill, integrity, past experience and financial resources to perform the work in accordance with the terms and conditions of this Contract.

If the Town finds that the proposed subcontractor is qualified, the Town will notify the Contractor. The Town may revoke its approval of a subcontractor when, in the Town's opinion, such subcontractor evidences an unwillingness or inability to perform his work in strict accordance with this Contract.

Any subcontractor should not begin to work on the services of this Contract until said subcontractor has been approved by the Town.

Contractor agrees that it shall accept full responsibility for the performance of any subcontractors. All provisions of this Contract apply equally to any subcontractors. The Contractor agrees to indemnify the Town as to the subcontractors in this Contract and will assure that the Town is protected from any liability that may occur as a result of the subcontractor's performance under this Contract. Nothing contained in the Contract documents shall create any contractual relationship between any subcontractor and the Town.

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GENERAL CONDITIONS (Continued)

1. **DEFINITIONS OF TERMS:** Whenever the following words and expressions are used in these Specifications, it is understood that they have the meaning defined below:

PLANS: All official drawings or reproductions of drawings, pertaining to the work or to any structure connected therewith.

SPECIFICATIONS: The body of directions, requirements, descriptions, etc. contained in this document, together with all documents of any description and agreements made (or to be made) pertaining to the methods of manner of performing the work and/or to the quantities and quality of materials to be furnished and accepted under this Contract.

TOWN: Shall mean Town Board, Town of Southampton.

CONTRACT: Collectively, the Contract executed by the Town and the Contractor, the Advertisement for Bids, the Instructions to Bidders, Proposal, these General Conditions, the Plans, Specifications, all Addenda, Performance Bonds, and all supplemental agreements made or to be made.

CONTRACTOR: The party of the second part hereto, whether corporation, firm or individual, or any combination thereof, and successor, personal representatives, executors, administrators and assigns, and any person, firm or corporation who or which shall at any time be substituted in place of the second part under this Contract.

INSPECTOR: Any authorized representative of the Town assigned to make any and all necessary inspections of the work performed and the materials furnished by the Contractor.

MATERIALS: Any approved materials acceptable to the Town and conforming to the requirements of these Specifications.

WORK: All of the work proposed to be accomplished at the various stages of the project, and all such other work as is, in any manner, required to accomplish the complete project. This includes all labor, materials, supplies, equipment and other facilities and acts necessary or proper for or incidental to the carrying out and completion of the terms of the Contract. The term "work performed" shall be construed to include material delivered to and suitably stored at the site of the project.

GENERAL CONDITIONS (Continued)

2. STANDARDS OF WORKMANSHIP: The apparent silence of the Specifications as to any detail or the apparent omission from them of a detailed description concerning any work to be done and materials to be furnished shall be regarded as meaning that only the best general practice observed in the latest current construction work is to prevail and that only material and workmanship of first quality is to be used in this connection, and all interpretations of these Specifications shall be made upon this basis.

3. SAMPLES: The Contractor shall furnish for approval, all samples as directed. The work shall be in accordance with approved samples.

Samples shall be submitted in ample time so as to prevent delay in fabrication or ordering of materials, allowing for a reasonable time for the Town to consider the samples submitted and, if necessary, to permit a resubmission of samples to the Town until approval is given.

Work and material shall be furnished and executed in accordance with approved samples in every aspect. Each sample shall be labeled, bearing material, and name and quality, contractor's name, date, and other pertinent data. Unless otherwise specified, samples shall be in duplicate and of adequate size to show quality, type, color, range and finish and texture of material. Materials shall not be ordered until approval is received in writing from the Town.

4. MANUFACTURED MATERIALS: Where several materials are specified by name, the Town shall have the right, before execution of the Contract, to require any and all bidders to state the materials upon which they based their bid. Where any materials are specified by name or trade name, or by catalog number of a company or companies, the Contractor shall furnish the article mentioned, unless approval of the Town is obtained in writing for a substitution. Should the Contractor desire to substitute another material for one or more specified by name, he shall apply in writing for such permission and state credit or extra involved. He shall also provide supporting data and samples for Town's consideration.

Unless particularly specified otherwise, all manufactured articles, materials and equipment shall be applied, assembled, installed, connected, erected used, cleaned and conditioned as directed by the manufacturer and including the necessary preparation to properly install the work. Where reference is made to manufacturer's directions, the Contractor shall submit such directions to the Town as required.

The materials used in construction shall be disposed as not to endanger the work and so that full access may at all times be had to partly completed work and structures, and shall be so disposed as to cause no injury to those having access to the work.

GENERAL CONDITIONS (Continued)

4. MANUFACTURED MATERIALS: (Continued)

All labor shall be performed in the best and most workmanlike manner by mechanics skilled in their respective trades. Standards of work required throughout shall be of such grades as will bring results of first class only. The type of labor employed by the Contractor shall be such as will insure the uninterrupted continuity of the entire work, without conflict of any kind.

5. LABORATORY: Laboratories shall be designated by the Town for testing the materials to be used under the Contract. Where tests are made by other than the designated laboratories, two certified copies showing correctly the chemical analysis and physical tests shall be furnished to the Town.

6. SHOP DRAWINGS: The Contractor shall submit to the Town four (4) copies of all shop drawings and schedules and no work shall be fabricated until its approval has been given. All shop drawings submitted to the Town must bear the Contractor's stamp of approval evidencing that the drawings have been checked.

The Contractor will make any corrections in the drawings required by the Town and will file with the Town four corrected copies. Approval by the Town of such drawings or schedules shall not relieve the Contractor from responsibility for (a) errors of any sort in shop or setting drawings or schedules; or (b) deviations from Plans and Specifications unless the Contractor, at the time of submission of said drawings and schedules, has given notice to the Town of any such deviations.

7. PERMITS:

7.1 Town of Southampton: All work in connection with the installation of pipes or other underground structures of a like nature either within or without the limits of the highway, shall follow all the provisions as contained herein together with the provisions, as they apply, of the Highway Law, with all subsequent changes, additions or corrections thereto. All NYSDEC permits pursuant to Article 23 and Article 24 shall be obtained by the Town and provided to the Contractor for his records and use.

7.2 Suffolk County: All permits required for opening County roads will be obtained by the TOWN OF SOUTHAMPTON with the aid of the Contractor. A copy of the permit which must be kept on the job at all times will be supplied to the Contractor. The Contractor will not be permitted to open any County road until he has received the appropriate permit.

GENERAL CONDITIONS (Continued)

7.3 State of New York: The Contractor shall obtain all necessary New York State Highway permits whenever the Contractor requires any work to be done within or upon existing State Highway right-of-ways. These permits shall be obtained from the District Office in Hauppauge prior to the performance of the work. Upon application for the permit, the Contractor will be required to supply the following:

(1) Three (3) copies of a sketch or print showing description and location of the proposed work. These prints will be supplied to the Contractor by the Town.

(2) Contingent liability insurance for the State (in addition to his own liability insurance) shall be furnished in amounts and manner as required by the State of New York. The contingent protective liability and completed operations liability insurance policy to cover:

"The people of the State of New York and/or the Town of Southampton and its employees covering liability arising with respect to all operations through highway permits by permittee or by anyone acting by, through or for the permittee, including omissions and supervisory acts of the State", in the amount of person injury (including death) and property damage as required.

8. PLANS AND SPECIFICATIONS: Contractor will be furnished with five sets of plans and specifications giving all the details and dimensions necessary for carrying out the work. One copy of the plans and specifications furnished to the Contractor must be kept constantly on the site. Anything shown on the plans and not mentioned in the specifications, or mentioned in the specifications and not shown on the plans, and all the work and materials necessary for the completion of the work according to the intent and meaning of the Contract shall be furnished, performed, and done, as if the same were both mentioned in the specifications and shown on the drawings. Any conflict or inconsistency between the plans and specification, or any discrepancy between the figures and scale of drawings shall be submitted by the Contractor to the Town, whose decision thereon shall be conclusive.

In the event the meaning of any portion of the specifications or drawings or any supplementary drawings or instructions of the Town is doubtful, the same shall be understood to call for the best type of construction, both as to materials and workmanship, which reasonably can be interpreted.

All materials and workmanship must be strictly in accordance with the specifications.

The plans show the approximate size, arrangement and location of the proposed work. During construction, the Town will give exact lines, grades, shapes and dimensions, and the Contractor shall construct the work exactly in accordance with such instructions of the Town, subject, however, to change as provided for under the headings, "Changes in Plans and Specification" and "Extra Work".

Additional copies of plans and specifications, when requested, will be furnished to the Contractor at cost of reproduction.

The Contractor shall furnish to each of the subcontractors and material men, such copies of the Contract documents as may be required for their work.

GENERAL CONDITIONS (Continued)

9. WORK ORDER: Should conditions warrant drainage design changes, the Town shall authorize any or all changes in the Contractor's scope of work through the issuance of Work Orders. The costs for either additions or deductions to the approved scope of work authorized by the Work Order shall be based on the Unit Costs identified by the Contractor in his Proposal.

10. CUTTING, PATCHING AND DIGGING: The Contractor shall do all cutting, fitting or patching of his work that may be required to make its several parts come together properly and fit it to receive or be received by work of other contractors shown upon, or reasonably implied by, the drawings and specifications for the completed structure, and he shall make good after them as the Town may direct.

Any cost caused by defective or ill-timed work shall be borne by the party responsible therefore.

The Contractor shall not endanger any work by cutting, digging, or otherwise, and shall not cut or alter the work of any other contractor save with the consent of the Town.

11. ERRORS, OMISSIONS AND DISCREPANCIES:

A. If any errors, omissions or discrepancies appear in the drawings, specifications or other documents, the contractor shall, within ten days from receiving such drawings, specifications or documents, notify the Town in writing of such errors or omissions. In the event of the Contractor's failing to give such notice, he will be held responsible for the results of any such errors or omissions and the cost of rectifying the same.

B. If, in the opinion of the Contractor, any work is shown on drawings, or in details, or is specified in such a manner as will make it impossible to produce a first class piece of work, or should discrepancies appear between the drawings and/or specifications, he shall refer the same to the Town for interpretation before proceeding with the work. If the Contractor fails to make such references to the Town, no excuse will thereafter be entertained for failure to carry out the work in a satisfactory manner as directed.

C. Should a conflict occur in or between the drawings and specifications and/or existing conditions, the Contractor shall be deemed to have estimated on the more expensive way of doing the work, unless he shall have asked for and obtained a decision in writing from the Town, before the submission of bids, as to which method or materials will be required. The Town will determine which method or material will produce the results to the best interest of the Town.

12. TEMPORARY TOILET: The Contractor shall provide and maintain a sanitary temporary toilet where directed by the Town. The temporary toilet shall be enclosed and weatherproof and kept in a sanitary condition at all times. Upon removal of the temporary outside toilet, the vault shall be disinfected, filled and all evidence of the toilet removed from the site.

GENERAL CONDITIONS (Continued)

13. PROPER METHOD OF WORK AND PROPER MATERIALS: The Town shall have the power in general to direct the order and sequence of the work, which shall be such as to permit the entire work under this Contract to be begun and to proceed as rapidly as possible, and such as to bring the several parts of the work to a successful completion at about the same time.

If at any time before the commencement or during the progress of the work the materials and appliances used or to be used appear to the Town as insufficient or improper for assuring the quality of the work required, or the required rate of progress, the Town may order the Contractor to increase their efficiency or to improve their character, and the failure of the Town to demand any increase of such efficiency or improvement shall not release the Contractor from his obligation to secure the quality of work or the rate of progress specified.

During freezing or inclement weather, no work shall be done except such as can be done satisfactorily and in a manner to secure first class construction throughout. All work shall be done in such a manner as will properly protect and support existing permanent structures, pipe lines, etc.

14. INSPECTION: Inspectors shall be authorized to inspect all work done and materials furnished. Such inspections may extend to all parts of the work, and to the preparation or manufacturer of the materials to be used. In case of any dispute arising between the Contractor and the Inspector as to materials furnished or the manner of performing the work, the Inspector shall have the authority to reject material or suspend the work until the question at issue shall be referred to and decided by the Town. The Inspector shall not be authorized to revoke, alter, enlarge, relax or release any requirements of these specifications, nor to approve or accept any portion of the work, or to issue instructions contrary to the plans and specifications. The Inspector shall in no case act as foreman or perform other duties for the Contractor, or interfere with the management of the work by the latter. Any advice which the Inspector may give the Contractor shall in no way be construed as binding the Town in any way, nor releasing the Contractor form the fulfillment of the terms of the Contract.

The Contractor shall be conclusively presumed to be acquainted with all existing conditions and to guarantee that all work and materials shall, upon final completion of the work, be turned over to the Town in a complete and perfect condition and he shall be responsible for the proper care, maintenance and protection of all work and materials until his entire Contract is completed and all work and materials found in good condition and accepted. The Contractor will be held responsible for the entire work until completed and accepted by the Town.

The Contractor shall, at all times, provide the Town's assistants and inspectors under him with necessary facilities for determining both on the work and at the places of manufacture, that all work being performed and all materials being manufactured are strictly in accord with the Contract.

Until acceptance of the work by the Town, the Contractor shall be responsible for all damage to the work including action of the elements or any other cause whatsoever. The Contractor shall continuously and adequately protect the work against damage from any cause.

GENERAL CONDITIONS (Continued)

15. WAIVER: Neither the inspection by the Town or any of its employees, nor any order, measurement or certificate by the Town, nor any order by the Town for the payment of any money, nor any payment for, or acceptance of the whole or any part of the work by the the Town, nor any extension of time, nor any possession taken by the Town or its employees, shall operate as a waiver of any provisions of this Contract, or of any power herein reserved to the Town, or any right to damages herein provided; nor shall any waiver of any breach of the Contract constitute a waiver of any subsequent breach. Any remedy provided in this Contract shall be construed as cumulative; that is, in addition to each and every remedy herein provided.

16. WATER AND ELECTRIC POWER: All water and electric power supply for construction purposes must be provided by the Contractor. The cost shall be borne by the Contractor.

17. MACHINERY AND EQUIPMENT: All machinery, equipment, trucks and vehicles used in the prosecution of the work or in connection therewith, shall at all times be in proper working condition.

The Contractor shall be responsible for curtailing noise, smoke, fumes or any other nuisance resulting from his operations. He shall, upon written notification from the Town, make any repairs, replacements, adjustments, additions and furnish mufflers when necessary to fulfill these requirements.

18. MAINTENANCE: If, within one year from the date of issuance of the Final Certificate, any portion of the work shall, in the opinion of the Town, require repairing, replacing, or rebuilding, the Contractor shall start such repairs within five (5) days after the receipt of notice from the Town and if the Contractor shall fail or neglect to start such repairs within the said five (5) days, the Town may employ such other person or persons as they deem proper to make such repairs and pay the expense thereof out of any sum retained by them, provided nothing herein contained shall limit the liability of the Contractor or his Surety to the Town for nonperformance of the Contractor's obligations at any time.

19. SCHEDULE OF OPERATIONS: Within five (5) days after receiving each work order from the Town, the Contractor shall submit a proposed program of operations, showing clearly how he proposed to conduct the work so as to bring about the completion of his work within the time limit ordered by the Town. This program shall outline the proposed sequence of operations, the rates of progress and the dates when his work will be sufficiently advanced to permit the installation of work under this Contract.

20. RIGHT TO USE WORK: The Town may enter upon and use the whole or any portion of the work which may be in condition to use at any time previous to its final acceptance by the Town. Such use shall not constitute or be evidence of acceptance by the Town of the whole or any part of the material furnished or work performed under the Contract.

21. NOTICE OF WARNING: If the Contractor shall fail to make prompt payment to persons supplying labor or materials for the work, or refuse or fail to supply enough properly skilled workmen or proper materials or refuse or fail to prosecute the work or any part thereof with such diligence as will insure its completion within the period herein specified (or any duly authorized extension thereof) or fail to complete the work within said period or fail or refuse to

GENERAL CONDITIONS (Continued)

regard laws, ordinances, codes, instructions of the Town, then the Town shall forward by registered mail to the Contractor, at the address given in the Contract, a Notice of Warning and in the event the Contractor fails to comply with said Notice of Warning within five (5) days from receipt thereof, the Town shall have the right to terminate the Contract.

22. WARNING SIGNS: Contractor shall provide and maintain proper luminous warning and detour signs where directed by the Town.

Obstruction such as stored materials, equipment and which excavations shall be marked with not less than two lights shall be no more than 4 feet apart. All lights shall be kept burning from one-half hour before sunset to until one-half hour after sunrise.

23. ACCIDENT PREVENTION: During the performance of the work, the Contractor shall exercise all reasonable precautions for the protection of persons and property. The safety provisions of applicable laws, building and construction codes shall be observed. Machinery, equipment and all other physical hazards shall be guarded in accordance with the safety provision of the Manual of Accident Prevention in Construction published by the Associated General Contractors of America, to the extent that such provisions are not inconsistent with Federal, State or Municipal laws or regulations. If any operation, practice or condition is deemed by the Town to be unsafe, the Town shall notify the Contractor in writing to take corrective action, and to promptly discontinue such operation, practice or condition until such remedial action is taken.

The Town reserves the right to remedy any neglect on the part of the Contractor as regards the protection of the work which may come to its attention, after 24 hours notice in writing; except that in cases of emergency, it shall have the right to remedy any neglect without notice, and in either case to deduct the cost of such remedy from money due the Contractor.

Nothing in the foregoing paragraphs shall be construed as relieving the Contractor from full responsibility at all times for safe prosecution of the work.

24. DAMAGES: The Contractor shall pay and make good all losses or damages arising out of any cause connected with the Contract and shall indemnify and save harmless the Town from any and all claims and any and all liability or responsibility of every nature and kind for any loss, damage or injury which may be brought against the Town or any of its officers, or agents, by reason of, or connected with the work or materials furnished under the Contract and shall pay all costs and expenses of every kind, character, and nature whatever, accruing upon or arising out of the Contract, provided that any such claim, damage, loss or expense:

(a) is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property, other than the work itself, including the loss of use resulting there from and

(b) is caused in whole or in part by any negligent act or omission of CONTRACTOR, and any subcontractor, anyone directly or indirectly employed by any of them or anyone for whose acts, any of them may be liable, regardless of whether or not it is caused in part by a party indemnified hereunder.

GENERAL CONDITIONS (Continued)

This indemnification obligation shall not be limited in any way by limitation on the amount or type of damages, compensation or benefits payable by or for CONTRACTOR or any subcontractor under workmen's compensation acts, disability benefit acts or other employee benefit acts.

25. MAINTENANCE OF TRAFFIC: All work under this Contract is to be completed within the time indicated in the Contract Agreement or as extended by the Town. If in the meantime it should become necessary, because of the lateness of the season, or any other reason, to stop the work, the Contractor shall at his own expense, secure all open structures and excavations,, erect temporary structures where necessary, set up and maintain a competent organization as directed by the Town, and take every precaution to prevent any damage or unreasonable deterioration of the work during the time it is closed.

26. FINAL SITE CLEANING: Before final payment will be approved, the Contractor shall prepare the construction area as follows: The project site shall be cleaned free from accumulated forms, excavation fill, construction materials and construction shanties, etc., and all proper restoration as called for in the items of the Specifications shall be complete in every detail. All areas shall be completed in every detail and shall be broom cleaned from excess dirt and materials.

27. PROTECTION OF LAND MARKERS, TREES, SHRUBS AND PROPERTY: Whenever in the conduct of the work, a monument marking a point of public or private survey is encountered or brought to view by excavation, the fact shall at once be communicated to the Town.

IN NO CASE shall the Contractor remove the same until the location for resetting shall have been made by the Town. All monuments or land marking exposed to view when the work is first undertaken shall be carefully preserved and at the greatest care exercised to prevent injury to or disturbance of position of the same.

The unit price of all items shall include the cost of restoring to its former condition any sidewalks or curbs, as well as restoring any trees, shrubs or lawns that may be damaged during this construction. No additional payment will be made.

The Contractor is required at his own expense to obtain any and all permits for use of private property if he uses such property for storage, transportation or accomplishment of the work under this Contract. Private property shall be cleaned up neatly, any damage repaired and premises restored to their original condition.

28. PROTECTION OF UTILITIES: The Contractor shall familiarize himself with the existence of structures of municipal and other public service corporations or to adjoining the site of the work, and give reasonable opportunity to and cooperation with the Town of these utilities in the work or reconstructing or altering them. Such reconstruction and alteration shall be so conducted as to delay or interfere as little as practicable with the work of the Contractor. Any additional cost of various items of work because of these utilities shall be included in the price bid for these items.

GENERAL CONDITIONS (Continued)

The Town shall direct the public utility corporations to shift or remove those utility structures that may be necessary to permit the Contractor to carry out the work in accordance with the Plans. The Contractor shall not remove or cause to be removed, any structure or part of a structure owned by a public utility corporation without the approval of the Town.

The Contractor shall cooperate with the public utility corporation whose structures (aerial, surface or subsurface) are within the limits of or along the outside of the right-of-way, to make it possible for them to maintain uninterrupted service. The Contractor shall conduct his operations in such a way as to delay or interfere as little as practicable with the work of the utility corporation.

29. SPECIAL PERMIT CONDITIONS: The contractor shall strictly adhere to the following special conditions; the cost of such shall be included in the unit price of other items. The contractor shall be required to have a copy of all issued permits. The Town shall provide a copy of permits obtained by the Town of Southampton to the contractor.

A. SPECIAL CONDITIONS:

1. Construction Operations

During construction, concrete or leachate shall not escape or be discharged, nor shall washings from transit mix trucks, mixers, or other devices enter protected buffer areas.

Any debris or excess material from construction of this project shall be completely removed from the project area and removed to an approved disposal area. No debris is permitted in protected buffer areas.

There shall be no disturbance to protected buffer areas as a result of the permitted activity.

2. Erosion/Sediment Control

All areas of soil disturbance resulting from this project shall be stabilized immediately following project completion or prior to permit expiration, whichever comes first. The approved methodology consists of stabilization of the entire disturbed area with appropriate vegetation (grasses, etc.).

The storage of construction equipment and materials shall be confined to within the project work site and or upland areas as identified on the Site Plan.

During excavation and grading operations, soil shall not be placed in, graded toward, or allowed to enter any adjacent wetland or water body.

A continuous row of staked hay bales or silt curtains shall be installed at the perimeter of the project area. The bales shall be maintained until all bare soil is stabilized with vegetation.

Prior to commencement of any construction activities, a continuous line of silt screen (maximum opening size of U.S. Sieve #20) shall be staked along the perimeter of the project area. The screen shall be maintained, repaired and replaced as often as

GENERAL CONDITIONS (Continued)

necessary to ensure proper function, until all disturbed areas are permanently vegetated. Sediments trapped by the screen shall be removed to an approved disposal location before the screen is removed. Silt screen shall be recessed six (6) inches into the ground.

Any excess materials shall be removed from the site.

CONTRACT SIGNATURE FORM

CONTRACT DATED 9/24/13, 2013

BY AND BETWEEN THE TOWN OF SOUTHAMPTON ("TOWN") AND

DRC Emergency Services, LLC. 740 Museum Drive Mobile, Al 36608, ("CONTRACTOR").

WITNESSETH, that the Town and the Contractor, in consideration of the promises and of the mutual covenants, considerations, and agreements contained herein, agree as follows:

The Notice to Bidders, Instructions to Bidders, Proposal Form, Form of Bond, Conditions of Contract, General Conditions, Specifications, Form of Contract, Construction Drawings, and Plans, together with any Addenda, shall form part of this Contract, and the provisions thereof shall be as binding upon the parties hereto as if they were herein fully set forth. The table of contents, title heading, headlines, and marginal notes contained herein are solely to facilitate reference to various provisions of the Contract Documents and in no way affect, limit, or cast light upon the interpretation of the provisions to which they refer. Whenever the term "Contract Documents" is used, it shall mean and include the Notice to Bidders, Instructions to Bidders, Proposal Form, Form of Bond, Conditions of Contract, General Conditions, Specifications, Form of Contract, Construction Drawings, and Plans, and any Addenda. In case of any conflict or inconsistency between the provisions of the Conditions of Contract and those of the Specifications, the provisions of the conditions of this Contract shall govern.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals, and such of them as are corporations have caused these presents to be signed by their duly authorized officers.

NOTE: Quantities of any or all items may be increased, decreased, or eliminated in their entirety at the option of the Town prior to or after award of the Contract.

Total Bid

Five Hundred, Four Thousand, Eight Hundred and Four Dollars and 92/100

(written in words)

$504,804.92

(written in figures)

By: _____

SUPERVISOR, TOWN OF SOUTHAMPTON

By: _____

CONTRACTOR

CONTRACT SIGNATURE FORM

STATE OF NEW YORK)
) ss
COUNTY OF SUFFOLK)

On the 24th day of September, 2013 before me personally appeared

Anna Throne-Holst,

SUPERVISOR, TOWN OF SOUTHAMPTON

the duly elected and qualified Supervisor of the Town of Southampton, the municipal corporation described in and which executed the foregoing instrument; to me known and known to me to be such Supervisor of the Town of Southampton; and she being by me duly sworn did depose and say: that she is the Supervisor of the Town of Southampton; that she resides at Sag Harbor, Suffolk County, New York; that this Contract was executed pursuant to authorization of the Town Board of said corporation; and that she signed her name thereto in like order.

NOTARY PUBLIC

Allison Mancuso
Notary Public, State of New York
No. 01MA6110871 Suffolk County
Comission Expires June 1, 16

Acknowledgement by a Contractor if an INDIVIDUAL

STATE OF NEW YORK)
)ss
COUNTY OF SUFFOLK)

On the ____ day of _____, 2013, before me personally appeared

_____, to me known to be the person described in and who executed the foregoing instrument and who acknowledged to me that he executed the same.

NOTARY PUBLIC

CONTRACT SIGNATURE FORM

Acknowledgement by a Contractor if a PARTNERSHIP

STATE OF NEW YORK)
)ss
COUNTY OF SUFFOLK)

On the ____day of _____, 2013, before me personally appeared _____, to me known and known to be to be a member of _____, the firm described herein and which executed the foregoing instrument, and he acknowledged to me that he subscribed the name of said thereto on behalf of said firm for that purpose therein mentioned.

_____

NOTARY PUBLIC

Acknowledgement by a Contractor if a CORPORATION, limited Liability Company

STATE OF ~~NEW YORK~~ Alabama
)ss
COUNTY OF ~~SUFFOLK~~ Mobile

On the 17th day of Sept., 2013, before me personally appeared Gerald Lee Busby, to me known, who being by me duly sworn, did depose and say that he resides at 740 Museum Drive, in the County of Mobile, State of Alabama, that he is the President of DRC Emergency Services, LLC, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Erika M H

NOTARY PUBLIC
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Apr 13, 2014

SCOPE OF WORK

FOR DEBRIS REMOVAL

RELATED TO NATURAL DISASTERS
IN TOWN OF SOUTHAMPTON, NEW YORK

UNIT PRICE BY TONNAGE AND/OR CUBIC YARDS (CY)

1.0 GENERAL.

The purpose of this contract is to remove and dispose of all eligible debris from the Town of Southampton, New York, Rights-of-Way (ROW) and Town owned property. The area to be included as part of this contract is located within the limits of the Town of Southampton excluding incorporated Villages as shown on the attached drawings. This contractual agreement DOES NOT include Private Property Disposal & Removal (PPDR).

Contractors have to be in conformance with regulations which are published in 44 Code of Federal Regulations (CFR), Parts 1.3 and 206.

The Contractor shall provide for debris removal and disposal of all eligible debris from the Town of Southampton, Suffolk County, New York State ROW and Town owned property.

The debris shall be taken to an approved staging site(s) indicated on the attached maps. All necessary permits for the staging sites (any damage cause to Town's staging areas caused by Contractor, shall be cured at the Contractor's sole cost and expense)shall be obtained by the Town, all necessary transportation permits shall be obtained by the Contractor prior to commencement of this contract.

The estimated amount of debris to be removed under this contract is shown on the individual bid schedules, however, the Town does not guarantee any amount of work and/or quantities under this contract. The unit price on the individual bid schedules will be used for payment.

The Contractor shall document the current conditions of all roadways, sidewalks and all structures to remain in the debris removal area. In addition, all roadways along the haul routes shall be documented. A representative of the Town shall be present during this inspection. The Contractor shall provide photographic and/or video documentation. The documentation shall be submitted to the Town prior to beginning the work.

Haul and Dispose. The work shall consist of clearing, separating different forms of waste, mainly brush, leaves, construction and demolition debris (C&D as authorized by Town) and removing any and all eligible debris (see definitions of eligible debris) from public property only, including ROW of streets and roads. Work shall include: 1) Contractor shall under the direction of the Town cut trees that are leaning more than 30 degrees out of plumb either at the base if on the TOS ROW, or at the property line if the base is on Private Property; 2) Contractor shall under the direction of the Town cut tree limbs on the tree and in the crown that are hanging and causing a direct danger located on Town Property; 3) Examining and sorting debris to determine whether or not debris is eligible; 4) loading and sorting the debris; 5) hauling the eligible debris to an approved staging site(s). Ineligible debris shall not be loaded, hauled, or

dumped under this contract. The TOWN representative (TOS) shall be immediately notified of any ineligible debris placed at the right of way for collection. The Contractor is liable for all ineligible debris handled during the life of this contract.

Any TOS authorized construction and demolition debris shall be location documented, loaded, and hauled to the North Sea Transfer Station.

The Contractor shall make a maximum of three passes. The Contractor shall leave a minimum of one weekend between each pass. The Contractor shall not move from one designated work area to another designated work area without prior approval from the TOS.

Any eligible debris, such as fallen trees, which extend onto the ROW from private property, shall be cut at the point where it enters the ROW. Only that part of the debris that lies within the ROW shall be removed. The Contractor shall not enter onto private property during the performance of this contract. Hazardous limbs are considered eligible debris and are defined as limbs greater than two inches in diameter that are still hanging in the tree and are threatening a public use area, such as a trail, sidewalk, road, etc. Trees in the public ROW with more than 50% of the crown broken are eligible debris and shall be removed. Holes present as a result of uprooted trees in the public ROW shall filled to ground level. Work authorized to remove hazardous limbs shall be signed off prior to removal by the TOS.

Contractors shall note that a portion of the project will occur in residential areas. The contractors should exercise due care to minimize any damages to trees, shrubs, landscaping and general property. The contractor shall repair any damages caused by the contractor's equipment in a timely manner at no expense to the TOS. The debris work area shall be left clear of debris and clean, as reasonably and practical under the conditions of this project.

The contractor shall use equipment and perform work in a manner to prevent damages to TOS's infrastructure facilities and adjacent ROWs, including all landscaped areas. The contractor shall repair any damages caused by the contractor's equipment in a timely manner at no expense to the TOS. All tracked equipment shall be approved by the TOS prior to use. All loading equipment is required to operate from the street/road using buckets and/or boom and grapple devices to remove and load the debris. Any damage to private property, sidewalks, curbs, or streets shall be repaired at the expense of the contractor.

The Contractor shall conduct the work so as not to interfere with the disaster response and recovery activities of federal, state, and local governments or agencies, or of any public utilities.

The Town and Federal Government reserves the right to inspect the site, verify quantities and review operations at any time.

All work shall be accomplished in a safe manner in accordance with TOS and OSHA standards.

2.0 LOAD TICKETS

Load Tickets shall be used for recording the load information of debris removed for disposal. Load tickets shall be furnished by the TOS. The load ticket numbers shall be sequentially

numbered. The load tickets shall be a minimum of four-parts. An example load ticket is included as an attachment.

Each ticket shall contain the following information:

- Ticket Number
- Contract Number
- Date
- Contractor Name
- Truck/Tractor No. and Trailer/Roll-off Number
- Point of Debris Collection
- Loading Departure Time/Inspector
- Dump Arrival Time/Inspector
- Debris Weight
- Tare Weight
- Truck Driver
- Debris Classification
- Dumpsite
- Debris Eligibility (Y/N)

A minimum four-part load ticket will be issued by a TOS monitor prior to transport of the debris from the loading site. The entire four-part load ticket is given to the vehicle operator. Upon arrival at the TOS authorized Staging Site(s), the vehicle operator shall give the entire four-part load ticket to the TOS monitor. The TOS monitor will verify the hauler and equipment and establish a weight and/or volume of the eligible debris load. After documenting this data on the load ticket, the TOS monitor will give one copy to the vehicle operator. One copy is then given to the contractor, the original is kept by the TOS monitor and the fourth copy shall be retained for submission to FEMA. The original weigh/volume ticket generated at the certified scales shall be attached to the original load ticket. Both the load ticket and the weigh ticket will be submitted with the daily report.

3.0 DEBRIS CLASSIFICATION

3.1 Eligible Debris. Eligible debris is considered all storm related vegetative debris located within the right of way and TOS owned properties and defined below.

Storm related brush, tree trunks, and hazardous stumps are considered eligible debris.

3.2 Authorized Debris.

- Clean Vegetative Debris
- Construction and Demolition Debris
- Scrap Metal & Appliances/White Goods (Stoves, Washers, Dryers, etc. – Units without Freon)
- Bulk (Household Goods/Furniture)
- Electronics

Authorized debris is considered storm related debris located within the right of way and TOS owned properties and shall be authorized in a written form by the TOS. Authorized debris shall be transported in dedicated trucks by type to the Staging Site.

4.0 PERFORMANCE SCHEDULE

The Town shall notify low bidder(s) by award resolution of the Town's intent on utilizing contractor(s) in the event of a major disaster / storm. Following a storm, the Town shall provide a Notice to Proceed in writing to the Contractor(s) for Debris Removal. Notice to Proceed will be provided to the chosen contractor by Director of Municipal Works within 24 hours of the Supervisor's Declaration of a State of Emergency shall include information on the Contract Award, Town of Southampton, and anticipated start time and reporting details.

Prior to commencing debris removal operations a contractor shall, with the TOS's direction, provide a work plan showing where operations will begin and which streets/roads will be cleared on a 7 and 14 day projection. The plan shall be updated every Monday.

All activity associated with debris operations shall be performed during working hours of 7:00 am to 4:30 pm. The contractor may work 5 days per week, excluding holidays.

Maximum allowable time for completion will be 60 calendar days, unless the TOS initiates additions or deletions to the contract by written change orders. Both parties pursuant to applicable county, state and federal law will equitably negotiate subsequent changes in cost and completion time.

5.0 EQUIPMENT.

All trucks and other equipment shall be in compliance with all applicable federal, state, and local rules and regulations. All trucks and other equipment must be equipped with backup alarms. Any truck used to haul debris must be capable of rapidly dumping its load without the assistance of other equipment. Sideboards or other extensions to the bed are allowable provided they meet all applicable rules and regulations, cover the front and both sides, and are constructed in a manner to withstand severe operating conditions. The sideboards are to be constructed of 2" by 6" boards or greater and not extend more than two feet above the metal bedsides. All extensions are subject to acceptance or rejection by the TOS. The contractor shall provide means to rapidly unload any trailer that does not have a means for dumping. All trailers shall have a metal-framed exterior and a minimum of 5/8" plywood (not wafer board) interior walls. All equipment used to haul debris shall be equipped with a tailgate that will effectively contain the debris during transport and permit the truck to be filled to capacity. **Plastic webbing is not acceptable for a tailgate.** All hauling equipment shall be weighed and marked for its tare weight. The Contractor is responsible for ensuring all loading and transport equipment complies with state and local laws. The Contractor prior to use will inspect all equipment. The TOS will provide a form for this purpose. **Vehicles shall not be physically altered after Truck Certification Form and Initial Weigh determination in any way that would affect either the vehicle empty weight and/or the volumetric capacity of the vehicle. Any vehicles determined to be altered to the advantage of the Contractor shall not continue work under this contract. Multiple instances (more than 3) of this** violation may lead to termination of the contract.

Trucks and other heavy equipment (including Trailer and/or Rolloff) designated for use under this contract shall be equipped with two signs, one attached to each side. These signs shall be furnished to the Contractor(s). The signs remain the property of the TOS, and will be returned to

the TOS at the conclusion of the contract. Magnetic signs are not permitted. Vinyl graphics are permitted. The signs shall contain the following information:

- Company Name
- Truck /Tractor Number
- Trailer/Rolloff No.
- Tare
- Inspected by and Date

An example sign is included as an attachment.

Prior to commencing debris removal operations, the Contractor shall present to the TOS's all trucks, trailers, or containers that will be used for hauling debris. Each truck or trailer shall be weighed to determine the tare weight. Each truck or trailer shall be numbered and clearly display the tare weight for identification with a permanent marking. The TOS may, at any time, request that the trucks be re-weighed. The Contractor shall notify the each time a new truck, trailer or container is to be used under this contract.

Trucks or equipment, which are designated for use under this contract, shall not be used for any other work during the working hours of this contract. The Contractor shall not solicit work from private citizens or others to be performed in the designated work area during the period of this contract. Under no circumstances will the Contractor mix debris hauled for others with debris hauled under this contract.

Loading equipment used under this contract shall be rubber tired and sized properly to fit loading conditions. Excessive size loading equipment (6 CY and up) and non-rubber tired equipment must be approved by the TOR.

6.0 REPORTING

The Contractor shall submit a report to the TOS during each day of the term of the contract. A sample daily operational report is attached. Each report shall contain, at a minimum, the following information:

- Contractor's Name
- Contract Number
- Crew/Truck
- Location of work
- Day of Report
- Daily and cumulative totals of debris removed, by category
- Weekly Payroll Affidavit

Discrepancies between the daily report and the corresponding weigh tickets shall be reconciled no later than the following day.

7.0 OTHER CONSIDERATIONS

The Contractor shall supervise and direct the work, using skillful labor and proper equipment for all tasks. Safety of the Contractor's personnel and equipment is the responsibility of the Contractor. Additionally, the Contractor shall pay for all materials, personnel, taxes, and fees necessary to perform under the terms of this contract.

The Contract shall submit with his/her bid a completed Proposal Evaluation Criteria as attached to these specifications. This shall be reviewed and considered to determine the lowest responsible bidder. The Contractor shall be duly licensed in accordance with the city's, state's and county's statutory requirements to perform the work.

The Contractor shall be responsible for taking corrective action in response to any notices of violations issued as a result of the Contractors or any subcontractors' actions or operations during the performance of this contract. Corrections for any such violations shall be at no additional cost to the TOS.

The Contractor shall be responsible for control of pedestrian and vehicular traffic in the work area. The Contractor shall provide all flag persons, signs, equipment, and other devices necessary to meet federal, state, and local requirements. The traffic control personnel and equipment shall be in addition to the personnel and equipment required in other parts of this contract. At a minimum, one flag person should be posted at each approach to the work area. Work shall be accomplished in a safe manner in accordance with TOS and OSHA standards.

The TOS is responsible for obtaining all applicable environmental and regulatory permits prior to the contractor commencing operations.

The Contractor is responsible for dust control. The Contractor shall be in compliance with all state and local laws for dust control.

The TOS may suspend contractor operations due to inclement weather. The performance period may be extended for weather delays.

For timeliness, the Contractor shall employ as many local residents and subcontractors as possible as part of this contract.

8.0 FINAL DISPOSITION

The method of final disposal will be determined by the TOS. Landfill disposal fees are the responsibility of the TOS.

9.0 MEASUREMENT

Measurement for all debris removed will be by the ton and/or cubic yard or each for stumps as determined by the eligible debris delivered to the certified scale or the staging station (minus the tare weight, as supported by the weigh or measurement ticket. Measurement shall be documented by the weight ticket or percentage full of certified volumetric capacity.

certifications with the TOS's authorized agent including acceptable evidence of the satisfaction of all claims or liens.

12.0 CHANGES, ADDITIONS, DEDUCTIONS, AND EXTRA WORK

Upon proper action by the Town of Southampton Town Board the TOS authorized agent(s) may authorize changes, additions or deductions from the work to be performed by written notice to the Contractor. No extra work shall be done or any obligation incurred except upon written order by the TOS authorized agent. If any change causes an increase or decrease in the Contractor's cost of, or the time required for, the performance of any part of the work under this contract, the TOS authorized agent, with Town of Southampton Town Board concurrence, shall make an equitable adjustment and modify the contract in writing.

13.0 TERMINATION OF CONTRACT

This contract may be terminated at any time for the convenience of the TOS. The TOS agrees to pay the contractor for all work completed through the termination date, as well as any demobilization costs that were a part of the original contract.

This contract shall be terminated for cause if the Contractor defaults in the performance of any of the terms hereof, including but not limited to: unsatisfactory job performance or progress, defective work, disputed work, failure to comply with material provisions of the contract, third party claims filed or reasonable evidence that a claim will be filed, or other reasonable cause; or otherwise fails to cure any other deficiency identified by the TOS authorized agent within 24 hours of delivery of notice of said deficiency. The TOS retains all other legal or equitable rights or remedies existing as a result of said default, including but not limited to any legal process necessary to obtain any sureties securing this contract. Any reasonable attorney's fee incurred in enforcing this contract will not exceed 5% of said contract price.

14.0 WARRANTIES AND REPRESENTATIONS

This contract is binding upon and inures to the benefit of the TOS or Assigns and is the whole agreement of the parties and governed by the Law of the State of New York. The appropriate venue for any litigation resulting hereunder is Supreme Court of Suffolk County

The Contractor shall comply with all Federal, State, County, and municipal laws, ordinances, and regulations. The Contractor shall not discriminate against any employee or applicant due to sex, race, color, creed, national origin or ancestry. The Contractor further certifies he is eligible to perform this contract under local and Federal law, is not now and has never been debarred from performing Federal or State government contracts and that all subcontractors used in the performance of this contract have the same qualifications.

15.0 DEFICIENCIES, CORRECTIVE ACTIONS AND DEDUCTIONS

When the Contractor's work does not conform to the Contract requirements completely, a deficiency exists. If a deficiency(s) is serious enough to render a service unacceptable, it is also considered a defect. Defects are important in determining if non-compliance levels have been exceeded for services inspected.

Corrective Actions. If deficiencies are identified, the TOS must take action to correct those deficiencies using one, or in some cases a combination of, the following:

Stop Unsafe Work. The TOS authorized agent may immediately stop work on that portion of the job affected by a safety hazard, until it is corrected.

Issue a Stop Work Order. If the TOS authorized agent determines the deficiency is serious, the TOS can issue a stop work order.

Reduced Value Deduction. The TOS may reduce the Contract price to reflect the reduced value of the services performed. This method is normally used when the work is performed by the, TOS or another contractor rather than the Contractor under this contract. The amount of the deduction is equal to the value of the service(s) not performed. As appropriate, calculation of deductions for certain deficiencies will be made using approved methods allowed by the contract clause entitled "Inspection of Services".

The Contract may be terminated.

The TOS may discuss corrective actions with the Contractor to prevent future occurrences.

The TOS authorized agent will notify the Contractor, in writing, of any observed noncompliance with the aforementioned Federal, State, or local laws or regulations. Such notice, when delivered to the Contractor at the site of the work, shall be deemed sufficient for the purpose. After receipt of such notice, immediately inform the TOS authorized agent of proposed corrective action, and take such action as may be approved. If the Contractor fails or refuses to comply promptly, the TOS authorized agent may issue an order stopping all or part of the work until satisfactory corrective action has been taken. No part of the time lost due to any such stop orders shall be made the subject of a claim for extension of time, or for excess costs or damages by the Contractor.

16.0 NOTICES

At the time of award, the Contractor shall designate, in writing, a Contractor Representative (CR) to receive any Notice required hereunder and who shall be available at the local work site in TOS, during all times that the Contractor is performing work in accordance herewith. A copy of said designation shall be provided to the TOS's authorized agent at the time of award.

The only TOS personnel authorized to receive any Notice required hereunder is the TOS authorized agent. Said Notice must be hand delivered during normal business hours to the location designated by the TOS.

17.0 OTHER CONTRACTS.

The TOS reserves the right to issue other contracts or direct other contractors to work within the area included in this contract.

18.0 ENCLOSURES/ATTACHMENTS –

The Bidder shall complete and submit to the Town on a daily basis the Daily Operational Report, and daily load tickets.

- Example Daily Operational Report
- Example Load Ticket
- Example Truck Placard
- Dumpsite Location Maps
- Bidding Schedule

ATTACHMENT

EXAMPLE DAILY OPERATIONAL REPORT

CONTRACT NO. _____

DAILY REPORT						
CONTRACTOR: CONTRACT NO:					DATE OF REPORT:	
Truck No.		Location of Work	Landfill Trips	Tonnage/CY Totals	Local Collection Site Trips	Tonnage/CY Totals
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
			DAILY TOTALS			

ATTACHMENT

EXAMPLE DAILY OPERATIONAL REPORT

CONTRACT NO. _____

Date	Load Ticket #	Landfill Ticket #	Time	Truck #	Tare	Actual Weight minus Tare	Eligible (Y/N)	Comments

ATTACHMENT

LOAD TICKET SAMPLE

LOAD TICKET		
TICKET NUMBER:		
CONTRACT NUMBER		
CONTRACTOR		
DATE:		
DEBRIS QUANTITY		
Truck No:	Tare (ton):	
Load Size (Tons):		
Truck Driver:		
DEBRIS CLASSIFICATION		
	Burnable	
	Non-Burnable	
	Mixed	
	Other	
LOCATION		
Section/Area:	Dumpsite	
	Time	Inspector
Loading		
Dumping		
Eligibility (Y/N):	Original: [County] [City] [State] Yellow: Contractor Pink: Driver Gold: FEMA	

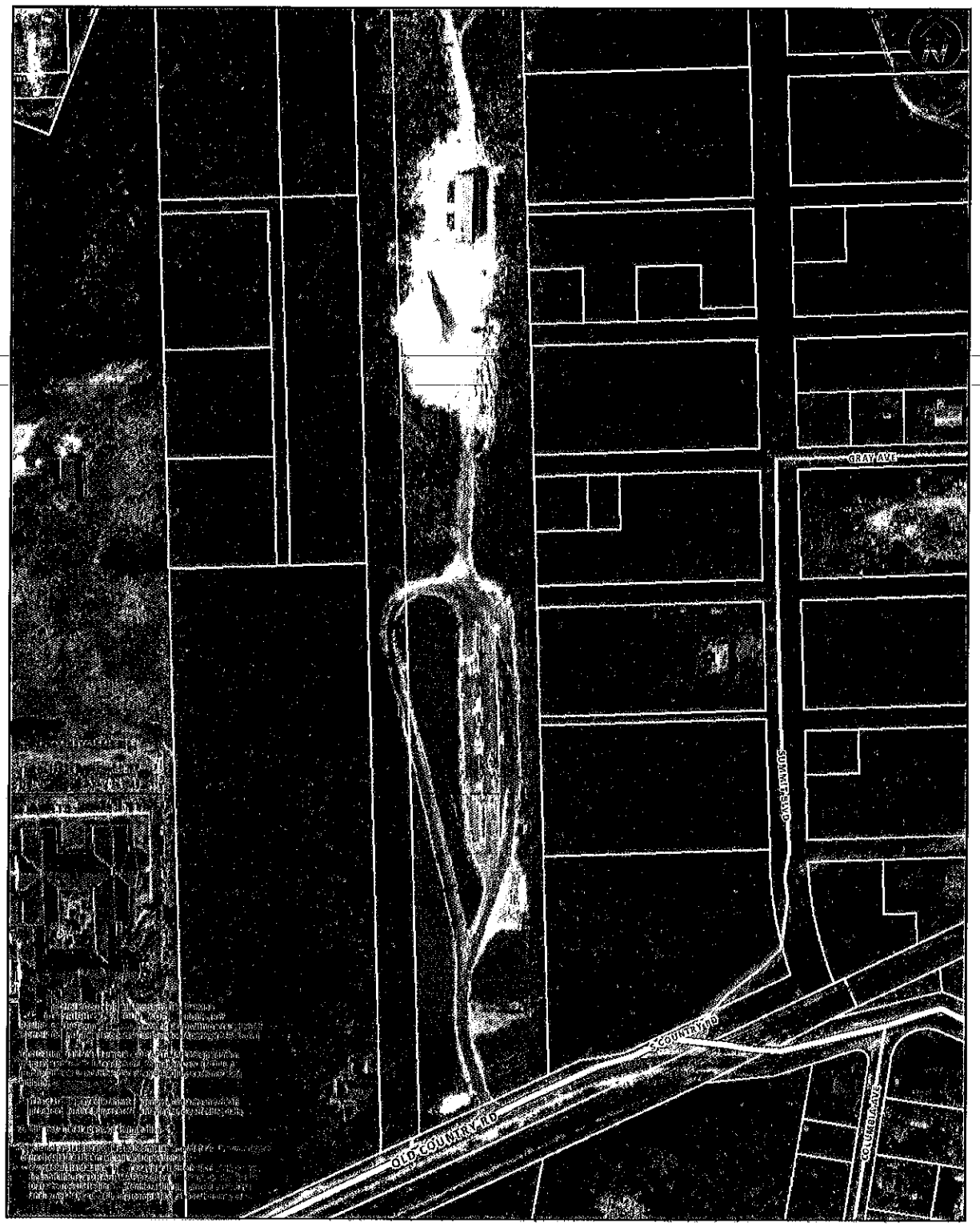
ATTACHMENT
SAMPLE TRUCK PLACARD

Company Name

Truck Number

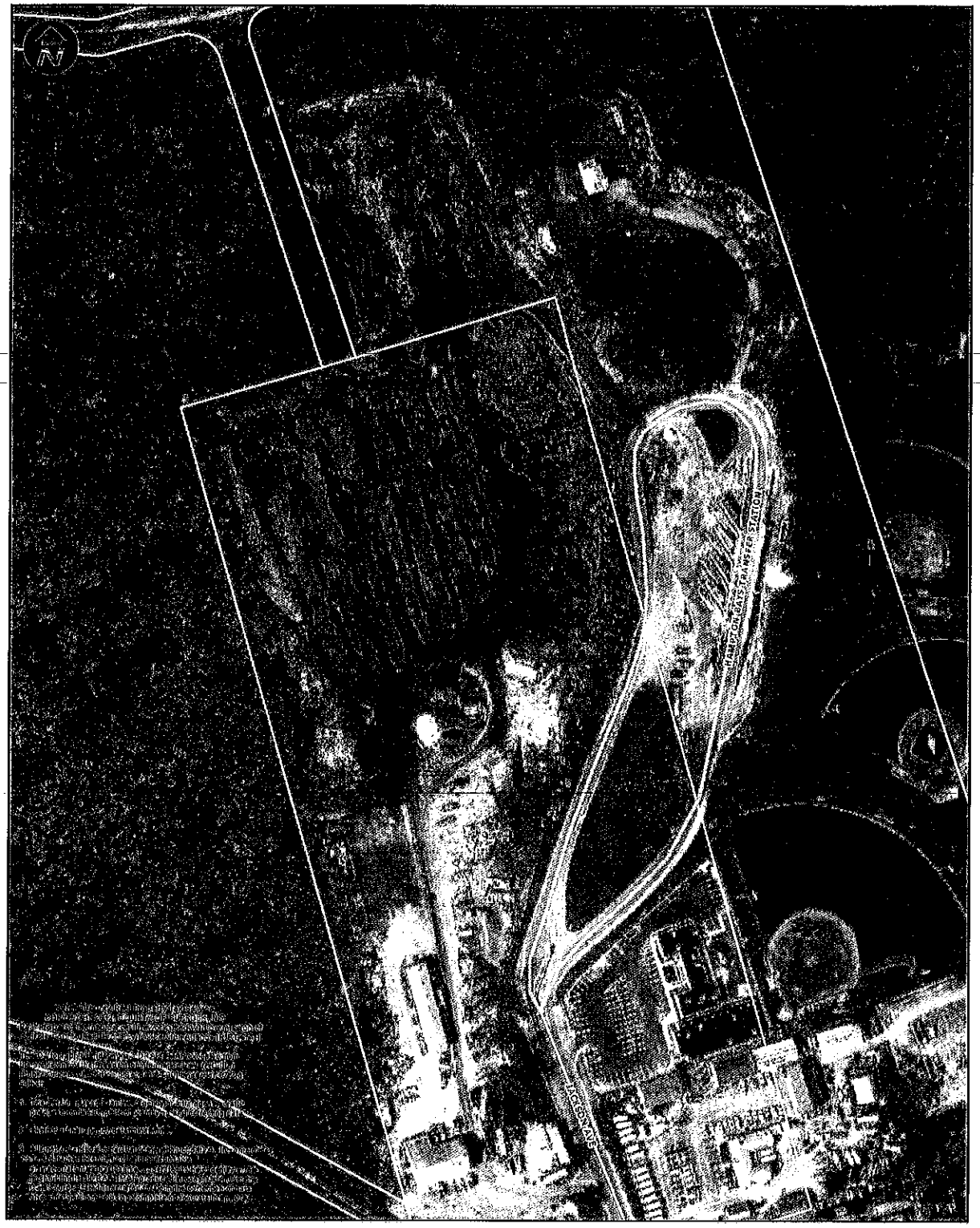
Tare

Weighed by and Date



TOWN OF SOUTHAMPTON

WESTHAMPTON TRANSFER STATION



TOWN OF SOUTHAMPTON

HAMPTON BAYS TRANSFER STATION

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/18/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
MCGRIFF, SEIBELS & WILLIAMS OF TEXAS, INC.
5080 Spectrum Dr., Suite 900E
Addison, TX 75001

CONTACT NAME:
PHONE (A/C, No, Ext): (469) 232-2100 FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Starr Surplus Lines Insurance Company	13604
INSURER B : Praetorian Insurance Company	37257
INSURER C : Federal Insurance Company	20281
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
DRC Emergency Services, LLC
740 Museum Drive
Mobile, AL 36608-1940

COVERAGES **CERTIFICATE NUMBER:** KYSBU3GQ **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			SLSLEIL72029413	01/31/2013	01/31/2014	EACH OCCURRENCE	$ 1,000,000
	X COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 50,000
	CLAIMS-MADE X OCCUR						MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG	$ 2,000,000
	POLICY X PRO-JECT LOC							$
B	AUTOMOBILE LIABILITY			PICHU0002236	01/20/2013	01/20/2014	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS / X NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
							Comp. $500 deductible	Coll. $500 deductible
A	UMBRELLA LIAB X OCCUR			SLSLXNV73021813 Follow Form	01/31/2013	01/31/2014	EACH OCCURRENCE	$ 15,000,000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 15,000,000
	DED RETENTION $							$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N			004 4727472 Includes USH&L	01/31/2013	01/31/2014	X WC STATU-TORY LIMITS / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000
A	CONTRACTORS POLLUTION INCLD. Liability During Transportation, fines, penalties, clean up, punitive damage. Occurrence form			SLSLEIL72029413	01/31/2013	01/31/2014	Each Occurrence Policy Aggregate Deductible Each Loss	$ 1,000,000 $ 1,000,000 $ 20,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Bid: Vegetative Disaster Debris Removal Based on Cubic Yard or Ton after a Declared Emergency
The Certificate Holder is included as Additional Insured (except on Workers Compensation) as required by written contract.

CERTIFICATE HOLDER

Town of Southampton
116 Hampton Road
Southampton, NY 11968

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2010/05) The ACORD name and logo are registered marks of ACORD

DRC Emergency Services, LLC
740 Museum Drive • Mobile, AL 36608
1-888-721-4372 • 1-251-343-3581 • FAX 1-251-343-5554

MOBILIZATION

DRC Emergency Services (DRC ES) proposes the following time frames in which services can be provided without unwarranted delay or interference. DRC ES will mobilize the appropriate number of personnel and equipment crews as required immediately upon request. Advance deployments will be strategically staged in advance of a predicted weather event. DRC ES will commence mobilization of equipment, operators, and laborers immediately upon receipt of a Task Order Notice to Proceed that shall meet all requirements for the Town of Southampton, NY. Upon receipt of the Task Order from the Contracting Officer DRC will deploy its Town of Southampton, NY team:

1. Chief Operating Officer – Byron Jorns
   Contact Cell: (251) 513-0119
   Email: bjorns@drcusa.com
2. Program Manager/ Project Manager – Lee Wilson
   Contact Cell: (251) 402-2667
   Email: lwilson@drcusa.com
3. OSHA Certified Manager – Brandon Elliott
   Contact: (352) 206-4514
   Email: belliott@drcusa.com
4. Regional Manager-Kristy Fuentes
   Contact Cell: (504) 220-7682
   Email: kfuentes@drcusa.com

BEFORE STORM OR WITHIN 24 HOURS: The team is deployed throughout the Town of Southampton to perform debris estimations, organizing sectors for efficient debris management zones, locating temporary debris storage and reduction sites, determining the resources needed to perform this task order, and providing safety and health evaluations for the event.

WITHIN 24 HOURS: DRC initiates Emergency Road Clearance (Push) operations with as many crews as dictated by the events severity. DRC will ramp up to as many crews as necessary to clear the roadways of the county within the 70 hour timeframe allotted by FEMA for hourly payment for road clearance services.

WITHIN 48 HOURS: When the initial assessment phase is complete DRC submits the required information such as site specific safety plan, insurance, bonds, quality control plan, subcontracting plan with specific subcontractors and goals, location of staging area, location of temporary staging and reduction areas (Debris Management Sites), final disposal sites and all applicable licenses, permits, organizational structure etc.

WITHIN 72 HOURS: 50% Mobilization - Emergency Road Clearance is complete, DMS construction is underway, and DRC's projected management staff, including subcontractors and consultants, would be in place. The DRC command center will also be onsite near the center of the disaster in the most affected area. This 18-wheeled command center is complete with generator, phones, copy machines, satellites, cubicles, kitchen, and conference room.

WITHIN FIVE DAYS: 100% FULL MOBILIZATION – At full mobilization, the average daily production rate for load and haul would be approximately 10-20,000 cubic yards. This based on the hauling activity lasting approximately 60 days leaving the remaining 30 days for reduction; site closure and project close out. DRC has slightly over estimated the daily production to account for possible severe weather issues and other potential delays as well has to account for crews devoted to "hot spots" and to the removal of stumps, hanging limbs, and leaning trees.

PERSONNEL RELATIVE TO SIZE OF DISASTER

For a small event, defined as a disaster where debris quantities range anywhere from 50,000 cubic yards to 250,000 cubic yards, DRC would commit approximately 2 employees to perform contractual services on behalf of the Town of Southampton, NY. DRC anticipates assigning 10 crews based on the above referenced cubic yardage.

For a significant event, defined as a disaster where debris quantities range anywhere from 250,001 cubic yards to 500,000 cubic yards, DRC would commit approximately 5 employees to perform contractual services on behalf of the Town of Southampton, NY. DRC anticipates assigning 20 crews based on the above referenced cubic yardage.

For a catastrophic event, defined as a disaster where debris quantities range anywhere from 500,001 cubic yards and over, DRC would commit approximately 10 employees to perform contractual services on behalf of the Town of Southampton, NY. DRC anticipates assigning 60 crews based on the above referenced cubic yardage.

EXAMPLE MOBILIZATION SCHEDULE

	Category 1 & 2	Category 3	Category 4	Category 5
Within 24 hours	40%	25%	20%	15%
Within 48 hours	80%	40%	25%	25%
Within 72 hours	100%	75%	50%	45%
Within 96 hours	-	100%	70%	60%
Within 1 week	-	-	90%	80%
Within 2 weeks	-	-	100%	90%
Within 3 weeks	-	-	-	100%

RESPONSE TIMES AND RESOURCES: PAST DEBRIS REMOVAL PROJECTS

The DRC family of companies has implemented a comprehensive Corporate Level Advance Mobilization Plan to ensure a coordinated, expeditious and effective response to disasters by its personnel and resources. This plan has been utilized by DRC to respond quickly in the following contracts:

- On October 29th of 2012, Super Storm Sandy made landfall over Northeastern United States, primarily affecting the States of New York and New Jersey. Its storm surge flooded streets, tunnels and subways and damaged and destroyed thousands of homes.

DRC was hired to remove debris from the New York DOT roads on Long Island in Suffolk and Nassau Counties. In New Jersey, we were hired to clean up Piscataway.

- Following Hurricane Isaac in 2012, DRC was activated by 10 of our clients in Louisiana, including St. Charles Parish, City of New Orleans, East Baton Rouge Parish, St. John the Baptist Parish, Jefferson Parish, Ascension Parish, City of Mandeville, Downtown Development District in New Orleans, LADOTD, and three State of Louisiana logistic contracts. DRC responded to each of these activations immediately and independently.

- In early April 2011, a severe weather event culminated in easily the most prolific, active month for tornados on record. These tornados followed an unprecedented outbreak that had already affected much of the South East. DRC was contracted by more than five separate entities to perform debris removal services for more than 25 separate contracts. Some of the entities included the North Carolina Department of Transportation, the Alabama Department of Transportation, the Alabama Department of Conservation and Natural Resources, the City of Birmingham, USACE in Joplin, Missouri, as well as various other small cities and townships.

- Subsequent to Hurricanes Ike and Gustav in 2008, DRC mobilized all necessary personnel and equipment to provide professional and efficient debris removal services to 36 separate contracts, including the cities of New Orleans, Houston, and Galveston. In Houston, DRC established industry benchmarks by accomplishing record single-day hauls for debris volume. DRC's work in these regions was nearly completed in little over two months, having quickly restored these communities in the wake of these severe storms.

- During the 2004-hurricane season DRC and/or its teaming partners provided emergency disaster recovery services to 37 separate government entities throughout the State of Florida and South Carolina, recovering nearly 10,000,000 cubic yards of debris. DRC and/or its subcontractors mobilized dozens of experienced project managers, superintendents, and foremen in addition to hundreds of experienced work crews. DRC was able to respond virtually immediately to each client's needs and provide sufficient resources to ensure completion of these recovery efforts in the allotted time, if not sooner.

APPENDIX B

TOWN OF SOUTHAMPTON EMERGENCY AUTHORIZATION REQUESTS AND

NYS DEC SITE REGISTRATIONS

Emergency Authorization Request for Tropical Storm Sandy
Debris Management

Email request to: roger.evans@dec.ny.gov and syed.rahman@dec.ny.gov

Name of Solid Waste Management Facility: Westhampton Transfer Station
Permit No. (Existing facilities only) 52R05R
Address or location: 66 Old Country Road
Westhampton

Contact Person and Information: Ed Thompson Jr.631-283-5210,/ Chris Fetten 631-766-4939

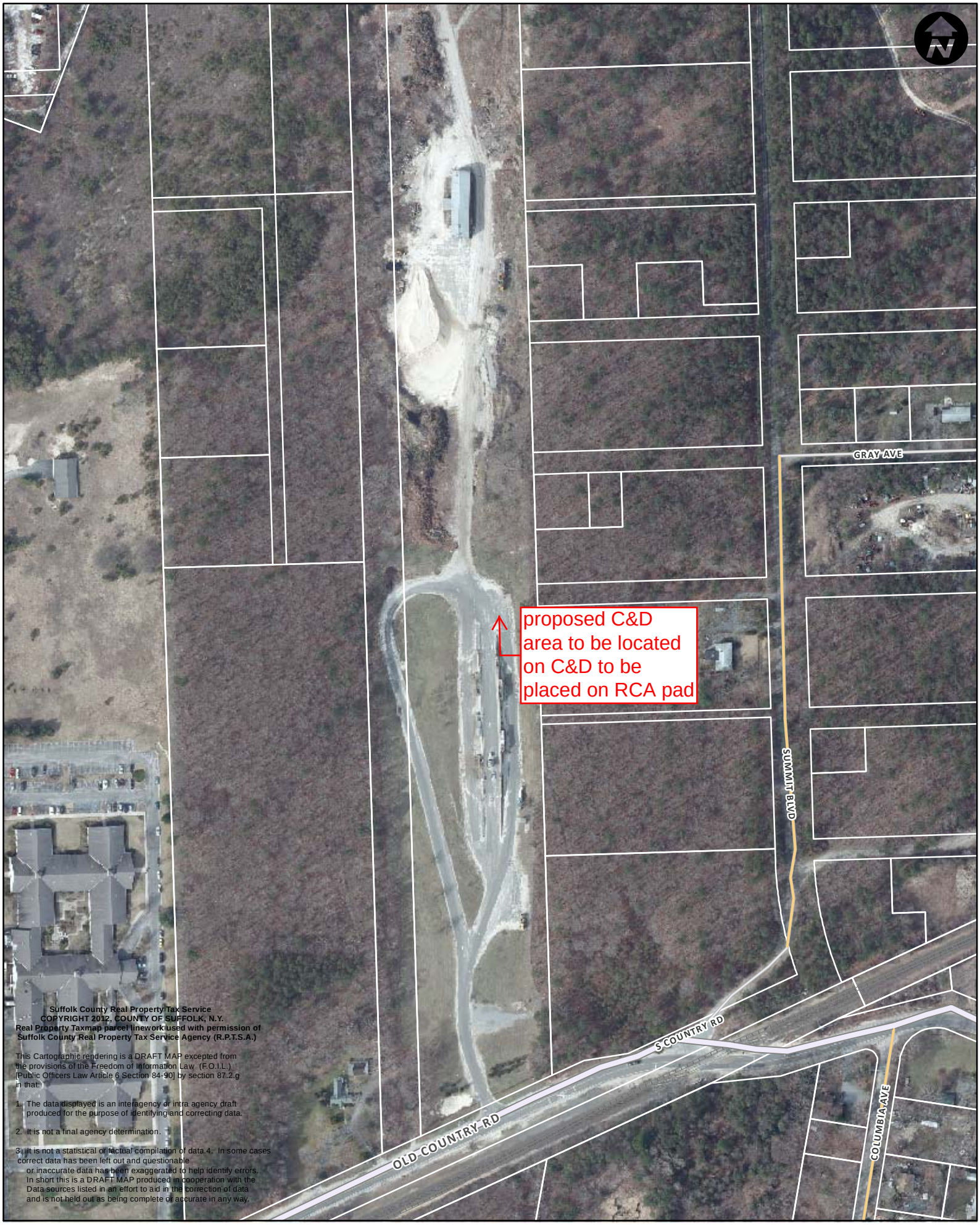
Current Authorization (existing facilities only):
Solid Wastes: MSW, Recyclables, Yardwastes
Throughput (CY or tons per day): 100 TPD
Storage (CY): Trailers
Hours of Operation: 8AM - 4PM/ 7 Days/Wk

Requested Authorization:
Solid Wastes: MSW, Recyclables, C&D, Yardwaste
Throughput (CY or tons per day): 100 TPD
Storage (CY): Trailers & on Paved Surfaces - 100 Ton
Hours of Operation: 8AM - 4PM

Timeframe for Request: 30 Days to _____

1. A description of the proposed action: Storage of additional waste quantities in event of a declared em
2. Location map and plan of the proposed project: 66 Old Country Road, Westhamptom - See Attached
3. Reasons why the situation is an emergency based on the immediate protection of life, health, general welfare, property or natural resources: Local and/or State declared emergency.
4. Actions to be taken to minimize environmental impacts: Place all material in either Trailers or on paved surfaces which are located in upland locations. Reduce potential for Leachate generation and contain any that does result
5. Any additional information requested by the department necessary to make a finding of emergency: _____

Name of Responsible Party
Signature: _____
Title: Director of Municipal Works/ Town Engineer
Date: 3/2/2015



TOWN OF SOUTHAMPTON

WESTHAMPTON TRANSFER STATION

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Building 40 - SUNY, Stony Brook, New York 11790-2356
Phone (516) 444-0375
Fax (516) 444-0245

Michael D. Zagata
Commissioner

December 31, 1996

The Honorable Vincent Cannuscio
Supervisor, Town of Southampton
116 Hampton Road
Southampton, NY 11968

RE: Westhampton Transfer Station Registration

Dear Supervisor Cannuscio:

Enclosed is a validated copy of your registration form submitted to the New York State Department of Environmental Conservation pursuant to 6 NYCRR Part 360.

This letter only acknowledges receipt of your registration form and does not, in any way, verify that the information which you provided on the form is true or correct. Also, please be advised that the validation of this registration is contingent upon you being the owner or having legal authority to use the described site. In addition, you are responsible for obtaining any other permits and approvals that may be required; and for complying with all other applicable State and Federal laws, rules, regulations and all other applicable local ordinances including, but not limited to, zoning ordinances, building codes, Fire Marshal codes, etc.

This registered activity shall in no way conflict with any mined land reclamation permit and approved reclamation plan.

You are reminded that 6 NYCRR Part 360 contains various requirements that must be followed to warrant your facility's continued status as a registered facility. This information was provided in the registration package.

If you have any questions regarding this matter or need an additional copy of the registration requirements, please contact me at the above telephone number.

Sincerely,

Anthony J. Cava, P.E.
Regional Solid and Hazardous Materials Engineer

AJC:ek
enc.

47-14-020 (01/94)
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID WASTE

REGISTRATION FORM FOR A SOLID WASTE MANAGEMENT FACILITY

Please read and follow all instructions before completing this registration form

Please **Type** or **Print** clearly THIS IS NOT A UPA PERMIT

DEPARTMENT USE ONLY						
DEC REGISTRATION #	5	2	R	0	5	R
DEC ADMINISTRATION #						
DATE ~~RECEIVED~~ Issued	12 / 31 / 96					

1. FACILITY NAME AND LOCATION Westhampton Transfer Facility	2. FACILITY OWNER'S NAME Town of Southampton
Street Old Country Road	Mailing Address Town Hall - 116 Hampton Road
City/Village Westhampton	City/Town/Village Southampton
Town Southampton County Suffolk	State/Zip Code New York, 11968
Telephone Number (516) 283-5210	Telephone Number (516) 283-6000
3. FACILITY OPERATOR'S NAME (if different)	4. SITE OWNER'S NAME (if different)
Mailing Address	Mailing Address
City/Town/Village	City/Town/Village
State/Zip Code	State/Zip Code
Telephone Number ( )	Telephone Number ( )

5. TYPE OF FACILITY REGISTRATION (check all applicable boxes)

- ☐ Energy Recovery Incinerators or Pyrolysis Units [360-3.1(c)]
- ☐ Land Application and Sludge Storage Facilities [360-4.1(c)]
- ☐ Composting and Other Distribution and Marketing Facilities [360-5.3(b)]
- ☐ Land Clearing Debris Landfills three acres or less [360-7.2(a)]
- ☒ Transfer Stations (municipally owned/operated/contracted) receiving less than 50,000 cubic yards or 12,500 tons of household solid waste annually [360-11.1(b)(1)]
- ☐ Transfer Stations (municipally owned/operated/contracted) receiving less than 50,000 cubic yards or 12,500 tons of containerized solid waste annually [360-11.1(b)(2)]
- ☐ Source Separated, Nonputrescible Solid Waste Recyclables Handling and Recovery Facilities [360-12.1(d)]
- ☐ Waste Tire Retreaders [360-13.1(d)(1)(i)]
- ☐ Waste Tires Stored for On-site Energy Recovery [360-13.1(d)(1)(ii)]
- ☐ Tire Dealers Selling Waste Tires [360-13.1(d)(1)(iii)]
- ☐ Tire Manufacturing Facilities [360-13.1(d)(1)(iv)]
- ☐ Processing Facilities Receiving Only Recognizable Uncontaminated Concrete, Asphalt Pavement, Brick, Soil or Rock [360-16.1(d)(1)(i)]
- ☐ Uncontaminated Unadulterated Wood Processing Facilities [360-16.1(d)(1)(ii)]
- ☐ Other Facilities not specifically described above, Specify Type _____

6. SOLID WASTE HANDLED

a. List wastes and/or materials to be accepted MSW, recyclables (paper, OCC, commingled containers) leaves

b. Quantity (Specify Units - see instructions)
design capacity 3,000 TPY
storage on site 100 TPD

7. OPERATIONS SCHEDULE - Normal schedule of operation
Thursdays through Tuesdays 8:00am-4:00pm
Closed Wednesday and Thursday

8. NAME(S) OF ALL MUNICIPALITIES SERVED Eastport, Westhampton, Quogue, East Quogue, Speonk, Remsenberg, West Hampton Beach

9. CERTIFICATION:
I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have the authority as Supervisor (title) of Town of Southampton (Entity) to sign this registration form pursuant to 6 NYCRR Part 360. By signing this registration form, I affirm that I have read the applicable regulations and will abide by all conditions of the registration requirements. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Printed/Typed Name	Signature	Mo.	Day	Year
Supervisor Vincent Cannuscio	Vincent Cannuscio	12	09	96

REGIONAL OFFICE COPY - COPY #1

Emergency Authorization Request for Tropical Storm Sandy
Debris Management

Email request to: roger.evans@dec.ny.gov and syed.rahman@dec.ny.gov

Name of Solid Waste Management Facility: North Sea Transfer Station
Permit No. (Existing facilities only) 52R02R
Address or location: 1370 Majors Path
Southampton, NY 11968

Contact Person and Information: Ed Thompson Jr.631-283-5210,/ Chris Fetten 631-766-4939

Current Authorization (existing facilities only):
Solid Wastes: MSW, Recyclables, C&D
Throughput (CY or tons per day): 100 TPD.,
Storage (CY): Trailers/Building
Hours of Operation: 8AM - 4PM/ 7 Days/Wk

Requested Authorization:
Solid Wastes: MSW, C&D
Throughput (CY or tons per day): 100 TPD
Storage (CY): Trailers/Building
Hours of Operation: 8AM - 4PM

Timeframe for Request: 30 Days to _____

1. A description of the proposed action: Storage of additional waste quantities in event of a declared em
2. Location map and plan of the proposed project: North Sea Landfill - 1370 Majors Path Site - See Atta
3. Reasons why the situation is an emergency based on the immediate protection of life, health, general welfare, property or natural resources: Local and/or State declared emergency.
4. Actions to be taken to minimize environmental impacts: Place all material in either Trailers or building which are located in upland locations. Reduce potential for Leachate generation and contain any that does result
5. Any additional information requested by the department necessary to make a finding of emergency: _____

Name of Responsible Party
Signature: _____
Title: Director of Municipal Works/ Town Engineer
Date: 3/2/2015

Location map and plan of the proposed project:

Reasons why the situation is an emergency based on the immediate protection of life, health, general welfare, property or natural resources:

To remove hurricane related waste from road right of way in Southampton, east of Shinnecock Canal for transfer, and composting of yardwaste.

Actions to be taken to minimize environmental impacts:MSW/C&D shall be staged on paved areas, in trailers, and/or in building. Yardwaste Material shall be located in normal composting areas and shall be turned on a regular basis to prevent odors and enhance decomposition of vegetative wastes.

Any additional information requested by the department necessary to make a finding of emergency:

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID WASTE

REGISTRATION FORM FOR A SOLID WASTE MANAGEMENT FACILITY

Please read and follow all instructions before completing this registration form

Please Type or Print clearly THIS IS NOT A UPA PERMIT

DEPARTMENT USE ONLY					
DEC REGISTRATION #					
DEC ADMINISTRATION #					
DATE RECEIVED ____/____/____					

1. FACILITY NAME AND LOCATION	2. FACILITY OWNER'S NAME
North Sea Transfer Station	Town of Southampton
Street: 1370 Majors Path	Mailing Address: 116 Hampton Road
City/Village: North Sea	City/Town/Village: Southampton
Town: Southampton County: Suffolk	State/Zip Code: New York 11968
Telephone Number: (631) 283-5210	Telephone Number: (631) 283-5210
3. FACILITY OPERATOR'S NAME (if different)	4. SITE OWNER'S NAME (if different)
Mailing Address	Mailing Address
City/Town/Village	City/Town/Village
State/Zip Code	State/Zip Code
Telephone Number ( )	Telephone Number ( )

5. TYPE OF FACILITY REGISTRATION (check all applicable boxes)

- [ ] Energy Recovery Incinerators or Pyrolysis Units [360-3.1(c)]
- [ ] Land Application and Sludge Storage Facilities [360-4.1(c)]
- [ ] Composting and Other Distribution and Marketing Facilities [360-5.3(b)]
- [ ] Land Clearing Debris Landfills three acres or less [360-7.2(a)]
- [X] Transfer Stations (municipally owned/operated/contracted) receiving less than 50,000 cubic yards or 12,500 tons of household solid waste annually [360-11.1(b)(1)]
- [ ] Transfer Stations (municipally owned/operated/contracted) receiving less than 50,000 cubic yards or 12,500 tons of containerized solid waste annually [360-11.1(b)(2)]
- [ ] Source Separated, Nonputrescible Solid Waste Recyclables Handling and Recovery Facilities [360-12.1(d)]
- [ ] Waste Tire Retreaders [360-13.1(d)(1)(i)]
- [ ] Waste Tires Stored for On-site Energy Recovery [360-13.1(d)(1)(ii)]
- [ ] Tire Dealers Selling Waste Tires [360-13.1(d)(1)(iii)]
- [ ] Tire Manufacturing Facilities [360-13.1(d)(1)(iv)]
- [ ] Processing Facilities Receiving Only Recognizable Uncontaminated Concrete, Asphalt Pavement, Brick, Soil or Rock [360-16.1(d)(1)(i)]
- [ ] Uncontaminated Unadulterated Wood Processing Facilities [360-16.1(d)(1)(ii)]
- [ ] Other Facilities not specifically described above, Specify Type ____

6. SOLID WASTE HANDLED

a. List wastes and/or materials to be accepted: Residential MSW, recyclables, leaves and brush

b. Quantity (Specify Units - see instructions)
design capacity: 3,000 tons per year
storage on site: of leaves and brush

7. OPERATIONS SCHEDULE - Normal schedule of operation
8:00am - 4:00pm, 7 days
closed some major holidays

8. NAME(S) OF ALL MUNICIPALITIES SERVED
Town of Southampton

9. CERTIFICATION:
I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have the authority as Recycling Coordinator (title) of Southampton Town (Entity) to sign this registration form pursuant to 6 NYCRR Part 360. By signing this registration form, I affirm that I have read the applicable regulations and will abide by all conditions of the registration requirements. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Printed/Typed Name	Signature	Mo.	Day	Year
Judith B. McCleery	Judith B. McCleery	02	25	03

REGIONAL OFFICE COPY - COPY #1

Emergency Authorization Request for Tropical Storm Sandy
Debris Management

Email request to: roger.evans@dec.ny.gov and syed.rahman@dec.ny.gov

Name of Solid Waste Management Facility: Hampton Bays Transfer Station
Permit No. (Existing facilities only) 52R06R
Address or location: 30 Jackson Ave.,
Hampton Bays, NY

Contact Person and Information: Ed Thompson Jr.631-283-5210,/ Chris Fetten 631-766-4939

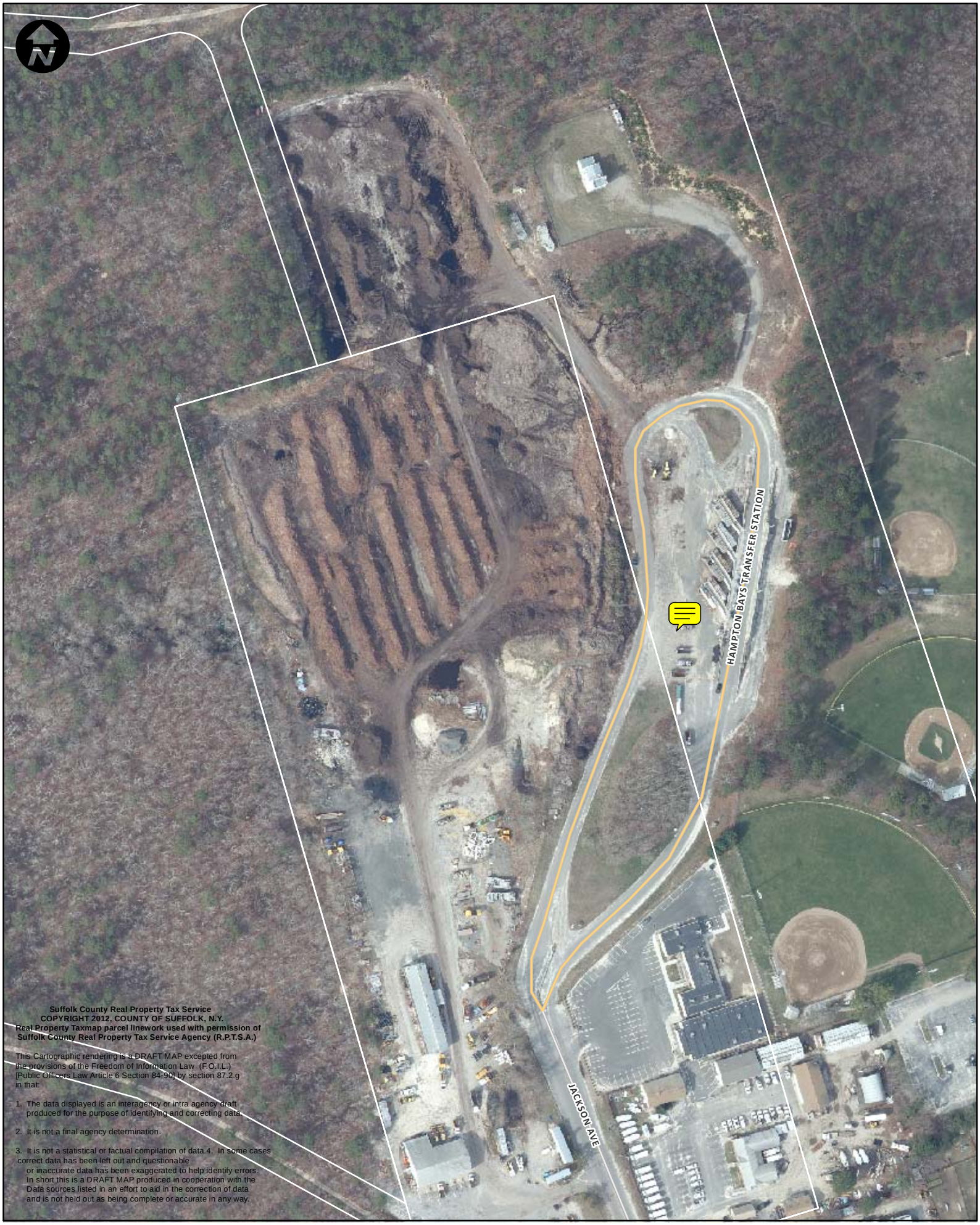
Current Authorization (existing facilities only):
Solid Wastes: MSW, Recyclables, Yardwastes
Throughput (CY or tons per day): 100 TPD
Storage (CY): Trailers
Hours of Operation: 8AM - 4PM/ 7 Days/Wk

Requested Authorization:
Solid Wastes: MSW, Recyclables, C&D, Yardwaste
Throughput (CY or tons per day): 100 TPD
Storage (CY): Trailers. on Paved Surfaces - 100 Ton
Hours of Operation: 8AM - 4PM

Timeframe for Request: 30 Days to _____

1. A description of the proposed action: Storage of additional waste quantities in event of a declared em
2. Location map and plan of the proposed project: 30 Jackson Avenue - See Attached
3. Reasons why the situation is an emergency based on the immediate protection of life, health, general welfare, property or natural resources: Local and/or State declared emergency.
4. Actions to be taken to minimize environmental impacts: Place all material in either Trailers or on paved surfaces which are located in upland locations. Reduce potential for Leachate generation and contain any that does result
5. Any additional information requested by the department necessary to make a finding of emergency: _____

Name of Responsible Party
Signature: _____
Title: Director of Municipal Works/ Town Engineer
Date: 3/2/2015



Suffolk County Real Property Tax Service
COPYRIGHT 2012, COUNTY OF SUFFOLK, N.Y.
Real Property Taxmap parcel linework used with permission of Suffolk County Real Property Tax Service Agency (R.P.T.S.A.)

This Cartographic rendering is a DRAFT MAP excepted from the provisions of the Freedom of Information Law (F.O.I.L.) [Public Officers Law Article 6 Section 84-90] by section 87.2.g in that:

1. The data displayed is an interagency or intra agency draft produced for the purpose of identifying and correcting data.

2. It is not a final agency determination.

3. It is not a statistical or factual compilation of data.4. In some cases correct data has been left out and questionable or inaccurate data has been exaggerated to help identify errors. In short this is a DRAFT MAP produced in cooperation with the Data sources listed in an effort to aid in the correction of data and is not held out as being complete or accurate in any way.

TOWN OF SOUTHAMPTON

HAMPTON BAYS TRANSFER STATION

52 R06 R
SH

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Building 40 - SUNY, Stony Brook, New York 11790-2356
Phone (516) 444-0375
Fax (516) 444-0245

Michael D. Zagata
Commissioner

December 31, 1996

The Honorable Vincent Cannuscio
Supervisor, Town of Southampton
116 Hampton Road
Southampton, NY 11968

RE: Hampton Bays Transfer Station Registration

Dear Supervisor Cannuscio:

Enclosed is a validated copy of your registration form submitted to the New York State Department of Environmental Conservation pursuant to 6 NYCRR Part 360.

This letter only acknowledges receipt of your registration form and does not, in any way, verify that the information which you provided on the form is true or correct. Also, please be advised that the validation of this registration is contingent upon you being the owner or having legal authority to use the described site. In addition, you are responsible for obtaining any other permits and approvals that may be required; and for complying with all other applicable State and Federal laws, rules, regulations and all other applicable local ordinances including, but not limited to. zoning ordinances, building codes, Fire Marshal codes, etc.

This registered activity shall in no way conflict with any mined land reclamation permit and approved reclamation plan.

You are reminded that 6 NYCRR Part 360 contains various requirements that must be followed to warrant your facility's continued status as a registered facility. This information was provided in the registration package.

If you have any questions regarding this matter or need an additional copy of the registration requirements, please contact me at the above telephone number.

Sincerely,

Anthony J. Cava, P.E.
Regional Solid and Hazardous Materials Engineer

AJC:ek
enc.

(01/94)
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID WASTE

REGISTRATION FORM FOR A SOLID WASTE MANAGEMENT FACILITY

Please read and follow all instructions before completing this registration form

Please **Type** or **Print** clearly THIS IS NOT A UPA PERMIT

DEPARTMENT USE ONLY					
DEC REGISTRATION #	5	2	R	0	6 R
DEC ADMINISTRATION #					
DATE ~~RECEIVED~~ ISSUED	12 / 31 / 96				

1. FACILITY NAME AND LOCATION	2. FACILITY OWNER'S NAME
Hampton Bays Transfer Facility	Town of Southampton
Street: 29 Jackson Avenue	Mailing Address: Town Hall - 116 Hampton Road
City/Village: Hampton Bays	City/Town/Village: Southampton
Town: Southampton County: Suffolk	State/Zip Code: New York, 11968
Telephone Number: (516) 283-5210	Telephone Number: (516) 283-6000
3. FACILITY OPERATOR'S NAME (if different)	**4. SITE OWNER'S NAME (if different)**
Mailing Address	Mailing Address
City/Town/Village	City/Town/Village
State/Zip Code	State/Zip Code
Telephone Number ( )	Telephone Number ( )

5. TYPE OF FACILITY REGISTRATION (check all applicable boxes)

- ☐ Energy Recovery Incinerators or Pyrolysis Units [360-3.1(c)]
- ☐ Land Application and Sludge Storage Facilities [360-4.1(c)]
- ☐ Composting and Other Distribution and Marketing Facilities [360-5.3(b)]
- ☐ Land Clearing Debris Landfills three acres or less [360-7.2(a)]
- ☒ Transfer Stations (municipally owned/operated/contracted) receiving less than 50,000 cubic yards or 12,500 tons of household solid waste annually [360-11.1(b)(1)]
- ☐ Transfer Stations (municipally owned/operated/contracted) receiving less than 50,000 cubic yards or 12,500 tons of containerized solid waste annually [360-11.1(b)(2)]
- ☐ Source Separated, Nonputrescible Solid Waste Recyclables Handling and Recovery Facilities [360-12.1(d)]
- ☐ Waste Tire Retreaders [360-13.1(d)(1)(i)]
- ☐ Waste Tires Stored for On-site Energy Recovery [360-13.1(d)(1)(ii)]
- ☐ Tire Dealers Selling Waste Tires [360-13.1(d)(1)(iii)]
- ☐ Tire Manufacturing Facilities [360-13.1(d)(1)(iv)]
- ☐ Processing Facilities Receiving Only Recognizable Uncontaminated Concrete, Asphalt Pavement, Brick, Soil or Rock [360-16.1(d)(1)(i)]
- ☐ Uncontaminated Unadulterated Wood Processing Facilities [360-16.1(d)(1)(ii)]
- ☐ Other Facilities not specifically described above, Specify Type _____

6. SOLID WASTE HANDLED

a. List wastes and/or materials to be accepted: MSW recyclables (paper, OCC, commingled containers) leaves, ~~waste oil~~ OCC

b. Quantity (Specify Units - see instructions)
design capacity: 4,500 TPY
storage on site: 100 TPD

7. OPERATIONS SCHEDULE - Normal schedule of operation: Sunday through Saturday 8:00am - 4:00 pm

8. NAME(S) OF ALL MUNICIPALITIES SERVED: Hampton Bays, Southampton, Flanders, Riverside, Northampton

9. CERTIFICATION:
I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have the authority as Supervisor (title) of Town of Southampton (Entity) to sign this registration form pursuant to 6 NYCRR Part 360. By signing this registration form, I affirm that I have read the applicable regulations and will abide by all conditions of the registration requirements. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Printed/Typed Name	Signature	Mo.	Day	Year
Supervisor Vincent Cannuscio	Vincent Cannuscio	12	10	96

REGIONAL OFFICE COPY - COPY #1

APPENDIX C

TOWN REPORTING REQUIREMENTS

FORCE ACCOUNT LABOR

FORCE ACCOUNT EQUIPMENT

TRUCK CERTIFICATION FORM

SITE AND MONITOR FORMS.

Town of Southampton	
FEMA Declaration Number	
Load Ticket	Ticket No.
Town	Prime Contractor:
Truck Information	
Truck No.	Capacity
Druck Driver (print legibly first and last name)	

Loading Information			
	Time	Date	Inspector/Monitor
Loading			
Location (Address or Cross Streets)			
When Using GPS Coordinates use Decimal Degrees (N xx,xxxx)			

N W

Unloading Information			
Debris Classification		Estimated % CYs, or Actual Weight	
☐	Vegetation		
☐	C&D		
☐	White Goods		
☐	HHW		
☐	Soil, Mud & Sand		
☐	Vehicles and Vessels		
☐	Putrescent Debris		
☐	Infectious Waste		
☐	Animal Carcus		
☐	Other* See below		
Unloading	Time	Date	Inspector/Monitor
DMS Name and Location			
*Other Debris Explanation	Original: Town of Southampton		
	Copy 1:		
	Copy 2:		
	Copy 3:		

DAILY DEBRIS LOADING SITE MONITOR LOG
TOWN OF SOUTHAMPTON

FEMA DECLARATION NO.

DATE:

DAY

WEATHER: ☐ **SUNNY** ☐ **OVERCAST** ☐ **RAINY**

TEMPERATURE F.

Time	Ticket No.	Truck No.	Full Truck Rated Capacity	Pickup Location	Vegetative Debris	C&D Debris	White Goods/Metals	Other	Issues or Comments/ Pictures Disc

DAILY ISSUE LOG

TOWN OF SOUTHAMPTON

FEMA DECLARATION NO.

DATE:

DAY

WEATHER: **SUNNY** **OVERCAST** **RAINY**

TEMPERATURE F.

Issue Number	Truck Number	Load Ticket	Pick-Up Location	Contractor / Sub-Contractor	Monitor Name	Photo/ Disc	Issue /Resolution

DAILY DEBRIS TOWER/SITE MONITORING LOG
TOWN OF SOUTHAMPTON

FEMA DECLARATION NO.

DATE:

DAY

TEMPERATURE F.

WEATHER: SUNNY OVERCAST Raining

Time	Ticket Number	Truck Number	Full Truck Rated Capacity (CY)	Southampton QA Eligible Capacity (%CY/Wt)	FEMA Eligible Capacity (% CY/Wt)	Vegetative Debris	C&D Debris	White Goods / Metals	Other	Issues or Comments / Pictures Disc

TRUCK CERTIFICATION FORM
TOWN OF SOUTHAMPTON

FEMA DECLARATION NO.

CONTRACTOR

TRUCK INFORMATION

MAKE	YEAR	COLOR	LICENSE

Truck Measurements

Performed By		**Date:**
Length:	**Width:**	**Depth:**
Volume Calculated By		**Date:**
Both Checked By:		**Date:**

DRIVER INFORMATION

Name:

Address:

Phone Number:

OWNER INFORMATION

Name:

Address:

Phone Number:

Truck Identification:

Truck Capacity

Photo

TOWN OF SOUTHAMPTON
FEMA DECLARATION NO.

DUMP TRUCK DIMENSION SHEET

Measurements

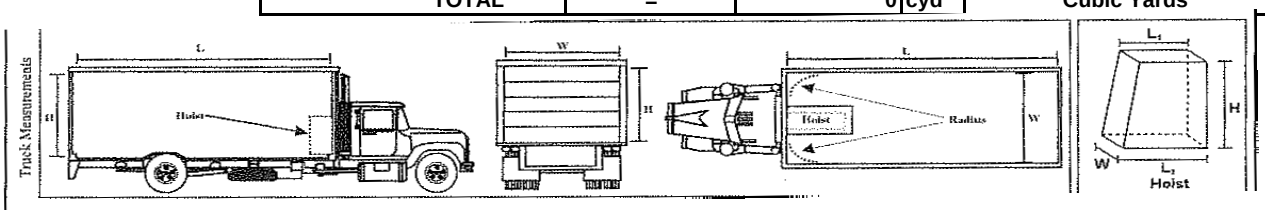
Truck Measurements Length (L) ft.= _____ Width (W) ft.= _____ Height (H) ft. _____

Hoist Measurement Length$_1$ (L_1) ft.= _____ Width$_H$(W_H) ft.= _____ Height$_H$(H_H)ft.= _____
Length$_2$ (L_2) ft.= _____

Radius Radius ft.= _____ Height (H)= _____

Calculations

Bed Volume (Basic)	(LxWxH)/27	=	0	cyd	
Hoist Volume	$((L_1+L_2/2) \times W_H \times H_H)/27$	=	0	cyd	
Radius Volume	$(3.14 \times R^2 \times H)/27$	=	0	cyd	
	TOTAL	=	0	cyd	Cubic Yards



EXTRA TRAILER

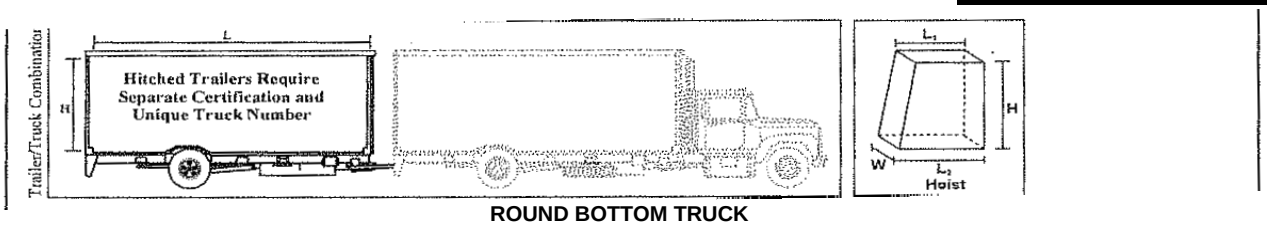
Measurements

Truck Measurements (Basic) Length (L) = _____ Width (W) ft.= _____ Height (H) ft.= _____

Hoist Measurement Length$_1$ (L_1) ft.= _____ Width$_H$ (W_H) ft.= _____ Height$_H$ (H_H) ft.= _____
Length$_2$ (L_2) ft= _____
Radius ft.= _____ Height (H) = _____

Calculations

Bed Volume (Basic)	(LxWxH)/27 =	0	cyd	
Hoist Volume	$((L_1+L_2/2) \times W_H \times H_H)/27$ =	0	cyd	
Radius Volume	$(3.14 \times R^2 \times H)/27$ =	0	cyd	
	Total =	0	cyd	Cubic Yards



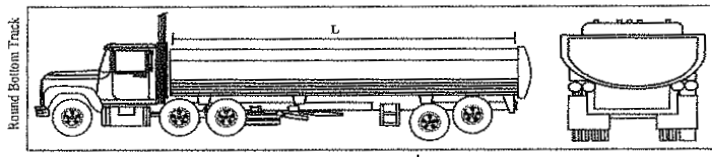
ROUND BOTTOM TRUCK

Measurements

Truck Measurements Length (L) ft.= _____ Diameter (D) ft.= _____

Calculations

Approx. Volume $(3.14 \times D/2)^2 \times L)/27$ = 0 cyd (round bottom portion only)



Cubic Yards

DEBRIS DATA COLLECTION SUMMARY
TOWN OF SOUTHAMPTON

FEMA DECLARATION NO.

Vegetative		C&D		HHW		White Goods		Average Haul Distance	Primary Disposal Method	CY to Landfill
CY	Unit Price	CY	Unit Price	CY	Unit Price	CY	Unit Price			

TOWN BOARD RESOLUTION 2015-485 **Item # 6.29**

ADOPTED **DOC ID: 22155**

Resolution of Adoption Amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste) by Repealing the Provisions Therein and Replacing Chapter 205 in its Entirety with a New Chapter 205 Entitled, "Waste Management"

WHEREAS, the Town Board of the Town of Southampton is considering amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), by repealing the provisions therein and replacing Chapter 205 in its entirety with a new Chapter 205 entitled, "Waste Management"; and

WHEREAS, public hearings were held by the Town Board on March 10, 2015, and April 14, 2015, at which time all persons either for or against said amendment were heard; and

WHEREAS, the Department of Land Management has advised the Town Board that this proposed local law is considered a "Type II Action" under 6 NYCRR Part 617.5, provisions of the New York State Environmental Quality Review Act (SEQRA) and Chapter 157 of the Town Code, and that no further review under New York Conservation Law, Article 8, is necessary; now therefore be it

RESOLVED, that Local Law No. 12 of 2015 is hereby adopted as follows:

LOCAL LAW NO. 12 OF 2015

A LOCAL LAW amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), by repealing the provisions therein and replacing Chapter 205 in its entirety with a new Chapter 205 entitled, "Waste Management."

BE IT ENACTED by the Town Board of the Town of Southampton as follows:

SECTION 1. Legislative Intent.

The Town Board of the Town of Southampton seeks to update the current regulations contained in Town Code Chapter 205, which addresses the Town's landfills and transfer stations, to reflect both present practices as well as the requirements of Solid Waste Management within the Town of Southampton. In re-writing this chapter, the Town seeks to protect and promote the health, safety, and welfare of its residents by: (i) controlling the storage and disposal of solid waste generated within the Town, (ii) implementing the Town of Southampton Solid Waste Management Plan, (iii) complying with the requirements and furthering the purposes of the New York State Solid Waste Management Act, and (iv) protecting the surface waters and drinking water supply in the Town of Southampton. To that end, the Town Board finds that increased efforts to recover and reuse recyclable materials will also protect and enhance the Town's physical environment while promoting the health and safety of persons and property herein.

The new provisions proposed seek not only to facilitate the implementation and operation of an environmentally sound solid waste management program and the conservation of natural

resources, but to promote the recovery of materials from the Town's solid waste stream for the purpose of recycling such materials through source separation. In furtherance of this effort, and recognizing its importance, the Town Board seeks to encourage recycling opportunities for residential, nonresidential, commercial, industrial, and institutional establishments.

In addition, the Board finds it necessary to introduce the requirement of a carter license and permit for those refuse haulers or carters who are engaged in the business of collection, pick-up, transfer, removal, and/or the disposal of solid waste and/or recyclables within the Town. While a fee is being charged, it is not the primary purpose of the license. Rather, by requiring basic disposal information within the permit, the Town, and in particular, the Department of Waste Management – in furtherance of compliance with DEC requirements – can better monitor and track, and thus, more effectively develop policy with an improved understanding of the needs and best interests of the Southampton Community.

SECTION 2. Amendment.

Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), is hereby amended by deleting the stricken words as follows:

Chapter 205

~~Landfills, Transfer Stations and Scavenger Waste~~

~~Article I. Sanitary Landfill Stations and Garbage Transfer Stations~~

~~§205-1. Applicability.~~

~~The rules and regulations of this chapter shall apply to all generators of solid waste located within the Town of Southampton and to all Town disposal areas, including sanitary landfill stations and garbage transfer stations.~~

~~§205-2. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~BULK GOODS~~
~~Solid waste, transported by a self-hauler, that is too large or bulky to be contained in a tied Town garbage bag.~~

~~CANS~~
~~Containers comprised of aluminum, tin, steel or a combination thereof which contain or formerly contained only food and/or beverage substances.~~

~~CARDBOARD~~
~~All corrugated cardboard normally used for packing, mailing, shipping or containerizing goods, merchandise or other material, but shall not mean wax-coated or soiled cardboard.~~

~~COMMERCIAL GARBAGE HAULER~~
~~A vehicle utilized in the business of collecting and transporting solid waste of any kind.~~

~~GLASS~~

~~All clear (flint), green and brown (amber) colored glass containers. "Glass" shall not mean wired glass, crystal, ceramics and plate, window, laminated or mirrored glass.~~

~~HAZARDOUS WASTE~~

~~A.~~ ~~A solid waste or a combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may:~~

~~(1)~~ ~~Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or~~

~~(2)~~ ~~Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.~~

~~B.~~ ~~Includes but is not limited to explosives, hazardous radioactive materials, toxic substances and those substances which the administrator of the Federal Environmental Protection Agency has caused to be included in the listing of hazardous waste promulgated by said Agency pursuant to 42 U.S.C.A. § 6921(b).~~

~~METAL~~
~~Any of the various opaque, fusible, ductile and typically lustrous substances that are good conductors of electricity and heat, form cations by loss of electrons and yield basic oxides and hydroxides, including any alloys or combinations thereof.~~

~~NEWSPAPER~~
~~Includes newsprint and all newspaper and newspaper advertisements, supplements, comics and enclosures.~~

~~NONRECYCLABLE WASTE~~
~~Same as "solid waste."~~

~~NONRESIDENTIAL SELF-HAULER~~
~~A vehicle utilized in the transporting of solid waste originating from a building or parcel of land with four or more dwelling units or any single business or single industrial use.~~

~~PAPER~~
~~All high-grade office paper, fine paper, bond paper, office paper, xerographic paper, mimeo paper, duplication paper, magazines, paperback books, school paper, catalogs, computer paper and similar cellulosic material, but shall not mean newspapers, wax paper, plastic- or foil-coated paper, styrofoam, wax-coated food and beverage containers, carbon paper, blueprint paper, food-contaminated paper, soiled paper and cardboard.~~

~~PLASTICS~~
~~Containers composed of high-density polyethylenes, polyethylene terephthalate or other specific plastics as the Town Board may designate.~~

~~RESIDENTIAL SELF-HAULER~~
~~A vehicle utilized in the transporting of solid waste originating from a building or parcel of land having three or fewer dwelling units.~~

~~RUBBISH~~

~~Nonputrescible solid waste consisting of both combustible and noncombustible wastes, including but not limited to nonrecyclable paper, wrappings, cigarettes, wood, wires, glass, bedding, furniture and similar materials which are not designated recyclable materials.~~

~~SELF-HAULER~~
~~A passenger car, station wagon, van of one ton's capacity or less or a pickup truck utilized by anyone who is not in the business of collecting and transporting solid waste.~~

~~SOLID WASTE~~
~~All putrescible and nonputrescible materials or substances discarded or rejected as having served their original intended use or as being spent, useless, worthless or in excess to the owner at the time of such discard or rejection, including garbage, refuse, litter and rubbish, but not including designated recyclable materials or materials to be separated.~~

~~TOWN GARBAGE BAG~~
~~A plastic bag bearing the logo of the Seal of the Town of Southampton, of such size and design as shall be determined by the Town Board, to be used by self-haulers for the disposal of solid waste.~~

~~VEGETATIVE YARD WASTE~~
~~Organic yard and garden waste, leaves and brush, not including grass clippings.~~

~~WHITE GOODS~~
~~Discarded household appliances such as stoves, refrigerators, washing machines and other old metal items.~~

~~§205-3. Regulations.~~

~~A.~~ ~~Disposal areas shall be open during such hours as may be designated by resolution of the Town Board adopted from time to time.~~

~~B.~~ ~~The personnel in charge of each disposal area shall have full power and authority to direct the manner of deposit of material at different locations within the disposal area that are designated for the deposit of specific types of materials, and anyone using said disposal area shall obey the instructions of said personnel and shall deposit the various types of material only in the areas or containers designated for such types of materials.~~

~~C.~~ ~~The disposal area personnel shall designate the unloading area at disposal areas by appropriate signs at both ends of said area. No person may deposit materials other than those designated by these signs. No person other than the authorized personnel of the disposal area may go beyond the signs and enter the area reserved for the deposit of this material.~~

~~D.~~ ~~The personnel in charge of each disposal area shall be responsible for the directing of movements of traffic within said disposal area, and anyone operating a vehicle within said disposal area shall obey the instructions of said personnel in this regard. No person shall park a vehicle between the signs designating an unloading zone except for the purpose and time required to unload.~~

~~E.~~ ~~The Town disposal areas are maintained by the taxpayers of the Town of Southampton and are provided for the use of the residents of the Town of Southampton only. No material of any sort that is collected or transported from~~

~~outside the limits of the Town of Southampton shall be deposited in said disposal areas.~~

~~F.~~ ~~It shall be unlawful for any person to deposit any waste, garbage or rubbish of any kind on land of the Town of Southampton outside the areas designated for the deposit of those materials.~~

~~G.~~ ~~No person shall dump, throw or place in any manner any rubbish, refuse, dirt or any material whatsoever in or upon such disposal area nor at a time except that indicated by such sign or signs or directions.~~

~~H.~~ ~~Any oral directions given by any person in charge of any disposal area shall take precedence over any sign or displayed directions.~~

~~I.~~ ~~It shall be unlawful for any person to deposit any waste, garbage or rubbish outside the gates of any disposal area at any time unless containers for that purpose have been provided and designated.~~

~~J.~~ ~~It shall be unlawful for any person other than the disposal area personnel to set fire to any material within the disposal area.~~

~~K.~~ ~~(Reserved) Editor's Note: Former Subsection K, which prohibited the removal of material from disposal areas, was repealed 5-26-1992 by L.L. No. 27-1992.~~

~~L.~~ ~~No person shall deposit any animal carcass in or upon any transfer station, except that an animal carcass may be buried if immediately interred by the person bringing such carcass to a sanitary landfill in a ditch at least two feet in depth and provided that the same is immediately covered to the level of the surrounding area with earth.~~

~~M.~~ ~~No person shall remove, destroy, alter, deface or otherwise injure any sign or signs placed or erected within any public disposal area except upon and by the direction of the Sanitation Supervisor.~~

~~N.~~ ~~All material transported to a disposal area shall be covered and secured so as not to disperse material during transportation of such material.~~

~~O.~~ ~~All vehicles requiring permits under § 205-4B shall meet the regulations of the Suffolk County Department of Health.~~

~~P.~~ ~~No tires may be deposited at a disposal area. However, tires may be accepted for recycling at the discretion of the Town upon payment of a fee of $100 per ton. Said fee shall be prorated for any fraction or part of a ton.~~

~~Q.~~ ~~No hazardous wastes shall be disposed of at a disposal area.~~

~~R.~~ ~~It shall be unlawful for any person engaged in the business of collecting garbage and waste within the Town of Southampton to make such collection before 6:00 a.m. or after 10:00 p.m. of any day.~~

~~S.~~ ~~All appliances shall have their doors removed before disposal at a disposal area.~~

~~T.~~ ~~Any material which is incompatible with use of the compactor at a transfer station shall be prohibited at such station and shall be disposed of at a sanitary landfill.~~

~~U.~~ ~~All vehicles required to pay a usage fee under § 205-5A and entering the sanitary landfill site must utilize the scale installed at said site and obey the instructions of the personnel in charge. A weight ticket shall be retrieved from the scale house before entering the landfill site.~~

~~V.~~ ~~The disposal of land-clearing debris, construction debris or demolition debris by commercial garbage haulers shall be prohibited at any Town disposal area. Land-clearing debris, construction debris or demolition debris deposited by self-haulers must be separated from any and all other solid waste, trash, rubbish or vegetative yard waste and deposited only at designated areas within such Town disposal area or transfer station.~~

~~W.~~ ~~The Town Board hereby delegates to the Sanitation Supervisor the authority to adopt rules to prohibit the disposal of any waste materials, in addition to those materials expressly prohibited by this chapter, where the Sanitation Supervisor finds that waste materials would be harmful to the public welfare or would adversely impact the remaining capacity of the sanitary landfill station. Said rules shall be published in the official newspaper of the Town and posted on the Town Clerk's signboard. Said rules shall be effective upon such posting and publishing.~~

~~X.~~ ~~No newspaper as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such newspaper is separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such newspaper is to be deposited only at designated areas within such Town disposal area or transfer station. When such newspaper is prepared for disposal by anyone other than the ultimate disposer, such as a carter, it should be securely bundled and tied in packages not exceeding 50 pounds with a rope or cord sufficient in strength to facilitate handling.~~

~~Y.~~ ~~No vegetative yard waste, as defined herein, shall be deposited at any Town of Southampton disposal area or Town transfer station unless such vegetative yard waste is separated from any and all solid waste, trash or rubbish. Such vegetative yard waste is to be deposited only at designated areas within such Town disposal area or transfer station, and in no event shall vegetative yard waste include grass clippings.~~

~~Z.~~ ~~No white goods as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such white goods are separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such white goods are to be deposited only at designated areas within such Town disposal area or transfer station.~~

~~AA.~~ ~~No cans as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cans are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, glass, metal or paper. Such cans are to be deposited only at designated areas within such Town disposal area or transfer station.~~

~~BB.~~ ~~No cardboard as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cardboard is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, glass, metal or~~

~~paper. Such cardboard is to be deposited only at designated areas within such Town disposal area or transfer station.~~

~~CC.~~ ~~No glass as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such glass is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, metal or paper. Such glass is to be deposited only at designated areas within such Town disposal area or transfer station.~~

~~DD.~~ ~~No metal as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such metal is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, glass or paper. Such metal is to be deposited only at designated areas within such Town disposal area or transfer station.~~

~~EE.~~ ~~No paper as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such paper is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, glass or metal. Such paper is to be deposited only at designated areas within such Town disposal area or transfer station.~~

~~FF.~~ ~~No plastics as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such plastics are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, glass, metal or paper. Such plastics are to be deposited at designated areas within such Town disposal area or transfer station.~~

~~GG.~~ ~~All generators of solid waste located within the Town of Southampton, which leave such waste for collection or which deliver such waste to a solid waste facility, shall separate newspaper, vegetative yard waste, white goods, cans, cardboard, glass, metal, paper and plastics from the solid waste stream at the point of waste generation.~~

~~HH.~~ ~~Nonrecyclable waste and Town garbage bags.~~

~~(1)~~ ~~Nonrecyclable waste deposited at any Town disposal area by a self-hauler shall be fully contained in a tied Town garbage bag unless it consists of or includes one or more bulk goods.~~

~~(2)~~ ~~Town garbage bags shall be available at designated areas in the Town.~~

~~(3)~~ ~~The size and design of the Town garbage bag shall be determined by resolution of the Town Board.~~

~~(4)~~ ~~The fee for each size of the Town garbage bag shall be determined by resolution of the Town Board.~~

~~(5)~~ ~~No person shall:~~

~~(a)~~ ~~Duplicate or imitate a Town garbage bag.~~

~~(b)~~ ~~Give, sell or issue in any manner a duplicated or imitated Town garbage bag.~~

~~§205-3.1. Regulations on solicitation of business.~~

~~A. It is unlawful for any commercial garbage hauler or anyone acting on behalf of a commercial garbage hauler to canvass or to solicit business by entering upon the privately owned premises of any property located within the Town of Southampton if the property owner has noted objection to such entry and if the address of such property owner has been provided to the commercial garbage hauler pursuant to the provisions of this chapter.~~

~~B. The Town Clerk shall maintain a list of addresses of property owners within the Town of Southampton who have notified the Clerk of a wish not to be solicited at their premises by any commercial garbage hauler or person representing a commercial garbage hauler.~~

~~§205-4. Permits for garbage vehicles; permit fees.~~

~~A. All vehicles required to pay a usage fee under § 205-5A shall display a vehicle permit as herein required, which shall be affixed to the left side of the front bumper.~~

~~B. Permits will be issued by the Town Clerk's office after payment of the following fees for each vehicle:~~

~~(1) Garbage haulers and all other vehicles required to pay a usage fee under § 205-5A: $300 for the first vehicle and $125 for each additional vehicle.~~

~~(2) Roll-off containers:~~

~~(a) Zero to 20 cubic yards: $75.~~

~~(b) More than 20 yards to 40 yards: $150.~~

~~(c) More than 40 yards: $300.~~

~~(3) Nonresidential self-haulers depositing source-separated recyclables only and vehicles engaged in the business of transporting source-separated recyclables only: $100 for the first vehicle and $50 for each additional vehicle.~~

~~C. All permit fees are annual for the calendar year with no proration.~~

~~D. It shall be unlawful to utilize a vehicle in the business of collecting and transporting solid waste without the proper vehicle permit, and each vehicle shall have its own separate permit which shall be issued to the registration number of the vehicle where applicable.~~

~~E. All commercial garbage haulers, regardless of whether they utilize the Town landfill or transfer stations, and all persons applying for vehicle permits under Subsection B of this section shall be required to file an application form with the Sanitation Supervisor for approval.~~

~~(1) Prior to the issuance of a permit for any vehicle pursuant to Subsection B of this section, the Sanitation Supervisor shall first approve the application for such permit and the vehicle shall be inspected.~~

~~(2) Each applicant for such permit shall provide the following information:~~

~~(a) The name and address of the applicant and of all persons having a financial interest in the business.~~

~~(b) A brief description of the vehicle, including the manufacturer, factory number, type of body (for example, tank, enclosed pickup, packer, van and so forth), weight of the vehicle unladen, maximum load to be carried and New York State registration number. All trucks must have lettering on the sides of the vehicle indicating their company name, at least six inches high.~~

~~(c) All commercial garbage haulers shall provide the Town with a list of all residential and nonresidential sites of collection, indicating the street address of such sites and the days of pickup at those sites.~~

~~(d) The location where the vehicle is stored or garaged when not in use.~~

~~(e) The place or places where the applicant shall dispose of the garbage, refuse, rubbish or trash collected and the manner of disposal.~~

~~(f) Whether the applicant or any of the persons having a financial interest in the business has ever been convicted of a felony or misdemeanor or has ever had an operator's license revoked or suspended in this or any other state.~~

~~(g) Proof of financial responsibility in the event of injury to persons or property by reason of the negligent operation of any vehicle used in the business.~~

~~(h) The type of permit applied for.~~

~~(i) All commercial garbage haulers must deposit with the Town the sum of the lesser of $500 or an amount equal to the largest monthly bill paid by the hauler within the preceding twelve-month period for usage fees, to be held by the Town as a security deposit for faithful performance of the terms and conditions of this chapter. All deposits so made shall be placed by the Town in interest-bearing accounts. The interest so earned shall be paid to each permittee on an annual basis. Upon cancellation or revocation of a permit issued pursuant to this chapter, the security deposit will be returned to the permittee with accumulated interest after deducting any outstanding usage fees.~~

~~(3) The Sanitation Supervisor may require any additional information he may deem necessary from an individual applicant in order to administer the regulations enumerated in § 205-3 of this chapter.~~

F. ~~Said permits shall be issued with an individual identification number which shall be assigned to each vehicle and shall not be transferable. Upon issuance of the permit, the Town Clerk shall also provide a copy of the list of addresses that it maintains pursuant to § 205-3.1 of this chapter to every person receiving such permit. Said permit shall be kept available within the vehicle for inspection upon demand.~~

~~C. Any permit issued hereunder may be suspended or revoked by the Town Board after notice to the applicant and a hearing, where one or more of the following grounds exist:~~

~~(1) The applicant has not been found to be fit, willing and able to properly perform the service proposed and the applicant is unable to provide sufficient and suitable equipment to meet the requirements of the business.~~

~~(2) Issuance of the permit is deemed not to be in the best interests of the Town or its residents.~~

~~(3) The applicant has failed and refused, without reasonable cause, to collect and dispose of material except in a situation where a contract between the applicant and his customer has been lawfully terminated.~~

~~(4) The applicant has failed to account for or pay, without reasonable cause, any fees or bills due to the Town.~~

~~(5) The applicant has failed to reasonably fulfill his obligations to a customer as commercial refuse collector.~~

~~(6) The applicant is insolvent or has made a general assignment for the benefit of creditors or has been adjudged bankrupt or a money judgment has been secured against him, upon which an execution has been returned wholly or partly unsatisfied.~~

~~(7) The applicant or permittee has failed to keep and maintain any records required by the Town or has refused to allow the inspection thereof.~~

~~(8) The applicant has violated any of the provisions of this article or has failed to comply with any of the requirements stipulated herein.~~

~~(9) The applicant ceased to operate as a commercial collector, for which a permit was previously issued.~~

~~(10) The applicant has made a false statement in his permit application.~~

~~(11) The applicant has been found to have collected material from outside the Town and to have disposed of the same in a public disposal facility within the Town. The suspension or revocation will be in addition to penalties provided by § 205-7.~~

~~(12) The circumstances of the applicant have been altered to the extent that the applicant would not be qualified to obtain a permit if the circumstances, as altered, existed at the time the applicant had applied for the permit. Failure of the applicant to notify the Town, in writing, of such an alteration in circumstances shall likewise constitute grounds for revocation or refusal to recommend.~~

~~(13) The applicant has illegally disposed of hazardous or contaminated waste at a disposal area or at any location within the Town. The suspension or revocation will be in addition to penalties provided by § 205-7.~~

~~(14) The applicant has been found to have violated any of the posted rules pertaining to safe operation of the Town-owned and/or -maintained public disposal facilities.~~

~~§205-5. Usage fees.~~

~~A. The Town Board shall determine by resolution the fees for self-haulers depositing bulk goods, land-clearing debris, yard waste, construction or demolition debris, and any recyclables.~~

~~B. Self-haulers depositing bulk goods shall pay a flat fee of $5 per load.~~

~~C. The method and procedure for collection of the fees prescribed by this section shall be established by the Town Board by resolution.~~

~~D. Vehicles which are larger than a pickup truck or a van of one ton's capacity and commercial garbage hauler vehicles and self-haulers depositing bulk goods shall utilize only the North Sea disposal area.~~

~~E. There shall be no fee for the deposit of source-separated recyclables or vegetative yard waste by self-haulers.~~

~~F. Self-haulers depositing land-clearing debris, construction debris or demolition debris shall pay a flat fee of $25 per cubic yard.~~

~~§205-6. Removal of surplus fill.~~

~~A. When available, surplus fill from the grounds of the sanitary landfill areas may be removed by municipal governing bodies under the following conditions:~~

~~(1) Said fill shall consist of either sand or marl, as determined by the loading machine operator.~~

~~(2) Said material shall be dug and loaded only by the Town-owned loading machines, operated by disposal area personnel.~~

~~(3) Persons desiring said fill shall present to disposal area personnel a valid permit issued by the Town Board stipulating the amount of fill permitted to be removed.~~

~~(4) Said loading machine operator, upon acceptance of the permit, shall load the appropriate vehicle or vehicles provided by the permittee, unless said loading equipment is temporarily inoperative, absent or employed in need elsewhere in the disposal area; there is no guaranty of a specific loading equipment operator.~~

~~(5) Said vehicle provided by the permittee shall be loaded at the owner's risk, and the Town of Southampton shall not be responsible for any damage to said vehicle resulting from the act of loading fill into the vehicle.~~

~~B. Municipal governing bodies, such as incorporated villages, fire districts and school districts located within the Town of Southampton, may make application for specific~~

~~amounts of fill without fee. Said application shall be submitted to the Town Board for approval by resolution.~~

~~§205-7. Penalties for offenses.~~

~~A violation of any of the provisions of this article shall be deemed a violation and, upon conviction, shall be punishable by a fine of not more than $1,000 or by imprisonment for not more than 15 days, or both such fine and imprisonment.~~

~~ARTICLE II. Scavenger Waste~~

~~§205-8. Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~ALTERATION~~
~~The repair, modification or replacement of any component of an on-site sewage disposal system.~~

~~EXCLUDED WASTE~~
~~The following forms of waste are considered excluded waste:~~

~~A.~~ ~~Industrial waste.~~

~~B.~~ ~~Automobile oil and other noncooking oil.~~

~~C.~~ ~~Drainage from basement floors, footings or roofs.~~

~~D.~~ ~~Toxic or hazardous substances and chemicals, including but not limited to pesticides, acids, paints, paint thinner, herbicides, solvents, photographic chemicals and water-softening agents.~~

~~E.~~ ~~Cesspool-cleaning and drain-opening products which are prohibited by Article 39 of the New York Environmental Conservation Law or Suffolk County Local Law No. 12-1980.~~

~~ON-SITE SEWAGE DISPOSAL SYSTEM~~
~~A system for the disposal of untreated scavenger waste, such as a septic tank, cesspool, sewage holding tank, marine pump-out holding tank or other similar device, on or near the site of the building or buildings being served.~~

~~OWNER~~
~~A natural person, corporation, the State of New York or any authority or subdivision of the state, the United States of America or any department or agency thereof who owns, rents or leases real property.~~

~~PERSON~~
~~An individual, association, firm, syndicate, corporation, department, bureau or agency or any entity recognized by law as the subject of rights and duties.~~

~~SCAVENGER WASTE~~

~~Sanitary sewage and domestic sewage wastes which are normally disposed of in an on-site sewage disposal system. Scavenger waste shall not include excluded wastes as defined herein.~~

~~**SCAVENGER WASTE PLANT**~~
~~The joint Riverhead/Southampton Scavenger Waste Treatment Plant situate on Riverside Drive, Riverhead.~~

~~**TOWN**~~
~~The Town of Southampton, including incorporated villages.~~

~~**§205-9. On-site sewage disposal systems.**~~

~~A.~~ ~~Only scavenger waste shall be discharged into on-site sewage disposal systems in the Town.~~

~~B.~~ ~~The discharge of excluded waste into an on-site sewage disposal system shall be prohibited in the Town.~~

~~**§205-10. Transportation permit required; fee; rules and regulations.**~~

~~A.~~ ~~No person shall engage in the removal of scavenger waste from any on-site septic system in the Town without a valid permit issued by the Town Clerk and the Suffolk County Department of Health Services.~~

~~B.~~ ~~Any applicant for a permit as required by Subsection A of this section shall file a sworn application with the Town Clerk. Said application shall be on a form provided by the Town Clerk and shall contain the name and address of the applicant and the type, model, capacity (in gallons) and registration number of all vehicles to be used. Additionally, such form shall state:~~
~~[Amended 7-10-1990 by L.L. No. 19-1990]~~

~~"I, _____, being duly sworn, state and depose that I am familiar with the provisions of Chapter 205, Article II, Scavenger Waste, of the Town Code of the Town of Southampton. I will report the address and exact location of all on-site sewage disposal systems pumped by me or my business within the Town of Southampton as required by Chapter 205, Article II. I will comply with all other provisions of Chapter 205, Article II. I am aware that failure to comply will result in the assessment of a penalty of $250 and/or 15 days' imprisonment for each violation."~~

~~C.~~ ~~The permit fee for the permit required by Subsection A of this section shall be $250 per vehicle. This fee shall be collected by the Town Clerk before the permit is issued. A permit shall be issued for each vehicle to be utilized by the applicant.~~

~~D.~~ ~~Each person with a permit under the provisions of this section shall file on the last Friday of each month, on a form to be provided by the Town Clerk, a report for each vehicle with the Town Clerk, stating the address, Suffolk County Tax Map number and exact location of each on-site sewage disposal system pumped during the month and shall certify that no excluded waste was disposed of at the joint scavenger waste facility.~~

~~E. All scavenger waste generated within the Town shall be disposed of at the scavenger waste plant.~~

~~F. No excluded waste shall be disposed of at the scavenger waste plant.~~

~~G. The rules for disposal of scavenger waste at the scavenger waste plant shall be promulgated by the Town of Riverhead. The personnel in charge of said facility shall have full authority to implement said rules. Any violation of said rules by a person licensed by the Town of Southampton shall be deemed a violation of this chapter.~~

~~§205-11. Construction or alteration permit for on-site sewage disposal system; fee.~~

~~A. No person shall construct a new on-site sewage disposal system or alter any existing on-site disposal system in the Town without first obtaining a permit from the Town Clerk. Such permit shall state the exact location of the on-site sewage disposal system and the address and Tax Map number of the property where the work is performed in the manner and form specified by the Town Clerk.~~

~~B. The fee charged for such construction permit shall be in an amount prescribed by resolution of the Town Board.~~

~~§205-12. Construction standards for on-site sewage disposal systems.~~

~~A. All new construction of on-site sewage disposal systems in the Town shall conform to Standards for Sewage and Waste Disposal Systems as then established by the Suffolk County Department of Health Services.~~

~~B. All new construction shall be located as prescribed by the Suffolk County Department of Health Services and at a location where pumping can occur without trespassing on lands of another owner an express easement for that purpose over another owner's premises exists.~~

~~C. All on-site sewage disposal systems shall be covered in a manner that permits inspection as provided for herein.~~

~~§205-13. Inspections.~~

~~A. Every five years, or sooner if conditions require, on-site sewage disposal systems shall be inspected by qualified inspectors employed by the Town. A copy of this inspection report shall be provided to the owner. This requirement shall not apply to on-site sewage disposal systems in use on the effective date of this chapter until said systems are altered or pumped. However, nothing herein shall prevent a lawful inspection of an existing on-site sewage disposal system where an inspector has reason to believe that an existing system may be causing actual or potential pollution of groundwater or surface water, contamination of the drinking water supply, nuisance problems or other public health hazards.~~

~~B. The conduct of inspections shall be subject to all applicable laws. Five days' written notice is to be given to the owner that an inspection will be made.~~

~~C. No civil claim shall lie against the Town for any damages resulting from any inspection as authorized herein.~~

~~D.~~ ~~An inspector may order whatever remedial action is necessary to abate actual or potential pollution of groundwater or surface water, contamination of the drinking water supply, nuisance problems or other public health hazards. The time for compliance shall be specified. Failure to comply with an inspector's order shall be a violation of this article.~~

~~§205-14. Fees for scavenger waste.~~

~~The Town Board shall, by resolution, set the fee for the disposing of scavenger waste at the scavenger waste plant at an amount of not less than $0.015 per gallon. The fee to be paid shall be calculated on full-tank capacity.~~
~~Editor's Note: Current fees are available at the Town offices.~~

~~§205-15. Penalties for offenses.~~

~~A.~~ ~~Any violation of this article shall be punishable by a fine of not more than $1,000 or by imprisonment for a term not to exceed 15 days, or both.~~

~~B.~~ ~~In addition to any other remedy available at law, the Town may seek whatever equitable remedies are available to it to enforce this article.~~

SECTION 3. Amendment.

Town Code Chapter 205 is hereby amended by adding the underlined words as follows:

Chapter 205

Waste Management

§205-1. Applicability.

The rules and regulations of this chapter shall apply to all generators of solid waste located within the Town of Southampton and to all Town disposal areas, including Town waste transfer stations, private garbage and/or recycling transfer stations for which Town waste is transported to, and the Refuse Hauler/Carters performing transportation operations.

§205-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

BULK GOODS

Solid waste, transported by a self-hauler, which is too large or bulky to be contained in a tied Town garbage bag.

CANS

Containers comprised of aluminum, tin, steel or a combination thereof which contain or formerly contained only food and/or beverage substances.

CARDBOARD

All corrugated cardboard, brown paper, or paperboard commodities normally used for packing, mailing, shipping or containerizing goods, merchandise or other material, but shall not include wax-coated or soiled cardboard.

COLLECTION VEHICLE

Any vehicle licensed by the Town of Southampton Waste Management Division to operate commercially within the Town for the purpose of collecting and transporting garbage, rubbish, ashes, refuse, liquid waste or recyclable material or any other waste material, except hazardous waste, as defined pursuant to regulations promulgated under the New York State Environmental Conservation Law, Article 27, and/or the Federal Resource Conservation Recovery Act (RCRA) of 1976.

COMMERCIAL SELF-HAULER

A small business consisting of home renovation, estate care, or landscaping operating a vehicle utilized by anyone who is not a refuse hauler/carter, or in the business of collecting and transporting solid waste.

GLASS

All clear (flint), green and brown (amber) colored glass containers. "Glass" shall not mean wired glass, crystal, ceramics and plate, window, laminated or mirrored glass.

HAZARDOUS WASTE

A. A solid waste or a combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may:

(1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or

(2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.

B. Includes but is not limited to explosives, hazardous radioactive materials, toxic substances and those substances which the administrator of the Federal Environmental Protection Agency has caused to be included in the listing of hazardous waste promulgated by said Agency pursuant to 42 U.S.C.A. § 6921(b).

ILLEGAL DUMPING

Deposition of solid waste and/or recyclables at a location other than a facility legally licensed, permitted, and duly authorized to accept such material.

LAND-CLEARING DEBRIS

Soil, sod, stumps, trees in excess of 3”, and chipped vegetative material as a result of the clearing of any property.

METAL

Any of the various opaque, fusible, ductile and typically lustrous substances that are good conductors of electricity and heat, form cations by loss of electrons and yield basic oxides and hydroxides, including any alloys or combinations thereof.

NEWSPAPER

Includes newsprint and all newspaper and newspaper advertisements, supplements, comics and enclosures.

NONRECYCLABLE WASTE

Same as "solid waste."

NONRESIDENTIAL PROPERTY

Those properties not zoned for residences, including, but not limited to, industrial, commercial, and business parcels.

NONRESIDENTIAL SELF-HAULER

Any person engaged in the transporting of solid waste originating from a building or parcel of land with four or more dwelling units or any single business or single industrial use.

PAPER

All high-grade office paper, newspaper, fine paper, bond paper, office paper, xerographic paper, mimeo paper, duplication paper, magazines, paperback books, school paper, catalogs, computer paper and similar cellulosic material, but shall not mean wax paper, plastic- or foil-coated paper, styrofoam, wax-coated food and beverage containers, carbon paper, blueprint paper, food-contaminated paper, soiled paper, cardboard, or brown paper and paper board.

PERMITTED CARTER

Any individual, association, partnership, firm, corporation, not-for-profit organization, or any other person permitted by the Town of Southampton to operate within the Town for the purposes of collection, pick-up, transfer, removal and/or disposal of Solid Waste and/or Recyclables.

PLASTICS

Containers composed of high-density polyethylenes, polyethylene terephthalate or other specific plastics as the Town Board may designate.

REFUSE HAULER/CARTER

Any individual, association, partnership, firm, corporation, not-for-profit organization, or any other person so deemed by the Town to be collection, transfer and/or transportation of garbage, refuse, recyclable material (including, but not limited to scrap metal), construction or demolition debris, or solid waste from premises defined herein as “residential’” and “non residential,” or who removes solid waste from “residential” and “non residential” premises

which he or she does not own, lease or occupy, whether or not such person is engaged in the business of collecting or removing Solid Waste.

RESIDENTIAL PROPERTY

A property within the Town of Southampton which is zoned to allow not more than three units per lot.

RESIDENTIAL SELF-HAULER

A Town resident and/or renter or guest of same and vehicle utilized in the transporting of solid waste originating from a residence or residential parcel of land within the Town of Southampton having three or fewer dwelling units.

RUBBISH

Nonputrescible solid waste consisting of both combustible and noncombustible wastes, including, but not limited to, nonrecyclable paper, wrappings, cigarettes, wood, wires, glass, bedding, furniture and similar materials which are not designated recyclable materials.

SOLID WASTE

All putrescible and nonputrescible materials or substances discarded or rejected as having served their original intended use or as being spent, useless, worthless or in excess to the owner at the time of such discard or rejection, including garbage, refuse, litter and rubbish, but not including designated recyclable materials or materials to be separated.

TOWN GARBAGE BAG

A plastic bag bearing the logo of the seal of the Town of Southampton, of such size and design as shall be determined by the Town Board, to be used by all self-haulers for the disposal of solid waste.

VEGETATIVE YARD WASTE

That certain material consisting of leaves, brush, and tree limbs less than three inches in diameter, but exclusive of stumps or grass clippings.

WHITE GOODS

Discarded household appliances such as stoves, refrigerators, washing machines and other old metal items.

§205-3. Regulations.

A. Town Transfer Station Disposal areas shall be open during such hours as the Town Board may designate and amend from time to time by resolution.

B. The personnel in charge of Town Transfer Station disposal areas shall have full power and authority to direct the manner of deposit of material at different locations within the disposal area that are designated for the deposit of specific types of materials, and anyone using said disposal area shall obey the instructions of said personnel and

shall deposit the various types of material only in the areas or containers designated for such types of materials.

C. The Town Transfer Station disposal area personnel shall designate the unloading area at disposal areas by appropriate signs at both ends of said area. No person may deposit materials other than those designated by these signs. No person other than the authorized personnel of the disposal area may go beyond the signs and enter the area reserved for the deposit of this material.

D. The personnel in charge of each Town Transfer Station disposal area shall be responsible for the directing of movements of traffic within said disposal area, and anyone operating a vehicle within said disposal area shall obey the instructions of said personnel in this regard. No person shall park a vehicle between the signs designating an unloading zone except for the purpose and time required to unload.

E. The Town disposal areas are maintained by the taxpayers of the Town of Southampton and are provided for the use of the residents of the Town of Southampton only. No material of any sort that is collected or transported from outside the limits of the Town of Southampton shall be deposited in said disposal areas, unless so authorized by Town Board resolution.

F. It shall be unlawful for any person to deposit any waste, garbage or rubbish of any kind on land of the Town of Southampton outside the areas designated for the deposit of those materials.

G. No person shall dump, throw, or place in any manner any rubbish, refuse, dirt or any material whatsoever in or upon such Town disposal area nor at any time except that indicated by such sign or signs or directions.

H. Any oral directions given by any person in charge of any Town disposal area shall take precedence over any sign or displayed directions.

I. It shall be unlawful for any person to deposit any waste, garbage or rubbish outside the gates of any Town disposal area and/or any Refuse Hauler/Carter premise at any time unless containers for that purpose have been provided and designated.

J. It shall be unlawful for any person to set fire to any material within a Town disposal area. The Town may, upon receipt of appropriate permits from the New York State Department of Environmental Conservation and the Fire Marshal, conduct controlled burns.

K. No person shall remove, destroy, alter, deface or otherwise injure any sign or signs placed or erected within any public disposal area except upon and by the direction of the Waste Management Director.

L. All material transported to a Town disposal area shall be covered and secured so as not to disperse material during transportation of such material.

M. Residential tires may be deposited at the North Sea Transfer Facility for recycling at a cost posted on the Town's Website pursuant to the Waste Management/Recycling Center Fee Schedule.

N. No hazardous wastes shall be disposed of at a Town disposal area with the exception of STOP (Stop Throwing Out Pollutants) Day for households hazardous wastes.

O. It shall be unlawful for any person engaged in the business of collecting garbage and waste within the Town of Southampton to make such collection before 5:00 a.m. or after 5:00 p.m. of any day.

P. All appliances shall have their doors removed before disposal at a Town disposal area.

Q. No person shall deposit any animal carcass in or upon any transfer station, except as delivered by the Southampton Town Highway Department.

R. All vehicles depositing bulk goods, metals, construction, and demolition debris and/or yard waste at the appropriate Town Transfer Stations must utilize the scale house or attendance booth installed at each perspective site and obey the instructions of the personnel in charge. A weight ticket and/or receipt shall be retrieved from the scale house or attendant booth before entering the Transfer Station Deposition Area.

S. The disposal of land-clearing debris, construction debris or demolition debris by commercial garbage haulers shall be prohibited at any Town disposal area. Construction debris or demolition debris deposited by self-haulers must be separated from any and all other solid waste, trash, rubbish or vegetative yard waste and deposited only at designated areas within such Town disposal area or transfer station, unless otherwise authorized by Town Board resolution.

T. The Town Board hereby delegates to the Director of Municipal Works the authority to adopt rules to prohibit the disposal of any waste materials, in addition to those materials expressly prohibited by this chapter, where the Director of Municipal Works finds that waste materials would be harmful to the public welfare. Said rules shall be published in the official newspaper of the Town and posted on the Town Clerk's signboard. Said rules shall be effective upon such posting and publishing.

U. No newspaper and/or paper as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such newspaper/paper is separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such newspaper/paper is to be deposited only at designated areas within such Town disposal area or transfer station. When such newspaper/paper is prepared for disposal by anyone other than the ultimate disposer, such as a carter, it should be securely bundled and tied in packages not exceeding 50 pounds with a rope or cord sufficient in strength to facilitate handling.

V. No vegetative yard waste, as defined herein, shall be deposited at any Town of Southampton disposal area or Town transfer station unless such vegetative yard waste is separated from any and all solid waste, trash or rubbish. Such vegetative yard waste is to be deposited only at designated areas within such Town disposal area or transfer station, and in no event shall vegetative yard waste include grass clippings.

W. No white goods as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such white goods are separated from any and all solid waste, trash, rubbish or vegetative yard waste. Such white goods

are to be deposited only at designated areas within such Town disposal area or transfer station.

X. No cans as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cans are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, metal or paper. Such cans are to be deposited only at co-mingled designated areas within such Town disposal area or transfer station.

Y. No cardboard as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such cardboard is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, glass, metal or non-brown paper. Such cardboard is to be deposited only at designated areas within such Town disposal area or transfer station.

Z. No glass as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such glass is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, metal or paper. Such glass is to be deposited only at co-mingled designated areas within such Town disposal area or transfer station.

AA. No metal as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such metal is separated from any and all solid waste, trash, rubbish, vegetative yard waste, cans, cardboard, glass or paper. Such metal is to be deposited only at designated areas within such Town disposal area or transfer station.

BB. No plastics as defined herein shall be deposited at any Town of Southampton disposal area or Town transfer station unless such plastics are separated from any and all solid waste, trash, rubbish, vegetative yard waste, cardboard, metal or paper. Such plastics are to be deposited at co-mingled designated areas within such Town disposal area or transfer station.

CC. All generators of solid waste located within the Town of Southampton, which leave such waste for collection or which deliver such waste to a solid waste facility, shall separate newspaper, vegetative yard waste, white goods, cans, cardboard, glass, metal, paper and plastics from the solid waste stream at the point of waste generation.

DD. Nonrecyclable waste and Town garbage bags.

(1) Nonrecyclable waste deposited at any Town disposal area by a self-hauler shall be fully contained in a tied Town garbage bag.

(2) Town garbage bags shall be available at designated areas in the Town.

(3) The size and design of the Town garbage bag shall be determined by resolution of the Town Board.

(4) The fee for each size of the Town garbage bag shall be determined by resolution of the Town Board.

(5) No person shall:

(a) Duplicate or imitate a Town garbage bag.

(b) Give, sell or issue in any manner a duplicated or imitated Town garbage bag.

§205-4. Regulations; Town Residents/Visitors Utilizing Refuse Haulers/Carters.

A. In accordance with New York State Source Separation/Recycling Law, (GML §120-aa), every owner or occupier of any residences and/or any refuse hauler/carter servicing these residences must source separate and segregate recyclable or reusable materials from rubbish.

B. Containers; duty of owners and occupiers of property.

1. Every owner or occupier of any residence within the Town of Southampton shall provide or cause to be provided at all times suitable and sufficient containers for solid waste and recyclables that may accumulate upon said premises.

2. Residential waste containers 32 gallons or less containing solid waste and recyclables shall be watertight, with covers and handles of adequate strength.

3. Corrugated cardboard shall be placed in a container and/or bundled in larger than 18" x 18" stacks, or as approved by the refuse hauler/carter, to prevent littering.

4. All co-mingled recyclables (No. 1, 2 plastics, glass bottles, tin, and metal cans), shall be placed in containers bearing a label provided by the refuse hauler/carter.

C. Collection of Bulk Items.

1. The owner/occupier of any residence within the Town of Southampton shall arrange for the collection of bulk items such as white goods (refrigerators, washers, stoves, etc.), and other large items incapable of being enclosed in containers, from the refuse hauler/carter. All appliances and furniture items must be secured in such a way so as to avoid any hazard to the public; doors or broken glass shall be secured or removed from any appliance or furniture item prior to its placement curbside.

D. Collection of Waste – Refuse Haulers/Carters.

1. The Town of Southampton may, from time to time, determine by resolution which items must be source-separated as recyclables. The list of recyclables shall be posted on the Town's website and published in the local newspaper; said list may not be exhaustive.

2. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed to prevent leakage in transit to prevent stormwater runoff contamination. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.

3. In the event a collection vehicle is transporting primarily recycling materials, said vehicle may be an open refuse-collection type, provided that said vehicle is fitted with a suitable canvas or other cover to prohibit any material from being discharged while the vehicle is in transit.

4. No debris, litter or the like shall fall upon any highway or street within the Town during the collection process.

5. Vehicles designed or known as “rear loaders,” or “rear-load packers,” shall be completely enclosed in transit, either by use of the exterior closing door fitted as part of a body style, or by the use of the closing mechanism in those units not having, as a standard or an accessory, a separate exterior door.

6. All accessory doors, including the main loading door, shall be closed during travel on public highways unless the subject vehicle is engaged in the continuous servicing of adjacent structures along said highway.

7. The condition of collection vehicles shall be maintained to industry standards, and shall be kept clean and sanitary.

8. All collection vehicles shall comply with the provisions of this chapter, as well as those regulations set forth by the New York State Department of Motor Vehicles.

9. Collection vehicles shall be subject to inspection at any time by the Town for the purpose of enforcement of this chapter.

§205-5. Regulations; Solid Waste Generated at Commercial and Institutional Operations within the Town.

A. Containers; duty of owners and occupiers of property.

1. Every owner or occupier of any building, premises, or place of business within the Town shall provide or cause to be provided at all times suitable and sufficient containers for solid waste and rubbish.

2. All solid waste and refuse containers shall be designed for such purposes, either of metal, plastic, or other durable material, and shall be securely tied, fastened, closed, or sealed. Such containers shall be emptied or replaced whenever full. Such containers shall be maintained in such a manner so as to prevent dispersal of its contents about the premises or elsewhere.

3. All private, industrial, institutional, or commercial establishments shall provide suitable recycling containers to prevent the dispersal of its contents about the premises or elsewhere.

B. Separation of Solid Waste, including recyclable materials.

1. Owners, occupiers, and refuse haulers/carters of all properties within the Town shall be required to separate recyclable material (paper, cardboard, plastics, metal, and glass), to the maximum extent practicable, from municipal solid waste.

2. Owners, occupiers, and refuse haulers/carters shall separate the following materials from all other solid waste left for collection or transport to a solid waste facility:

a. Hazardous wastes;

b. Recyclables (paper, cardboard, plastics (1 & 2), metal, glass), or as may be designated by the Town Board;

c. Yard waste;

d. Construction and demolition debris.

§205-6. Permit required for commercial and/or private waste haulers/carters.

Pursuant to New York State Department of Environmental Conservation (DEC) requirements:

A. All Commercial haulers/carters must obtain a solid waste collection permit from the Town of Southampton's Division of Waste Management. A fee for such permit shall be set by the Town Board on an annual basis, and all permits shall be issued for the calendar year or such portion thereof. There shall be no reduction in the fee for a permit issued after the beginning of any calendar year.

B. No person, company, corporation, partnership, or other entity, except as hereinafter provided, shall remove any solid waste, garbage, refuse, recyclable material, or rubbish of any kind from the premises of any person, firm, or corporation, or cart or transport the same through or upon any street, avenue, parkway, or highway within the Town unless such person shall have first obtained a permit from the Town of Southampton Division of Waste Management, as hereinafter provided. In addition, any person, business or carter who works for the Town shall be required to comply with the provisions herein.

C. Permitted and authorized haulers/carters shall offer collection services for recyclable materials to all residential customers for whom they provide household solid waste collection services.

D. An application form with information required for a hauler's/carter's permit shall be provided by the Town. The applicant shall complete the form either online and/or in writing; the application shall contain such information as requested by the Town Board but, at a minimum, shall include:

1. A list of all vehicles, including vehicle license numbers, the applicant intends to utilize for the collection of Solid Waste and Recyclables in the Town of Southampton;

2. The names and addresses of all partners, limited or otherwise, if the applicant is a partnership, or of all officers and directors and shareholders, if the applicant is a corporation;

3. The applicant, or any officers of the applicant, shall provide a record of a prior conviction or convictions of any crime for which the applicant pled or was

found guilty. If the applicant is a corporation, partnership, or other business entity, it shall also provide a record of a prior conviction or convictions of any crime for which it, or any officer thereof, pled or was found guilty.

4. A detailed account of the total estimated weight of refuse and recyclables by type within the last 12 months collected by the applicant within the Town of Southampton;

5. A copy of the Suffolk County Department of Health Services permit issued to the carter for garbage to be transported in body trucks and their identified disposal locations. Said permit shall include the list of authorized trucks to be operated by the carter.

6. For non SCDHS permitted vehicles, the carter shall provide a list of vehicles to be used within the Town of Southampton, identifying the following information: make, year, model of chassis, body style, volume, tonnage capacity, color and NYS vehicle registration number for each vehicle used.

7. All permit applications and annual reports shall require a copy of valid vehicle registrations.

8. The type of material(s) intended to be hauled by the applicant (i.e., MSW, Recyclables, Construction and Demolition Debris)

E. The Town of Southampton shall issue the applicant a carter permit so long as the application is deemed complete and the applicant is deemed by the Division of Waste Management to be in compliance with the provisions herein. Applicant shall provide a certified check or credit card payment in the amount of the permit fee as determined by the Town of Southampton. The Division of Waste Management shall issue a plate or tag for each truck used by a permittee hereunder. Such plate or tag shall be securely fastened and displayed at all times in a conspicuous location on each such truck. Failure to display said tag or plate in a conspicuous place on any truck shall be deemed a violation of this section.

F. The renewal of a hauler/carter permit(s) shall be in the same manner and subject to the same conditions as the issuance of the original hauler/carter permit(s), and shall be subject to any additional requirements in effect at the time an application for renewal is filed.

G. All collection, transportation and disposal of Solid Waste and Recyclables shall be in strict conformance with the rules and regulations prescribed herein. Said rules and regulations may be amended or supplemented from time to time by the Town Board.

H. The name of the Carter shall be readily visible on all vehicles and containers utilized for the collection of Solid Waste and/or Recyclables generated within the Town.

I. Any hauler/carter permit issued pursuant to this chapter shall be a privilege, subject to the terms and conditions set forth herein and as amended or supplemented by the Town, and shall not be deemed to create a property interest therein.

§205-7. Southampton Town Transfer Station usage fees.

A. The fees for residential self-haulers depositing bulk goods, yard waste, construction or demolition debris, and/or any recyclables at Town Transfer Station facilities shall be determined, and amended from time to time, by Town Board resolution.

B. Residential self-haulers depositing bulk material, brush less than 3" in diameter, and/or construction and demolition debris, shall pay a fee as determined, and amended from time to time, by Town Board resolution, and as advertised on the Town's website pursuant to the Waste Management/Recycling Center Fee Schedule.

§205-8. Refuse Hauler/Carter Permit Fees.

The fees for Refuse Hauler/Carter permits working within the Town of Southampton shall be determined, and amended from time to time as needed, by Town Board resolution.

§205-9. Penalties for offenses.

A. In the event of a violation of this chapter, the Town may order compliance and issue a written notice of violation, to be served personally or by certified mail on the violator.

B. Upon a conviction of a violation, the Town shall have the power to impose a civil penalty, suspend, or revoke a hauler/carter permit granted or renewed pursuant to this chapter for any violation of any provision herein or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling, or disposal of Solid Waste and/or Recyclables.

C. An appeal of any of the actions described in (B) above shall be governed by Article II of Town Code Chapter 143 to the Licensing Review Board.

D. In addition to, or as an alternative to any penalty provided herein or by law, any person who violates §205-6 of this chapter, that is, the section requiring a permit for haulers/carters within the Town, shall be guilty of a violation punishable by a fine not exceeding $1,500, or imprisonment for a period not to exceed six months, or both for a conviction of a first offense; for a conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than $1,500 nor more than $3,000, or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine of not less than $3,000 nor more than $5,000, or imprisonment for a period not to exceed six months, or both. However for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each days continued violation shall constitute a separate additional violation.

E. In addition to, or as an alternative to any penalty provided herein or by law, any person who violates any other provision(s) of this chapter other than as described in subsection (D) above, shall be guilty of a violation punishable by a fine not exceeding $500, or imprisonment for a period not to exceed six months, or both for a conviction of a first offense; for a conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than $500 nor more than $1,000, or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were

committed within a period of five years, punishable by a fine of not less than $1,500, or imprisonment for a period not to exceed six months, or both. However for the purpose of conferring jurisdiction upon courts and judicial officers generally, violations of this chapter shall be deemed unclassified misdemeanors, and for such purpose only, all provisions of law relating to misdemeanors shall apply to such violations. Each days continued violation shall constitute a separate additional violation.

SECTION 4. Authority.

The Town Board hereby amends Town Code Chapter 205 pursuant to General Municipal Law §120-aa, and Municipal Home Rule Law §§10(1)(ii)(a)(11) and (12), as well as §10(1)(ii)(d)(3).

SECTION 5. Severability.

If any section or subsection, paragraph, clause, phrase, or provision of this law shall be judged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 6. Effective Date.

After filing with the Secretary of State pursuant to Municipal Home Rule Law, this Local Law shall take effect October 1, 2015.

AND BE IT FURTHER RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to publish the following Notice of Adoption:

NOTICE OF ADOPTION

TAKE NOTICE, that after public hearings were held by the Town Board of the Town of Southampton on March 10, 2015, and April 14, 2015, the Town Board, at its meeting of April 28, 2015, adopted LOCAL LAW NO. 12 OF 2015, as follows: "A LOCAL LAW amending Town Code Chapter 205 (Landfills, Transfer Stations and Scavenger Waste), by repealing the provisions therein and replacing Chapter 205 in its entirety with a new Chapter 205 entitled, 'Waste Management.' "

Copies of the proposed law, sponsored by Councilwoman Bridget Fleming and Councilman Brad Bender, are on file in the Town Clerk's Office, Monday through Friday, from 8:30 a.m. to 4:00 p.m.

BY ORDER OF THE TOWN BOARD
TOWN OF SOUTHAMPTON, NEW YORK
SUNDY A. SCHERMEYER, TOWN CLERK

Financial Impact:
None, see resolution text.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Bridget Fleming, Councilwoman
SECONDER: Bradley Bender, Councilman
AYES: Throne-Holst, Bender, Scalera, Fleming, Glinka

APPENDIX J

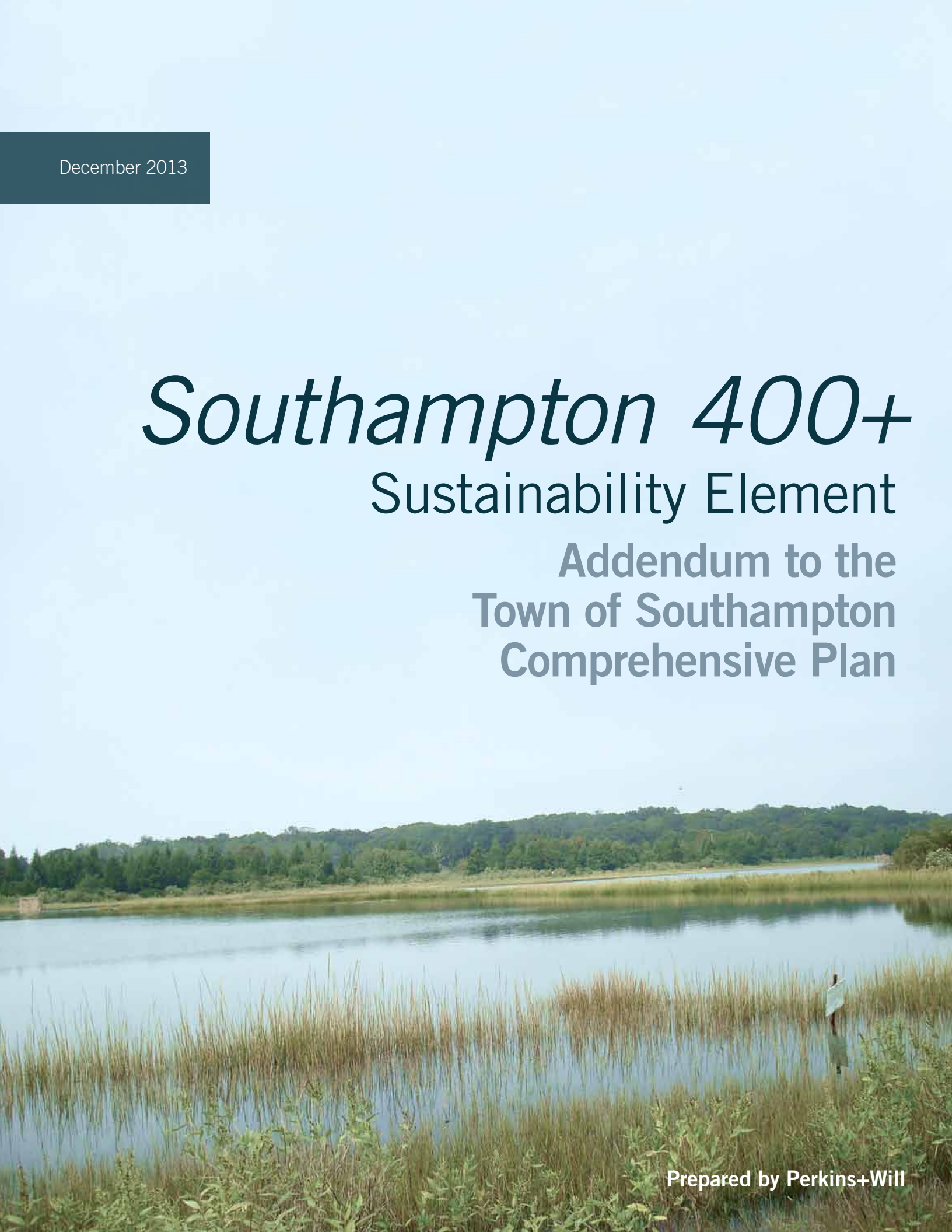
TOWN OF SOUTHAMPTON 400+ SUSTAINABILITY ELEMENT TO THE TOWN COMPREHENSIVE PLAN

December 2013

Southampton 400+

Sustainability Element

Addendum to the Town of Southampton Comprehensive Plan



Prepared by Perkins+Will

EDGEMENTS

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Suffolk County, NY

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Southampton Town Board

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Bridget Fleming, Councilwoman
James W. Malone, Councilman
Christopher R. Nuzzi, Councilman
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ADDITIONAL ACKNOWLEDGEMENTS
This document was prepared through a coordinated effort of the Town and its staff, the consultant team, and the Sustainable Southampton Advisory Committee (aka Green Committee). In addition, many others provided valuable input through participation in a project workshop, meetings, and interviews. These include Christopher Bean, Superintendent of Parks and Recreation Department; Richard Blowes, Executive Director, Southampton Housing Authority; Jeremiah Collins, Conservation Board, Jacqueline S. Fenlon, Current Planning, Tony Filorimo, Chairman, Transportation Commission, Peter Gaudiello, Building Maintenance & Facilities Management; Alex Gregor, Highway Superintendent; Nancy Graboski, former Councilwoman; Scott Horowitz, Conservation Board; Russell Kratoville, Town Management Services Administrator; Jacqui Lofaro, Planning Board; Jefferson Murphree, former Town Planning and Development Administrator; Paula Pobat, Director of Information Management; Susan Sherry Clark, Landmarks Board; Sally Spanburgh, Chairperson, Landmarks Board; Mary Wilson, Community Preservation Manager; and Frank Zappone, Deputy Supervisor.

December 2013

Southampton 400+

Sustainability Element

Addendum to the Town of Southampton Comprehensive Plan

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WALSAM
FARMS

GLOSSARY OF ACRONYMS

AFV:	Alternate-fuel vehicle
ASHRAE:	American Society of Heating, Refrigerating and Air-Conditioning Engineers
CAP:	Climate Action Plan
CDC:	Centers for Disease Control
CPBLUP:	Central Pine Barrens Land Use Plan
CPF:	Community Preservation Fund
DEC:	Department of Environmental Conservation
DHS:	Department of Human Services
DLM:	Department of Land Management
DOT:	Department of Transportation
ESCO:	Energy Service Company
E-Waste:	Electronic Waste
GIB:	Green Infrastructure & Buildings (category in LEED ND Framework)
GIS:	Geographic Information System
GHG:	Greenhouse gas
GJGNY:	Green Jobs Green New York
HERS:	Home Energy Rating System
HHW:	Household Hazardous Waste
HMV:	High-mileage vehicle
IMP:	Integrated Pest Management
kWh:	Kilowatt Hour (1,000 watt-hours)
NPD:	Neighborhood Pattern & Design (category in LEED ND Framework)
LED:	Light-emitting diode
LEED:	Leadership in Energy and Environmental Design, a third-party certification program
LEED-CI:	LEED for Commercial Interiors
LEED-EB:	LEED for Existing Buildings
LEED-NC:	LEED for New Construction
LEED-ND:	LEED for Neighborhood Development
LIPA:	Long Island Power Authority
LWRP:	Local Waterfront Revitalization Program
NYSERDA:	New York State Energy Reserach and Development Authority
PDD:	Planning, Design, and Development
PV:	Photovoltaic
REC:	Renewable Energy Credit
RRAD:	Residential Receiving Area District
SEEDS:	Sustainable East End Development Strategies
SSI:	Sustainable Sites Initiative
SWMP:	Solid Waste Management Plan
TOS:	Town of Southampton
VOC:	Volatile Organic Compound
VMT:	Vehicle Miles Traveled

MISSION STATEMENT

June 25, 2013

Wanting to maintain the unique characteristics that define the Town of Southampton, specifically, its scenic vistas, maritime heritage, agricultural heritage and culture, vibrant hamlet centers and unsurpassed beaches, the Town of Southampton wishes to insure the future of the Town. Recognizing and respecting individual property rights, as well as the intent to retain and reaffirm our ability to define our own destiny through local jurisdiction, the "Southampton 400+" Sustainability Plan ("The Plan") seeks to do this. While the term "sustainability" may have global application in other non-town documents, the term as used herein is not in furtherance of those global objectives but is meant to directly apply to the resilience of our local community. The term is relevant only in the context of our local environment and how we can, maintaining our local jurisdiction, best meet the needs of our community in an ever changing context.

It is important to note, that while adopting this as an Element of the Comprehensive Plan, we do so with the knowledge and intent that the goals are aspirational and that tactics identified which pertain to policy matters, legislation and budgetary issues will have to be addressed, debated and and/or deliberated upon separately in the context of future circumstances. The 1999 Update similarly recognizes that the recommendations and policies must be applied in ways that will vary for each hamlet and business center, based upon the physical characteristics, zoning, demand, tax base and other hamlet conditions, including the priorities of local citizenry and businesses.

The intent of the Plan is that it be used in the Planning and Land Use process and provide the means by which the Town may set sustainable priorities via suggestions or recommended actions to consider with mechanisms for measuring success. Potential funding sources for tactics within the plan, as with all policy implementations would include budgetary surplus, grant opportunities (which grants shall be readily available for review and any assurances or other obligations associated with same shall be fully disclosed) and all other viable mechanisms, which would all be the subject of public vetting through a due process.

The Plan sees the potential for possible governmental participation through legislation and the ability of government to act as a facilitator particularly in the area of education. In some areas, its goals are ambitious but decidedly so to encourage a continued desire to improve and progress.

Sustainability, as used in the Plan should be read in the context of"sustaining", namely to sustain the beauty, culture and history that have made our Town among the most desirable places to live and vacation. For those of us who live and work here, this document should be seen as a way to preserve the essence of the Town in perpetuity so that what we treasure most will remain for generations to come.

Join in the Great Greening
of Southampton-Kickoff
on October 24, 2009
www.southamptontownny.gov
SUSTAINABLE SOUTHAMPTON GREEN COMMITTEE

EXECUTIVE SUMMARY

Southampton 400+ has been prepared as a component of the Town of Southampton's Comprehensive Plan in order to incorporate the emerging field of sustainability planning into that document. It consists of three distinct components:

1. A brief, up front narrative section, Vision & Approach, containing:
   - An introduction and vision statement for a sustainable Southampton
   - A description of the process used to prepare the plan
   - A guide to the plan's structure and functionality
   - A discussion of plan implementation and tracking

2. An Action Plan, consisting of recommended strategies to address sustainability in 10 topic areas. Each topic area features:
   - Introductory comments on the significance of the category to sustainability
   - A goal statement for the category
   - An account of how sustainability initiatives in the category meet "triple bottom line" standards of supporting economic, environmental, and social values
   - Recommended initiatives, including both existing initiatives that require continuance and enhancement and proposed new projects
   - A set of recommended strategies presented in a matrix format

3. An Appendix containing:
   - A Precedents Study of sustainability initiatives in comparable communities around the country
   - Context maps
   - Documentation of a Town workshop to collect input on the plan, including the workshop presentation
   - References & Resources

VISION & APPROACH

THE VISION

Southampton Town aspires to be a healthy and green community in a sustainable world as it approaches its 400th anniversary in 2040. A sustainable Southampton is one where the advantages, delights, and unique cultural and natural features of our region are available and accessible to all its residents, regardless of age, race, or socio-economic status. A sustainable Southampton retains and strengthens the region's core attractions – farmlands, woodlands, estuaries, and walkable village centers. The goal here is not nostalgia. The goal is strengthening regional quality of life using 21st century technologies and services in the building, health care, energy, arts and entertainment, transportation, and other economic sectors. In a sustainable Southampton, chemicals of concern use are minimized, wildlife corridors are maintained, our vital water resources are restored, and residents have the resources needed for maintaining good health.

GUIDING PRINCIPLES

The plan sets forth sustainable precepts to direct the Town of Southampton throughout its current and future circumstances, irrespective of changes in, focus areas, tactics, or leadership. These are:

1. HEALTHY AND RESILIENT COMMUNITIES AND NATURAL SYSTEMS

To achieve these, the Town will need to:

- Minimize human degradation of natural systems.
- Improve the health and vitality of fisheries and agricultural lands.
- Reduce dependence on man-made persistent chemicals and synthetic substances.
- Reduce wasteful use of natural materials.
- Reduce fossil fuel dependence.
- Create and sustain vibrant hamlets as centers of economic prosperity, culture, and learning.

2. SUSTAINABLE EDUCATION AND LITERACY

Sustainable education and literacy is essential to the Plan's implementation and underlies many of the Plan's recommendations.

3. TRANSPARENCY

Transparency in developing, communicating, and tracking the progress of the Plan will keep it alive and meaningful, and support ongoing implementation.

4. TRIPLE BOTTOM LINE

The Triple Bottom Line is an increasingly common approach to sustainable development that looks at each action from the standpoint of economic, social and environmental benefits.

THE PROCESS

Southampton 400+ was initiated by the Sustainable Southampton Green Committee, with funding from a US Department of Energy grant. An RFP was issued seeking a consultant to prepare the plan and Perkins+Will (P+W), an international green urban design and architecture firm, was selected from a field of a dozen respondents. Due to project constraints, it was determined that the focus of this Sustainability Element would be an Action Plan, based on a matrix comparable to the one in the Town's Comprehensive Plan. Plan goals, objectives and strategies were developed based on information drawn from workshops, focus groups, stakeholder interviews, existing and adopted Town plans, and precedents from other communities nationwide. The Sustainable Southampton Green Committee reviewed plan drafts prior to its submission to the Town Board for adoption. Additional public review and outreach is recommended in order to generate buy-in and commitment to plan implementation.

PLAN STRUCTURE AND ADAPTABILITY

At the heart of this Sustainability Element is a series of matrices, which are targeted action plans for each of 10 Focus Areas. These matrices set forth the recommended actions (Tactics) with columns providing such details as tracking numbers, a brief description, implementation mechanisms, responsibility, potential implementation partners, whether the action will have an impact on greenhouse gas production (and may be culled for inclusion in a Climate Action Plan), and references to implementation resources, include internet links. There are two formats for the matrix – a print version and an editable database. The database will allow Town staff to update the action plan on an ongoing basis, as well as use the "filter" and "search" functions to sort and customize the data.

IMPLEMENTATION AND TRACKING

The concept of sustainability is constantly growing and evolving, and this plan should grow and evolve with it — e.g. incorporating references to new technologies, new approaches to infrastructure, new government and private sector programs, and new third party standards for energy efficiency and sustainable development, among other things. A system should be put in place for managing the plan, overseeing its implementation, tracking and reporting on progress, and making updates. Proposed elements of that system include Town Board leadership, designated staff with responsibility for plan oversight, resource allocation for plan initiatives, Green Committee involvement, and the development of a culture of sustainability in Town government-in which each department and division commits to sustainable initiatives. An updated Action Plan section of this document should be prepared and submitted to the Town Board every two years, or as the need arises.

ACTION PLAN

The Action Plan component of this plan contains dozens of recommended tactics for pursuing sustainability in all Town operations and municipal activities, as well as promoting sustainable private sector initiatives and lifestyles. It is important to recognize that this is a long term plan and an aspirational plan, and as such may appear overambitious. However, given the importance of sustainability, it was determined to retain proposed actions so they may be considered as resources become available, circumstances change or opportunities arise.

This executive summary presents the goal for each focus area of the plan, and recommendation highlights. These were selected as plan priorities based on a combination of factors including whether they build upon and expand existing initiatives, may be readily implemented, address a pressing issue, or present an exciting or inspiring direction.

EDUCATION

GOAL: Use fact-based education as a tool to advance awareness, generate civic engagement and support meaningful change. Conduct education activities that will fuel government action, and promote sustainable lifestyles on the part of Town resident and visitors.

TACTIC HIGHLIGHTS:

- Expand the Sustainable Southampton Green Committee website to provide a full range of resources on green living in Southampton, with links to information on recycling resources, alternative transportation, energy saving programs (i.e. Green Homes), etc.
- Craft a community outreach and education program to include media relations, special events, coordination with civic groups and local institutions, identification and prioritization of issues and campaigns, and development of informational materials.

WATER

GOAL: Restore and protect the Town's ground and surface waters to ensure their ability to support public health and the maritime, recreational and resort activities that underpin Southampton's way of life and economy.

TACTIC HIGHLIGHTS:

- Expand Suffolk County Clean Water Coalition activities and participation.
- Continue to pursue development of a septic inspection program consistent with State and County regulations, and funding opportunities for upgrades to failing systems.

ECONOMICS

GOAL: Achieve a resilient and diversified local economy where economic benefits are shared across the community. Recognizing that the economy and environment are inextricably linked, pursue economic health through sustainable practices for existing economic sectors, continued development of green businesses, and increased reliance on locally produced goods and services.

TACTIC HIGHLIGHTS:

- Promote the Town's "Safe and Sustainable" procurement policy, which supports sustainable businesses and stimulates demand for local and sustainable products, for use by the Town's private sector businesses.
- Expand the use of the Town's website to encourage and inform sustainable business practices.
- Continue and expand upon the "green-label" system as implemented in "A Greener Southampton". Build upon the existing "A Greener Southampton" business and public education reuse and recycle consumer campaign.

LAND USE

GOAL: Achieve land development and redevelopment that preserves Southampton's rural and maritime heritage, and reinforces the interdependence of traditional development patterns characterized by the interdependence of compact and walkable village and hamlet centers with surrounding open space and managed landscapes, agricultural uses, and accessible coastal areas.

TACTIC HIGHLIGHTS:

- Broaden, strengthen and promote the voluntary transfer of development rights (TDRs) where appropriate in order to shift new development away from sensitive vacant lands and open spaces toward walkable village and hamlet centers.
- Develop a Climate change Adaptation Plan for making the Town resilient in the face of anticipated sea level rise and increased extreme weather events.
- Consider passing a zoning ordinance encouraging shade devices and paving materials with an SRI index of at least 29 and/or install open-grid pavements systems that are at least 50% pervious to mitigate heat island effects and facilitate stormwater recharge.

Earth DAY in the Town of Southampton

TRANSPORTATION & AIR QUALITY

GOAL: Reduce transportation impacts on environmental quality, greenhouse gas emissions and public safety through the promotion of alternative modes including walking, biking, transit, higher vehicle occupancies, and low-emission/alternate fuel vehicles.

TACTIC HIGHLIGHTS:

- Complete and implement where appropriate the Complete Streets Policy
- Encourage the increased use of bicycling as an alternative transportation mode by providing bicycle safety education and tools, and signage, maps and bicycle parking at train stations, hamlet centers, schools, beach access points, and other destinations.

ENERGY / CARBON

GOAL: Become carbon neutral through a combination of conservation, efficiency, and alternative energy sources.

TACTIC HIGHLIGHTS:

- Develop a Climate Action Plan.
- Consider proceeding to the next step on the Town's ESCO energy audit in order to realize new efficiencies, cost savings, and provide municipal leadership on energy-saving retrofits.
- Consider amending the zoning code to allow the development of commercial-scale renewable energy installations (e.g. "solar farms") with appropriate location and site plan controls.

GREEN BUILDINGS

GOAL: Promote new development that minimizes the carbon footprint of building construction, renovation and operations, that provides a healthy environment for occupants, and that utilize natural systems to support a high quality of life.

TACTIC HIGHLIGHTS:

- Establish a system for regular (i.e. biennial) evaluation and updates to the Town's Energy Code, based on a review of LEED, Energy Star and other 3rd party certification standards, in order to keep up with advances in technology, and lower costs/ increased feasibility.
- Consider amending Chapter 123 of the Town Code, Building Construction, to incorporate sections on green building practices beyond energy, such as materials, roofing, demolition, water use, etc., referencing third party rating systems such as LEED, Green Globes, National Green Building Standard (ICC 700), etc., and establishing requirements and/ or providing incentives for achieving specific rating levels. Any such amendment must comply with the New York State Building Code.

WASTE

GOAL: Achieve net zero waste production by minimizing waste production and treating waste as a resource rather than a byproduct.

TACTIC HIGHLIGHTS:

- Adopt and implement the 2011 Draft Solid Waste Management Plan
- Remove organic matter from the waste stream by developing a food waste composting program.

QUALITY OF LIFE

GOAL: Provide access for all Town residents to a healthy lifestyle including opportunities for active recreation, locally produced/organic food, safe drinking water, educational and cultural activities, community engagement, and personal fulfillment.

TACTIC HIGHLIGHTS:

- Develop a town-wide health challenge to encourage family wellness. For example, encourage residents to implement one healthier habit in their lives like eating fresh, locally grown food or increased walking. Teams comprised of families, civic groups, businesses, town employees, students, teachers, church groups, etc. can use an honor-system scorecard to track progress. Encourage local businesses to sponsor.
- Develop and provide seed funding for a façade and site improvement program to assist and encourage property owners to improve the appearance and sustainability of their properties.

STEWARDSHIP

GOAL: Ensure sustainable stewardship of the Town's natural, cultural, historic, and scenic resources, in both public and private ownership.

TACTIC HIGHLIGHTS:

- Consider adopting and implementing the recommendations of the 2012 Historic Districts study and consider amending the Town's regulations to facilitate their establishment.
- Identify all Town-owned vacant land and ensure there is a maintenance plan for each.

Town of Southampton Beach Bag Event

1

Vision and Approach

Long Island

"Long Island's impressive natural heritage and patterns of economic development present challenges that place this unique region at the forefront of the nation's discussion on sustainability."

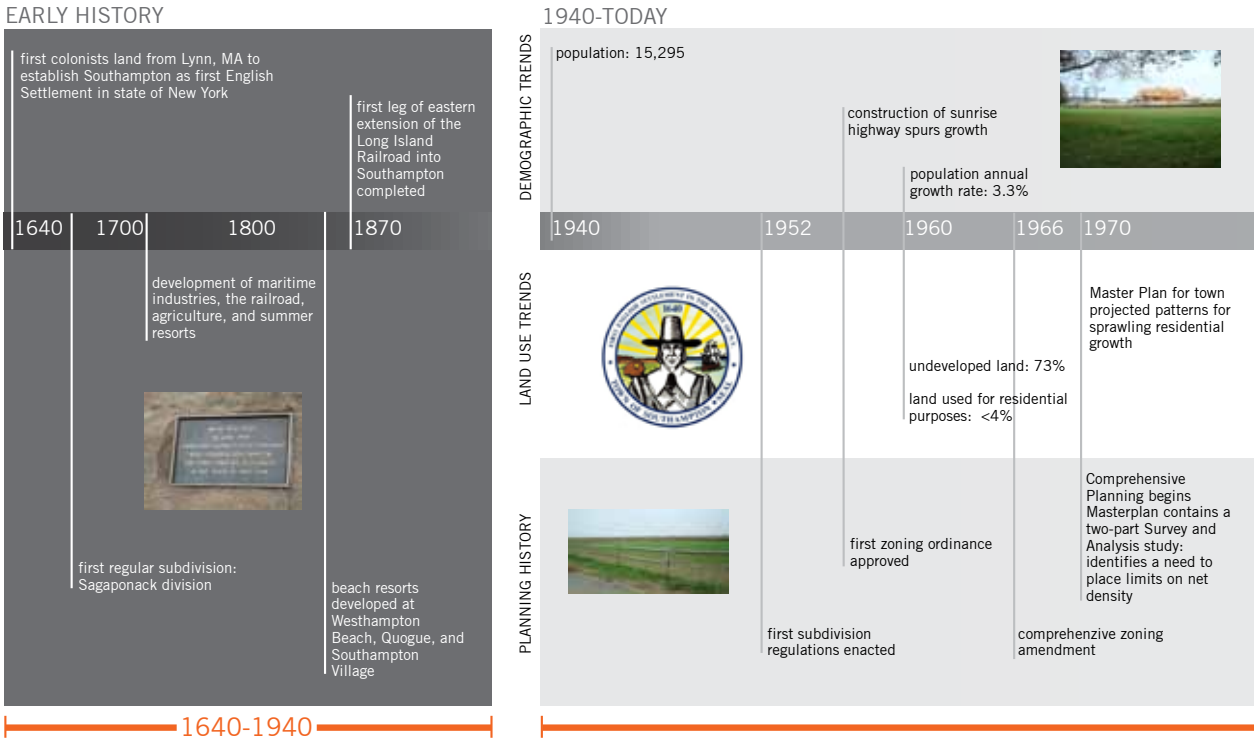
-The New York League of Conservation Voters Education Fund

INTRODUCTION

Three hundred and seventy two years ago a small group of English settlers founded the Town of Southampton. Since its modest inception, Southampton has grown to be the largest and most populous of the eastern towns of Suffolk County as well as one of the premier seasonal resort communities in the United States.

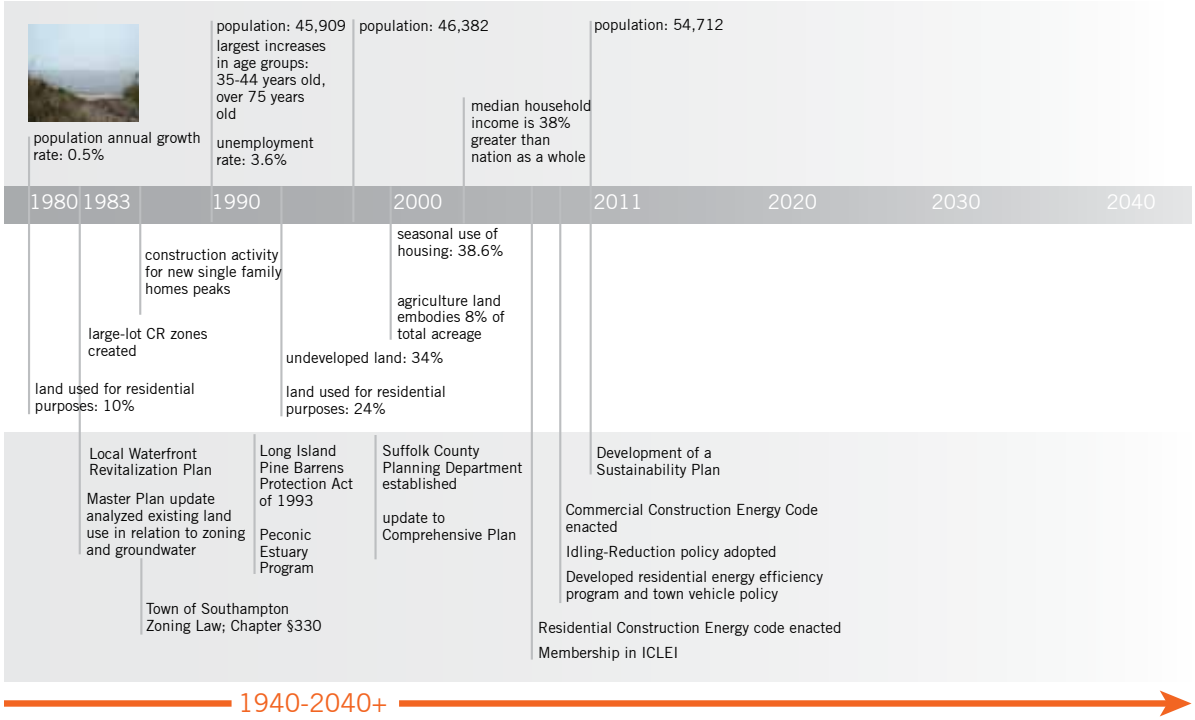
People have always been attracted to Southampton because of its bountiful natural resources. For centuries, the town's economy depended upon the abundance of its fishing grounds and its rich farmland. In the 20th Century, the local economy shifted towards capitalizing on the beauty of Southampton. Now tourism and the vacation home industry are the heart of the town's economy. Southampton's prosperity has always been dependent on its natural resources. Unfortunately, Southampton's natural resources are under significant stress. Now, rising sea level, coastal erosion, algae blooms, loss of upland and marine habitat are afflicting Southampton. These are challenges that the founders of Southampton could never imagine three centuries ago, but today's citizens of Southampton now have to face them and many more.

The people of Southampton decided to add this Sustainability Element to the Town's Comprehensive Master Plan. This addition of this Sustainability Element



grows out of the realization that sustainability is not a lofty or discretionary endeavor for the Town, but rather is a necessary enterprise if Southampton is to remain the distinctive and cherished community that it is today. This document has been prepared to function as an element of the Town's Comprehensive Plan, ultimately ensuring that sustainability remains a core value and key part of Town's identity. In the last two decades, Southampton has implemented major initiatives that have made it a regional leader in sustainability and adoption of this plan will strengthen that position.

As a tool to systematically deliver sustainability in Southampton, this Element complements and builds upon the existing vision goals of the Town's Comprehensive Plan: resource protection, meeting community needs, supporting the economy, and increasing transportation choices. This Element is also crafted to ensure that principles of the triple bottom line are incorporated into its fabric. To this end, each proposed action in this Element contributes to, or leads towards, a greater environmental, social, or economic good. This approach acknowledges the reality that the Town needs to promote growth and a vibrant business atmosphere, but it cannot come at cost of what makes Southampton a special place—its people and natural beauty.



VISION

Southampton Town aspires to be a healthy and green community in a sustainable world. This sustainability plan is named Southampton 400+ as way to acknowledge the rich 372 year history of the town and the need for this generation to ensure Southampton enters its fifth century in 2040 as a verdant, healthy, and thriving community. To achieve these aspirations the plan is constructed to deal directly with the economic, environmental, and social challenges of today and future decades. (See Figure 1 for additional information on the structure of the plan). Southampton Town cannot achieve its vision alone. Sustainable living will not only bring the Town into greater dialogue with neighboring communities but also communities around the world.

A sustainable Southampton is one where the advantages, delights, and unique cultural and natural features of our region are available and accessible to all its residents, regardless of income or other classifications. A sustainable Southampton retains and strengthens the region's core attractions – farmlands, woodlands, estuaries, and walkable village centers. The goal here is not nostalgia. The goal is strengthening regional quality of life using 21st century technologies and services in the building, health care, energy, arts and entertainment, transportation, and other economic sectors. In a sustainable Southampton, toxic chemical use is minimized, wildlife corridors are maintained, our vital water resources are restored, and residents have the resources needed for maintaining good health. Our creative challenge is to offer a high quality of life for current and future generations but with a much smaller carbon footprint.

GUIDING PRINCIPLES: BACKGROUND

Guiding Principles are a statement of the broad goals for this Sustainability Element. They capture the Town's values and provide direction to the plan and they are an extension of the Guiding Principles from 1999 Comprehensive Plan which are:

I. The Town will protect its Valuable Natural, Historic and Scenic Resources.

II. The Town will enhance the community through a variety of public facilities and programs designed to ensure that Southampton can meet the fullest range of needs for its entire community today and tomorrow.

III. The Town will maintain the existing nature of the local economy, while working to enhance the diversity of the economy for the future, particularly in the areas of tourism and the second home industry, by protecting the Town's character and quality of place.

IV. The Town will create more choices for residents in how they travel to and through Town, and will create a transportation system that works in tandem with land use to preserve a landscape of rural roads with distinct village and hamlet centers.

These principles remain relevant and at the forefront of Town activity. However, concerns such as Climate change, rising sea levels and the need for new sources of energy that have been gaining prominence in recent years indicate that these principles be augmented.

GUIDING PRINCIPLES FOR SOUTHAMPTON'S SUSTAINABILITY PLAN

The Guiding Principles in this section are the sustainable precepts that will direct the Town of Southampton throughout its current and future circumstances, irrespective of changes in its goals, focus areas, tactics, or the leadership.

HEALTHY AND RESILIENT COMMUNITIES AND NATURAL SYSTEMS

Southampton has a rich cultural and natural heritage.

The Town's landscapes and waterscapes are essential components of local quality of life. The success of the Town, its hamlets, and natural systems are highly interdependent. As such, the Town will need to:

1. Minimize human degradation of natural systems.
2. Improve the health and vitality of fisheries and agricultural lands.
3. Reduce dependence on man-made persistent chemicals and synthetic substances.
4. Reduce wasteful use of natural materials.
5. Reduce fossil fuel dependence.
6. Create and sustain vibrant hamlets as centers of economic prosperity, culture, and learning.

Sustainability depends upon resiliency and adaptation. In the event of a regional crisis, could the Town provide for its basic food and energy needs using local resources? In coming decades, the Town's hamlet's and natural systems will have to adapt to a wide array of natural phenomena, including storms, droughts, fires, flooding, and diseases. As the Town continues to green its economy, how can it improve the economic conditions of the lower income neighborhoods and communities?

People are at the core of any good sustainability plan. The people of Southampton represent a wide cultural spectrum, with diversity in age, race, socioeconomic status, and interests. The future of Southampton depends on the health, wellbeing, economic vitality, and happiness of all residents, employees, and visitors across these demographic spectrums. To that end, the Town will promote the health, wellness, and basic needs of everybody within its bounds fairly and efficiently.

SUSTAINABLE EDUCATION AND LITERACY

Knowledge is the arch stone of this proposal; without it the plan would collapse under the weight of its aspirations. Education programs are the means to inform the residents, visitors, and employees of the Town of the sustainable challenges and opportunities that the South Fork of Long Island will encounter in coming decades. This plan will also serve as the mechanism to inform people of the Town of Southampton of the actions being taken to address these challenges.

TRANSPARENCY

Transparency is an essential factor in developing, communicating, and tracking the progress of Southampton's Sustainability Plan. A plan that fails to disclose its process, progress, and outcomes effectively jeopardizes its credibility. Transparency brings value to all stakeholders, as it demands accountability and honesty from all responsible parties.

TRIPLE BOTTOM LINE

The Triple Bottom Line is an increasingly common approach to sustainable development that addresses economic, social and environmental challenges. The Triple Bottom Line directs the Town away from traditional trade off practices (for example, economic gains at the expense of natural resources) by ensuring that town programs offer economic, environmental, and social benefits to its residents and other stakeholders. Furthermore, Town generated improvements should be fairly distributed among the local hamlets. This is typically accomplished by engaging a wider array of stakeholders in Town decision making. For example, proposals to promote job or small business creation should include representatives from the local educational systems, lower income, and minority communities. Also including environmental stewards in these conversations may initially slow down the decision making process, but the end result is typically a much higher quality proposal or policy; these stakeholders often have insights that significantly enhance the Town-wide benefits of the original proposal. The Town should establish clear metrics for meeting its Triple Bottom Line.

PROCESS

Southampton 400+ was developed based upon information drawn from public forums, focus groups, surveys, and previous community plans. The process was guided by the planning subcommittee of the Town's Green Committee, which included staff from the departments of Municipal Works and land Management.

FUNDING

The Town of Southampton retained Perkins+Will, an internationally renowned green urban design and architecture firm, to assist the Green Committee in preparing this Sustainability Element. The consultants' work was fully funded through an Energy Efficiency & Conservation Block Grant (EECBG) from the US Department of Energy.

RESEARCH, INVESTIGATION, AND ANALYSIS

The project team initiated their work by investigating what makes Southampton a unique place. This task kicked-off with a site tour with the Town's project leadership and the project team. Bi-weekly calls to exchange and review information with the Town's professional staff and the Green Committee were held. This information included a wide range of materials from policies to Geographic Information System (GIS) maps. (For a complete list of resources and links, see the Appendix).

PARTICIPATION

"Southampton is a community built on a long tradition of stewardship" -Sustainability module workshop attendee

To ensure participation from the staff and officials who will be engaged in implementing this plan, the Supervisor's Office hosted a Visioning Workshop at Town Hall on December 6, 2011. Members of the Green committee as well as the subcommittee overseeing the project attended the workshop. Also present were representatives from the full spectrum of Town departments, divisions, appointed boards and advisory committees. After a presentation on the project and preliminary research, stakeholders contributed to the development of what would become the ten focus areas of the plan. Through facilitated breakout sessions, the team gathered information on key areas of interest, benefits of addressing that area, consequences, and mechanisms of implementation, all of which contributed to shaping this plan Materials used, and resulting from, this workshop are included in the Appendix.

Later on in the process, draft recommendations were reviewed with stakeholders in meetings with the Green Committee's planning subcommittee. The final report was reviewed by the full Green Committee, which provided both comments and portions of text, particularly for the document's Vision section. Ongoing outreach and stakeholder involvement is recommended as the plan moves to the implementation stage. With the assistance of the Department of Land Management, each of the Town's other departments reviewed and vetted the details of the plan that related to their respective areas of influence and control. This approach helped to ensure that the details of the Sustainability Element were understood and supported by the people that are primarily responsible for actualizing the plan.

PRECEDENTS STUDY

At the visioning workshop, the planning team presented precedent case studies from other communities for discussion. The intent of presenting these precedents was to share some of the key applicable lessons that might be applied to this sustainability plan. The precedents case studies were drawn from three different types of

Green Committee members participate in the Visioning Workshop, Dec. 6, 2011

Participants discuss Water at the Visioning Workshop, Dec. 6, 2011

sustainability plans: (1) Affinity communities that share a similar defining characteristic, such as a large seasonal swing in population, (2) Communities facing a similar environmental challenge such as rising sea levels, and (3) Communities that had an innovative approach worth noting. In total, the team referenced 22 communities and formally presented the five most compelling examples at the workshop. (For the complete Precedents Report, see the Appendix).

CREATING THE PLAN

Drawing on research and information gathered at the Visioning Workshop, the goals and aspirations for this Sustainability Element (Guiding Principles) were drafted. Also from this material, the Green Committee members and the project team choose ten key areas of concern (Focus Areas): Economics, Education, Energy & Carbon, Green Buildings, Land Use, Quality of Life, Stewardship, Transportation/ Air Quality, Waste, and Water. These Focus Areas address both typical planning issues such as land use as well as sustainability issues such as local food production that have not as yet been fully addressed in the Comprehensive Plan.

REVIEW

Plan drafts were reviewed by the Sustainability Element Sub-committee. The full Sustainable Southampton Green Committee reviewed the plan in later stages before its submission to the Town Board for adoption. Additional public outreach is recommended in order to generate buy-in and commitment to plan implementation, as well as to develop the partnerships necessary for success.

STRUCTURE OF THE PLAN

At the heart of this Sustainability Element is a series of matrices, which are targeted action plans for each Focus Area. These matrices delineate the recommended actions (Tactics). Within this basic framework, a series of tactics were developed for each of the Focus Areas. Each tactic is accompanied by details that make up the bulk of the sustainability strategy. These details include tracking numbers, a brief description, implementation mechanisms, initiation periods, responsibility, and other critical information. The complete list of columns included in the matrices is detailed below. The action plan format is used for this Sustainability Element in order to facilitate implementation and tracking, build on the 2011 updated action plan for the 1999 Comprehensive Plan Update, and make the most efficient use of the limited resources available for preparing the document.

Each tactic is crafted to address an environmental challenge, or facet of a challenge, that Southampton faces today. The tactics represent actions that can be performed by the Town, or others, which will contribute to a significant environmental improvement for the Town of Southampton. The intent of listing out individual tactics is to prescribe a systematic sustainability "Action Plan" for the next several decades. Tactics are also crafted to cover a spectrum of approaches from short-term to longterm, from no capital investment to high investment, and from low-tech to high-tech strategies. (See the "Means of Implementation" chart for more detail). The tactics are also a compilation of sustainable strategies, both existing and new.

PRINT VERSION AND DATABASE VERSION OF THE MATRIX

There are two formats for the matrices – a print version and an editable database. The print version, included in the bound final report, is also the version in the downloadable PDF. In it, not all data is visible in order to present the information clearly within the confines of a printed page. The database version is a tool for use by Town staff engaged in managing the plan's implementation and updates. It is an Excel formatted file that can function as a "living document" to be updated and modified as the plan progresses. As with the print version, in the database each Focus Area is partitioned off into separate tabs (sections). Within each tab, users will be able to use Excel's "filter" and "search" functions to sort and customize the data. This can be done in two ways:

- For unique information - Such as language describing a specific tactic, a user will be able to use the search function (Ctrl F) to jump to individual cells containing specific words.
- For Standard information – Database users can sort and select tactics according to information contained in worksheet columns, such as Time Frame (e.g. to identify a subset of short term action items) or Responsibility (e.g. to select actions of relevance to a specific department or division). As noted, the database contains columns not present in the print version, which may also be sorted. For example, a selected of those tactics which have a "Yes" in the column for contributing to greenhouse gas production can be used to seed a Climate Action Plan.

Some columns are hidden to preserve readability and usability of the print version of the matrix. To Unhide Columns, select all columns, right-click, and chose: Unhide. The hidden columns are Sub-Topic, Contributes to GHG Emissions Reduction, and Relevant to Current Opportunity Current Opportunity. These columns allow the user to perform other searches, such as finding all the tactics that have a YES in the column: Contributes to GHG Emissions Reduction. The hidden columns are intended to aid municipal users in very precise searches when they are either the updating of the matrix or further constructing the implementation of a set tactics; accordingly, the hidden columns are not intended for general use by the public.

MATRIX BREAKDOWN

The following is a detail description of the matrix organization. As noted above, the matrices are divided into

a series of columns, which are grouped by theme. Starting from the left side of the chart:

DESCRIPTION COLUMNS

1. Tracking Number - Every tactic has a tracking number; this allows it to be easily found in the matrix and to be tracked in subsequent efforts.
2. Topic - Every tactic is sorted by a general topic or grouping. This is a broad classification of a tactic to facilitate searches and to help people quickly understand the overall tenor of a tactic.
3. Tactic (Action) – This column features a brief written description of the recommended action items or tactics. When possible the tactics are generally arranged sequentially in the order in which they need to occur. However, the actions are also grouped by topic. The order of placement in this column is not an indicator of priority.
4. Sector – This column identifies whether a tactic is relevant to the Municipal, Institutional, Commercial, and Residential sector or is germane to all. This will assist users in identifying stakeholders to be involved in this effort.
5. Opportunity for Private Sector, Individual or Volunteer Initiative –Tactics that can be implemented by private citizens or groups are noted in this column.

ADDITIONAL INFORMATION COLUMNS

6. Links – This provides the live, clickable, links to the reference information. These links are either to reference standards, plans that have enacted a similar strategy or other pertinent information.
7. Notes/ References – This column provides a brief description of the link(s) given and/or other additional information about the tactic.
8. Related Focus Area – This indicates a synergistic relationship with another Focus Area. Often tactics in one Focus Area are directly or tangentially connected to another Focus Area.

TRACKING

9. Recommend Timeframe for Initial Action – This column provides guidance on prioritizing the tactics by giving a timeframe for initiating work on each one. The recommend timeframes are based on such considerations as the need to sequence actions(some tactics need to occur before others), or the scale of the proposed endeavor, urgency, and feasibility (i.e. "low hanging fruit" is generally identified as short term). Large and complex tactics have been positioned to occur later in the plan to allow time to channel resources towards them.
10. Progress Tracking - This column allows for the status of action on the tactic to be updated as implementation progresses.

HIDDEN COLUMNS

11. Sub-Topic – Some topics have sub-topics that provide for a finer breakdown. This breakdown is particularly useful for multi-step tactics.
12. Contributes to GHG Emission – This column is intended to help easily identify tactics that will contribute to reducing the Greenhouse Gas Emissions and may be culled for inclusion in a climate action plan or other initiative related to reducing the Town's carbon footprint.
13. Relevant to Current Opportunity – This column indicates whether the proposed tactic relates to an existing initiative or opportunity currently under way in the town. This column will facilitate municipal efforts to coordinate interrelated sustainable efforts.
14. Current Opportunity – For tactics with a Yes in the previous column, this one provides space for noting the specific relevant initiatives or opportunities.

STRUCTURE OF THE PLAN

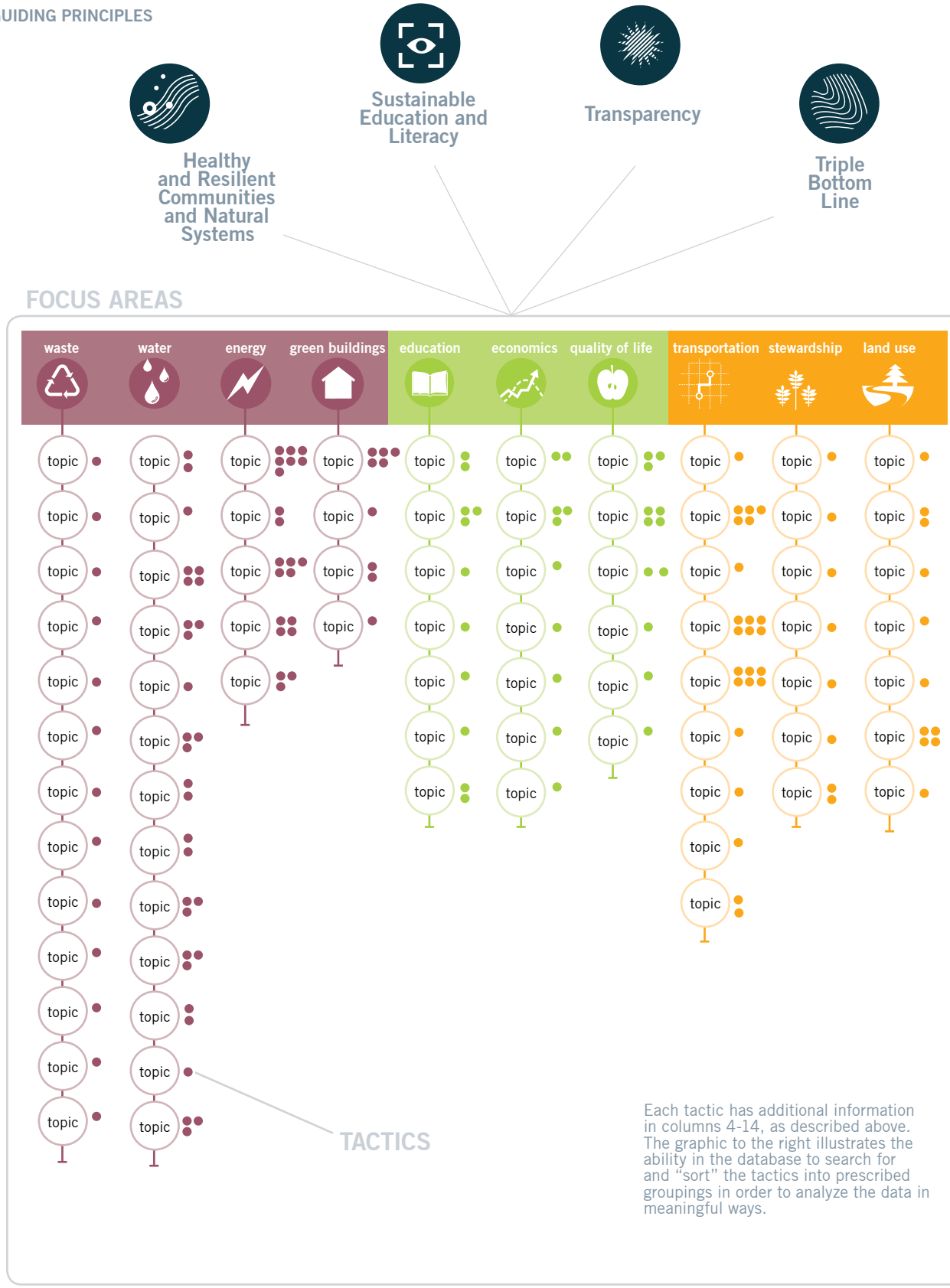
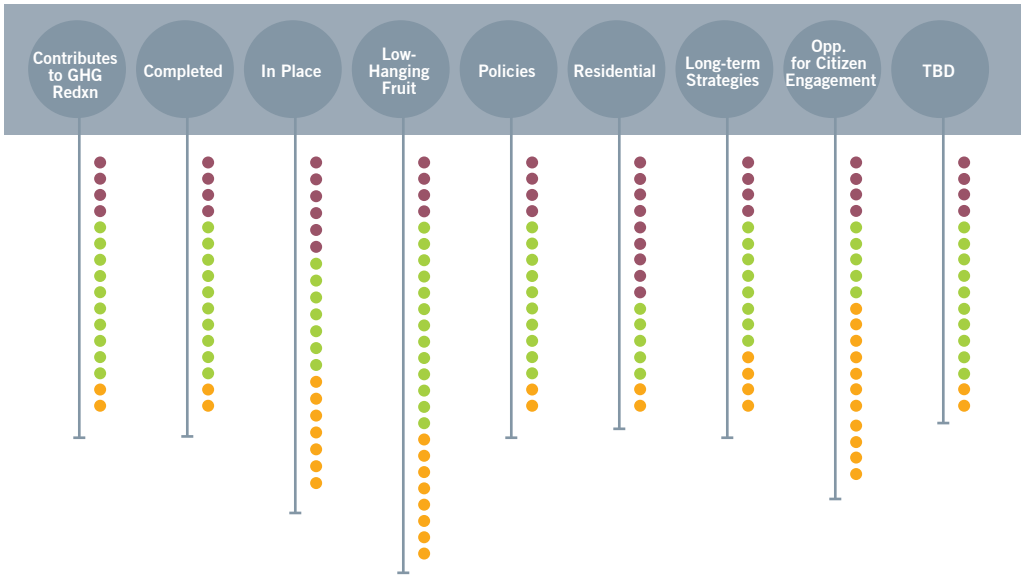


Figure 1

SELECTED GROUPINGS / DATABASE "SORTS"



PLAN INTO PRACTICE

This plan is part of an ongoing process for making sustainability an integral part of Town operations, and for supporting sustainable practices in the private sector as well. The field of sustainability is growing and evolving, and this plan should grow and evolve with it — e.g. incorporating references to new technologies, new approaches to infrastructure, new government and private sector programs, and new third party standards for energy efficiency and sustainable development, among other things. As detailed in the description of plan structure, the Action Plan section of this document has been crafted to provide flexibility, allow for updates on implementation and status, the incorporation of new reference material, and the addition, deletion or modification of recommended tactics. To realize this utility, there needs to be a system in place for managing the plan, overseeing its implementation, tracking and reporting on progress, and making updates. Here are proposed elements of that system.

TOWN BOARD

The 1999 Comprehensive Plan includes a recommendation for a committee to oversee plan implementation, and the Town Board has taken on that role. As this Sustainability Plan is adopted as an element of the Comp Plan, the Town Board will ultimately be responsible for its implementation as well. To that end, the Town Board should:

- Establish sustainability as Town priority and direct all Town departments, divisions and staff to incorporate sustainable practices and implement the recommendations of this plan
- Ensure sufficient resources for plan implementation and management — staff, fiscal and organizational — and designate staff with responsibility for the plan
- Require regular reporting on plan implementation and progress; work sessions should be calendared in advance, with dates set at the beginning of each year, to promote compliance
- Require each Town department and division to address sustainability in their operational plans and reports to the Town Board
- Strive to make all Town Board actions consistent with this Sustainability Plan
- Modify the format of relevant Town Board resolutions so that impacts on sustainability are noted, in comparable fashion to the existing practice of indicating fiscal impact. Consider the "Triple Bottom Line" screen discussed elsewhere in this plan that reviews actions for their impacts to economic, environmental and social well-being.

PLAN CHAMPION

Every plan needs a champion to promote its implementation, maintain its visibility, and ensure that it stays off the shelf. This plan was initiated at the behest of the Sustainable Southampton Green Committee and guided by the planning subcommittee of that group. With the adoption of the Sustainability Element as a component of the Town's Comprehensive Plan, the role of the planning subcommittee should shift from plan creation to plan champion, with responsibilities to include:

- Review of the Plan at regular meetings in order to: assess priorities and determine active tasks; track progress on active tasks; identify project needs; and determine the need for potential plan modification.
- Reporting on the Plan. The Committee should make presentations to the Town Board at regularly scheduled work sessions, at a minimum of twice yearly. Presentations should include a report on plan progress, activities of plan partners outside of Town Hall, project stumbling blocks and strategies to address them, potential plan amendments, and new initiatives to bring on line (i.e. recommendations that should be moved into the pipeline of active projects). Once such work session should take place prior to the Town's budgeting process and include an assessment of financial needs for proposed implementation activities. [Note that while this plan does not include a cost analysis for the implementation for each individual tactic, an indication of potential cost magnitude is included in a column in the "Action Plan" matrices. This information should serve only as a means to gauge potential capital expenditures against opportunities for return on the investment.

Plan reporting should also be made to the general public, through updates to the Town website and the Green Committee pages on the site, and through the Green Committee's educational activities. The plan should be referenced at Committee events and activities in order to maintain visibility and community interest.

- Plan Advocacy. The Committee, working with the Town Board, should promote the Plan to potential implementers, including Town staff and officials, civic groups, locally active environmental organizations, etc. to encourage participation and, when possible, seek commitment for action on specific tactics.

PLAN ADMINISTRATION

Town staff support will be required for implementation and tracking. As the Department of Land Management is responsible for administration of the Comprehensive Plan, it should take on responsibility for this component as well. The Municipal Works Department, which includes the Office of Energy & Sustainability along with Building and Facilities, Waste Management, Engineering, and Intermodal Transportation, should also be a critical partner since many recommendations in the plan pertain to these divisions. The Office of Energy and Sustainability position created in 2010 with grant funding should be transitioned if possible into a permanent staff job. This will provide staff support for Green Committee activities, and for coordinating all Town sustainability efforts. In the event the position is not established as a permanent staff job, the Town should commit to provide those functions necessary to ensure implementation and administration of the sustainability policies and activities in this plan.

CULTURE OF SUSTAINABILITY

This plan proposes sustainability initiatives throughout Town operations, with implementation to be undertaken by most, if not all, Town departments and divisions. Each should be instructed by the Town Board to review this document and prepare a short term implementation plan for the actions relevant to them. Regular department reports to the Town Board — whether written reports or reviews at Town Board work sessions — should include updates on these initiatives. The Department of Land Management and the Department of Municipal Works (which, as stated above, includes the Office of Energy and Sustainability) staff charged with maintaining the plan should be copied and/or informed of these updates so that appropriate changes can be made to the plan matrices.

In addition, Town department and division heads should meet regularly to discuss and report on their sustainability initiatives. Such information sharing may be added to existing scheduled gatherings of department and division heads, such as those convened by the Supervisor's office or the regular meetings of the Town's Facilities Committee. Alternatively, a separate staff advisory committee may be convened, comparable to the IT committee that provides interdepartmental input to the activities of the Town's Information Technology department.

SCHEDULED PLAN UPDATES AND AMENDMENTS

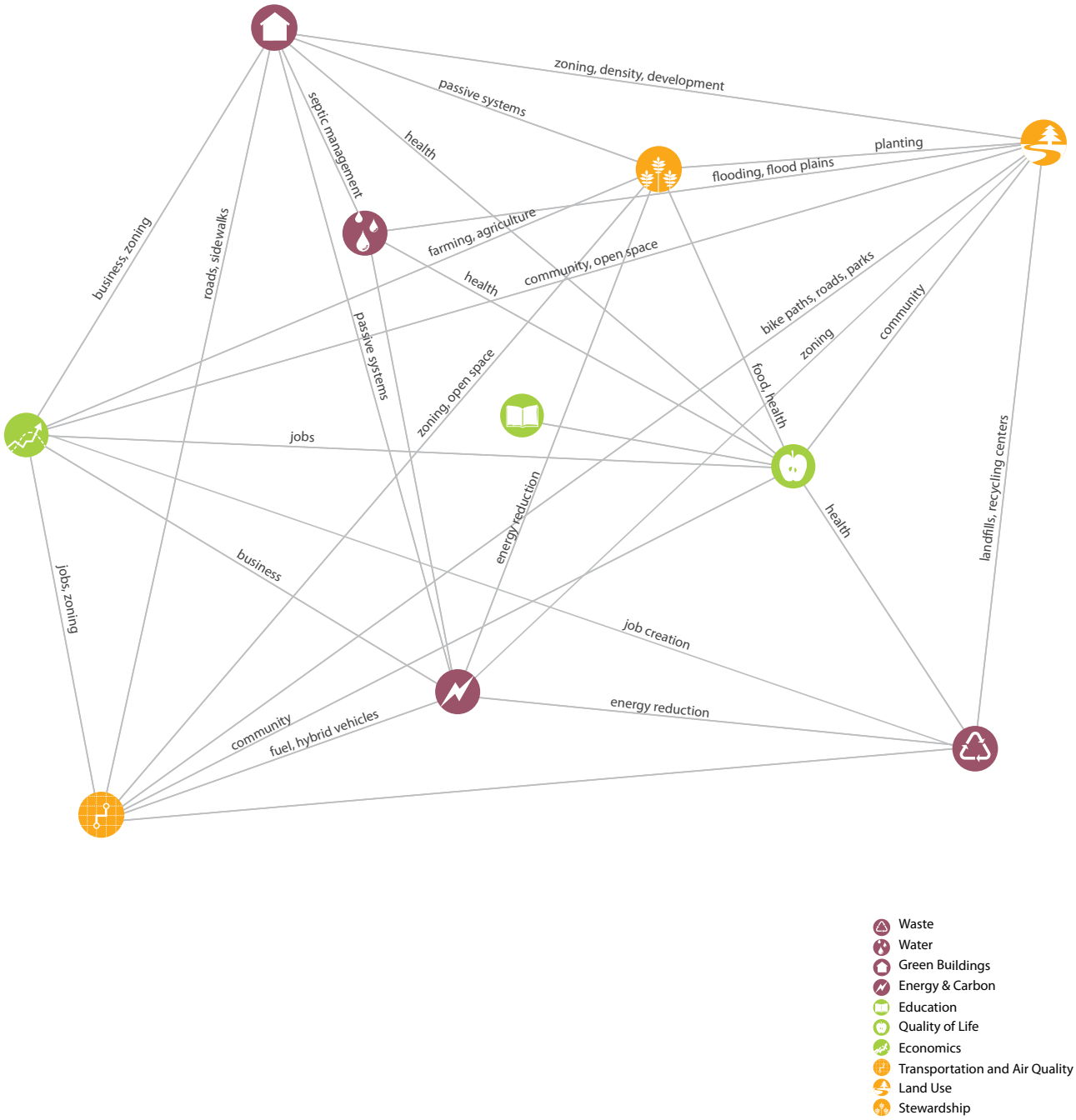
Things change, and no plan can predict exactly how. As noted above, this Sustainability Plan has been crafted to be flexible, allowing for regular updates and amendments. Details of this plan may also need to be changed. For example, standards referenced here may change or become obsolete. Additions, modifications, and changes in action priorities may come out of new environmental concerns, emergent technologies, or novel approaches to solve an environmental problem. Changes to this plan may also result from the public process, partners' input, and the complexities of implementation. An updated Action Plan section of this document should be prepared and submitted to the Town Board every two years, or as the need arises based on Town Board priorities and Green Committee monitoring and tracking.

SYNERGIES BETWEEN SYSTEMS

One way to look at the Action Plan matrices is from a systems based perspective. The Focus Areas are system classifications (either natural or man-made) which signify the primary subjects being addressed by the plan.

As many of the Focus Areas are linked, the plan purposely "buckets" the issues by systems in order to organize and simplify the information and to streamline the prioritization process. However, this does not reflect the full synergistic nature of the Focus Areas. For example, a tactic in the transportation focus area might be inextricably linked to a recommended land use policy. See the Synergies Between Systems diagram, which illustrates some of the key synergies between each of the ten focus areas. Additionally, there are many opportunities for the Town to "bundle" the tactics outside of their existing Focus Areas. For example, a program that addresses compost may pull together one or more tactics from waste, education, and quality of life. The plan encourages "bundling" tactics together to create viable and holistic programs. While individual tactics each deal with significant issues, their power lies in their aggregate and synergistic impact.

Synergies Between Systems



2

Plan

EDUCATION

INTRODUCTION

Knowledge is the keystone of this plan, since an understanding and appreciation of the challenges to sustaining Southampton's special character and quality of life are essential for fueling action to address those challenges. Education is also critical for promoting sustainable initiatives, whether by Town government, regional authorizes, or individuals.

GOAL

Use fact-based education as a tool to advance awareness, generate civic engagement and support meaningful change. Conduct education activities that will fuel government action, and promote sustainable lifestyles on the part of Town resident and visitors.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS Resident and visitors can use their purchasing power to support local and sustainable businesses.

SOCIAL Sustainability education fosters community engagement.

ENVIRONMENTAL Education can urge residents, visitors and Town employees to conserve resources, like water and energy.

TACTIC HIGHLIGHTS

Expand the Sustainable Southampton Green Committee website to provide a full range of resources on green living in Southampton, with links to information on recycling resources, alternative transportation, energy saving programs (i.e. Green Homes), etc.

Craft a community outreach and education program to include media relations, special events, coordination with civic groups and local institutions, identification and prioritization of issues and campaigns, and development of informational materials.

RELATED FOCUS AREAS

Economics, Quality of Life

EDUCATION TOPICS

- ONGOING EDUCATIONAL PROGRAMS - TOWN EMPLOYEES — 001a, 001b
- ONGOING EDUCATIONAL PROGRAMS - HOMEOWNERS AND OTHER RESIDENTS — 001c, 001d, 001e
- ONGOING EDUCATIONAL PROGRAMS - BUSINESS OWNERS — 001f
- PRIMARY SCHOOL EDUCATION — 002
- EDUCATIONAL SIGNAGE — 003
- FOOD PRODUCTION AND CONSUMPTION — 004
- OUTREACH — 005

EDUCATION

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Edu 001a	Ongoing educational programs - Town employees	Continue to craft community outreach and education programs for Green Committee implementation, to include media relations, special events, coordination with civic groups and local institutions (schools, museums), development of educational materials, identification and prioritization of issues and campaigns, etc.	Education Program	Green Committee Citizen's Response Center
Edu 001b	Ongoing educational programs - Town employees	Develop an sustainable operations training program that includes: (1) Initial ""welcome"" training + mandated annual refreshers for employees (2) Green building features, if any, of the office space or building (3) Efficient operation of systems and controls (4) Resource use & Town Operations procedures (e.g., recycling)	Training	Municipal Works, IT, Business Management, Safety
Edu 001c	Ongoing educational programs - Homeowners and other residents	Continue to participate in the GreenHomes program and seek to maintain activities with new funding sources fully disclosing such funding sources and any committments prior to accepting them.	Program	
Edu 001d	Ongoing educational programs - Homeowners and other residents	Develop a sustainability education program for seasonal residents and tourists, with information on available alternative transportation modes, waste management options, sustainable home landscaping, local food sources, minimizing energy use in vacant buildings, etc. Promote through media (internet, pamphlets, tax bill inserts, etc.) and special events.	Educational program	Green Committee Office of Energy & Sustainability Citizen's Response Center
Edu 001e	Ongoing educational programs - Homeowners and other residents	Consider expanding the Sustainable Southampton Green Committee website to provide a full range of resources on green living in Southampton, with links to information on recycling resources, alternative transportation, energy saving programs (i.e. Green Homes), etc.	Program	Green Committee, Information Technology
Edu 001f	Ongoing educational programs - Business owners	Conduct outreach to business community on the economic benefits of sustainable business practices, incorporating the existing Green Certificate/Sticker program (see Economics).	Program	Green Committee, Business Management
Edu 002	Primary School education	Continue to support the Green Committee's education subcommittee working on public education through PSAs on our local Sea TV channel, the Town's website, library events, and other outreach programs	Program	Green Committee Office of Energy and Sustainability, Business Management
Edu 003	Educational signage	As green features are added to Town-owned buildings, properties, and infrastructure (e.g. street lights, trash cans, vehicles) provide code compliant informational signage to promote features to residents, visitors and businesses. Provide contact information to promote private-sector follow-up and replication.	Program	Green Committee
Edu 004	Food Production and Consumption	Provide information on local resources for locally-produced foods, composting, etc. to encourage their use	Educational program	Office of Energy and Sustainability, Planning, Ag. Advisory Committee
Edu 005	Outreach	Consider creating a PR template for Green Committee educational outreach.		

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Energy & Carbon	Quality of Life	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	○ Not Initiated ◐ In Place ● Completed
Local schools	All	Yes										Short Term	○
	Municipal	No					●					Short Term	○
Green Homes Program	Residential	Yes					●					Short Term	◐
Hamptons Visitors Council, realtors (for distribution)	Residential	Yes					●					Short Term	○
Green Homes Program	All	Yes					●					Short Term	○
Southampton Business Alliance, Chambers of Commerce	Commercial	Yes				●	●		●			Short Term	○
SEA TV	All	No					●					Short Term	◐
CRC	Municipal	No					●					Intermediate Term	○
Cornell Cooperative Extension	All	Yes					●					Intermediate Term	○
Hamptons Visitors Council, realtors (for distribution)	Municipal	Yes										Short Term	○

EDUCATION

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Edu 001a	The program also presents an opportunity for private sector involvement, such as pro-bono PR.
Edu 001b	Recommendation # 12 -Residential; Report to Southampton Town Board from Southampton Green Committee May 8, 2009; One Planet Action Plan Sustainability Toolkit
Edu 001c	
Edu 001d	The Madison Sustainability Plan: Fostering Environmental; Economic and Social Resilience
Edu 001e	Natural Step: Embedding Sustainability into the Culture of Municipal Government; One Planet Action Plan: Sustainability Tool Kit
Edu 001f	Natural Capitalism Solutions
Edu 002	
Edu 003	Harvard University Office for Sustainability; NEED NC- Innovation in Design Credit
Edu 004	Eugene, OR. Progress: Action Update, 2012
Edu 005	

LINK(S)
http://www.oneplanetliving.net/take-action/companies-toolkit/
http://www.southamptontownny.gov/content/596/598/1518/3616/3618/default.aspx
http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf
http://www.thenaturalstep.org/en/canada/toolkits#municipalgovernment; http://www.oneplanetvision.org/organisations/one-planet-action-plans/free-toolkit/
http://www.natcapsolutions.org
http://green.harvard.edu/theresource/new-construction/design-element/innovation-design
http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_321_370860_0_0_18/CEAP.ProgressReport.2011.WEB.pdf

WATER

INTRODUCTION

Clean water resources are important to everyone. But that's especially true in Southampton, with its water-dependent economy founded in maritime, agricultural and resort industries, as well as its reliance on sole source aquifers for drinking water. Regional water resources are degraded and new research pointing to inadequately treated sanitary waste as the leading culprit has brought a new sense of urgency to the issue — along with a focus for action on water quality improvement.

GOAL

Restore and protect the Town's ground and surface waters to ensure their ability to support public health and the maritime, recreational and resort activities that underpin Southampton's way of life and economy.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS Water is the basis of the Town of Southampton's economy as water is the driver of the maritime, vacationing, and resort industries

SOCIAL Protects the health and wellness of the citizens of Southampton.

ENVIRONMENTAL Clean water is critical to healthy ecosystems.

TACTIC HIGHLIGHTS

Support Suffolk County Clean Water Coalition activities and participation.

Continue to pursue development of a septic inspection program consistent with State and County regulations, and continue to identify funding opportunities and other incentives to encourage upgrades to failing systems through the Septic Rebate Program and other avenues.

RELATED FOCUS AREAS

Land Use, Education

WATER TOPICS

REGIONAL CLEAN WATER COALITION	001a 001b
SURFACE WATER QUALITY	002
WATER CONSERVATION	003a 003b 003c 003d 003e
EDUCATION	004a 004b 004c 004d
REGULATED WATER USE CONSERVATION STANDARDS	005
WATER TREATMENT AND REUSE	006a 006b 006c
LANDSCAPE MANAGEMENT	007a 007b
DRINKING WATER QUALITY	008a 008b
GROUNDWATER PROTECTION	009a 009b 009c
STORMWATER MANAGEMENT	010a 010b 010c
WETLANDS PROTECTION AND RESTORATION	011a 011b
FLOODPLAINS	012
WATER PLANNING AND EMERGENCY MANAGEMENT	0013a 0013b 0013c

WATER

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Water 001a	Regional Clean Water Coalition	Continue to support the Suffolk County Clean Water Coalition in coordinating municipal action to improve water quality. Assess the potential to increase member commitment and activity.	Administrative	Land Management (Long Range Planning, Environment); Green Committee; GIS
Water 001b	Regional Clean Water Coalition	Consider supporting the Clean Water Coalition work with an assessment and compilation of existing plans, studies and research on water quality in the region, and with a comparative analysis of local and County regulations. Use as a baseline for identifying planning gaps and administrative opportunities, and for education and outreach activities.	Planning	Land Management (Environment); GIS; Suffolk County; Coalition municipalities
Water 002	Surface Water Quality	Consider adopting legislation enabling, and establish, water quality special improvement taxation districts, modeled on Erosion Control Districts, for implementing water quality improvement projects or consider legislation providing incentives to enhance surface water quality.	Regulation	Town Attorney
Water 003a	Water Conservation	Consider performing a water consumption audit on a pilot group of municipal buildings, to determine baseline water footprint for Town facilities with the intent of using this information to inform water saving strategies.	Audit	Office of Energy and Sustainability, Community Preservation Fund, Hampton Bays Water District
Water 003b	Water Conservation	Consider working with the County and USGS to calculate the Town's "water balance" by determining average annual water usage and average annual aquifer recharge, and assess potential long term impacts on the sole source aquifer resulting from any gap.	Assessment	Suffolk County, USGS, EPA
Water 003c	Water Conservation	Determine long term tiered water education goals to achieve water balance (use only the amount of water from municipal sources that falls naturally in the town).	Educational Campaign	Office of Energy and Sustainability, Community Preservation Fund, Hampton Bays Water District
Water 003d	Water Conservation	Establish several tactics for achieving "water balance" (i.e. no long term aquifer draw down), with targeted actions for achieving this through both conservation and recharge.	Policy, Education, Regulation	Hampton Bays Water Authority
Water 004a	Education	Continue a coordinated educational campaign on local water issues that will support volunteer, administrative and regulatory activities for improving water quality, with an initial focus on surface water nitrification.	Educational Campaign	Office of Energy and Sustainability, Green Committee, Land Management (Long Range Planning & Environment Divisions), others
Water 004b	Education	Facilitate knowledge and awareness of the environmental sensitivities of the watershed by implementing an educational program and distributing related informational materials	Educational Campaign	Department of Land Management, Hampton Bays Water District
Water 004c	Education	Plan for future expansion of the Hampton bays Water District	Educational Campaign	Land Mangement, Hampton Bays Water District

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	**Sector [Municipal, Commercial, Residential, All]**	**Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)**	Energy & Carbon	Waste	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	**Recommended Timeframe for Initial Action**	○ Not Initiated ◐ In Place ● Completed
Suffolk County, Peconic Baykeeper, Group for the East End, Peconic Green Growth, Peconic Estuary Program	All	Yes, particularly in education and outreach								●		Short Term	◐
	All	Potential for use of intern								●		Intermediate Term	◐
Town Trustees, Peconic Bay Keepers, Group for East End	Municipal	Yes											○
Suffolk County	All	No			●					●		Short Term	○
	All	No										Long Term	○
	Municipal	No										Short Term	○
Suffolk County	Municipal	No										Long Term	
Suffolk County	Residential	Yes			●							Intermediate Term	○ ◐
	Residential	Yes					●					Short Term	○
County and other local governments, non-profits, coordinated through Clean Water Coalition	All	Yes					●					Short Term	○

WATER

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Water 004d	Education	Work with Suffolk County Water Authority and Hampton Bays Water District on water conservation education efforts to reexamine conservation strategies and identify incentives	Educational Campaign	Green Committee, Land Management, SCWA, Hampton Bays Water District
Water 005	Regulated Water Use Conservation Standards	Consider updating building code requirements as needed to require the latest standards for water efficient plumbing fixtures. Promote water efficiency rebate programs to building permit applicants. Consider exemptions for historic structures where retrofitting is not possible.	Potential Regulation	Department of Land Management, Hampton Bays Water District
Water 006a	Water Treatment & Reuse	Consider identifying and implementing a greywater reuse pilot project for a Town facility, such as using the Town Hall's greywater for irrigation. From the pilot, formulate recommendations to broaden use of greywater throughout the Town.	Project	Department of Land Management, Hampton Bays Water District, Department of Health Services
Water 006b	Water Treatment & Reuse	Analyze the physical and economic feasibility of a wastewater reclamation System, and develop recommendations.	Study	Department of Land Management, Hampton Bays Water District, Department of Health Services
Water 006c	Water Treatment & Reuse	Consider creating a septic management plan to reduce nutrient loading in the Town's waters. The plan should identify and evaluate the range of available strategies and incentives including but not limited to septic system upgrades, conventional and alternative treatment systems, septic system management, and the potential use of approved additives to remove nitrogen from system leachate.Work with Suffolk County to ensure the plan complies with State and County regulations.	Plan	Department of Land Management, Suffolk County, Town Trustees
Water 006d	Water Treatment & Reuse	Develop a pilot program to test the feasibility and effectiveness of Restorer eco-machines for improving coastal water quality.	Pilot Program	
Water 007a	Landscape Management	Develop low-maintenance landscaping guidelines that include native and low-input vegetation.	Regulation	Department of Land Management, Hampton Bays Water District
Water 007b	Landscape Management	Encourage a voluntary low-maintenance landscaping through an education campaign aimed at homeowners and landscaping contractors. Highlight model landscapes. Convey the needs and benefits of low-impact approaches.	Education campaign	Green Committee, Department of Land Management, Hampton Bays Water District
Water 008a	Drinking Water Quality	Consider developing wellhead protection regulations for primary and secondary recharge zones based on the Suffolk County Source Water Assessment Plan (SWAP).	Plan	Town Attorney's Office
Water 008b	Drinking Water Quality	Continue to utilize CPF acquisitions when appropriate to support water quality protection and restoration. The 1999 Comp Plan recommends acquisition of properties in the primary and secondary recharge zones for public wellheads. Priority should also be given to property in the 0-2 year surface to groundwater zone, particularly in areas that are already densely settled and cannot adequately dilute additional septic leachate	Policy	Community Preservation, Land Management, GIS

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	**Sector [Municipal, Commercial, Residential, All]**	**Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)**	Energy & Carbon	Waste	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	**Recommended Timeframe for Initial Action**	○ Not Initiated	◐ In Place	● Completed
															◐
	All	Yes			●							Intermediate Term		○	
County and DEC	Municipal	No										Intermediate Term		○	
	Municipal	No										Short Term			◐
Suffolk County DHS; Clean Water Coalition; LWRP; GIS (mapping)	Municipal	No										Short Term		○	
Town Trustees		No										Intermediate Term		○	
	All	Yes								●		Intermediate Term		○	
Participation from garden centers and contractors would substantially increase the effectiveness of this effort.	All	Yes								●		Intermediate Term			◐
	Municipal	No										Intermediate Term		○	
Suffolk County	Municipal	No										Short Term			◐

WATER

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Water 009a	Groundwater Protection	Maintain GIS database of groundwater conditions and pollution sources.	Administrative	GIS
Water 009b	Groundwater Protection	Consider the merits of restoring USGS ground and surface water monitoring program funding to ensure early detection of potential threats.	Administrative	Department of Land Management, Office of Energy and Sustainability, Hampton Bays Water District
Water 009c	Groundwater Protection	Establish an inspection program for septic systems to trigger system maintenance and updates, and to generate data for septic management planning and grant-seeking.	Regulation	Department of Land Management, Green Committee. Clean Water Coalition
Water 009d	Water Quality	As endorsed by the Town Trustees, continue to focus on a comprehensive approach to updating residential sanitary systems in concert with the Suffolk County Health Department	Initiative	Department of Land Management, Green Committee. Clean Water Coalition
Water 010a	Stormwater Management	Create an enhanced site-plan review process with respect to green stormwater infrastructure to promote and increase deployment of state-of-the-art Best Management Practices. Initiate with criteria such as sensitive environments, large-scale projects, etc. Where historic structures, sites, and/or districts are concerned, the concepts and practices of green stormwater infrastructure should be integrated only when the integrity of the individual structure/site/district can also be maintained	Regulation and Administrative	
Water 010b	Stormwater Management	Reduce reliance on the municipal stormwater system by encouraging natural percolation through landscaping, pervious paving, open space protection, limits on vegetation clearing, and on-site retention.	Regulation	Hampton Bays Water District
Water 010c	Water Quality	Increase awareness of the water quality protection fund and continue to identify funding sources for this as well as the Septic Rebate program and any other program that will enable homeowners to upgrade or replace antiquated or nonconforming sanitary systems.	Education and incentives	Town Board, Green Committee
Water 011a	Wetlands Protection & Restoration	Periodically review and update current wetland restoration efforts identified in the Southampton Comprehensive Plan 1999-Sustainability Component: Natural Resources and the Town's Department of Land Management's Chapter 325: Freshwater Wetlands to ensure these documents reflect current methods, techniques and science on wetlands protection restoration.	Policy	Town Board, Conservation Division/Board, Long Range Planning
Water 011b	Wetlands Protection & Restoration	Create a comprehensive landscape management policy for reducing and/or preventing pesticides and fertilizers from entering ground and surface water bodies	Regulation	Parks Department
Water 012	Floodplains	Protect critical habitat and minimize flood damage to structures by siting development with appropriate buffers on any land within a 100-year floodplain as defined by FEMA	Initiative	Town Attorney
Water 013a	Water Planning & Emergency Management	Develop a protocol of policies, procedures and emergency regulations during periods of declared drought.	Plan	Department of Land Management

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Energy & Carbon	Waste	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	○ Not Initiated ◐ In Place ● Completed
	All	No										Short Term	◐
	All	No										Intermediate Term	○
Suffolk County	All	No										Short Term	○
Suffolk County	All	Yes											◐
	Municipal	No										Short Term	◐ ○
	All	No			●							Short Term	
	All	No			●							Long term	◐
Town Trustees; Peconic Bay Keepers	All	No										Short Term	○
Town Trustees; Peconic Bay Keepers	All	No										Long Term	○
State and County	All	No										Intermediate Term	○
	Municipal	No										Long Term	◐

WATER

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Water 001a	EPA Needs Assessment 2012 Draft Suffolk County Comprehensive Water Resources Management Plan Peconic Estuary Program TMD Analysis Critical Wildlands and Groundwater Protection Plan and GEIS Planning History Summary - FINAL February 24, 2004
Water 001b	See above
Water 002	
Water 003a	Massachusetts Department of Environmental Protection Water Management Program Greater Vancouver Regional District Standardized Water Audit Process
Water 003b	
Water 003c	LEED NC Precedents: LEED Initiatives by State Build It Green Checklist
Water 003d	The level of priority for water conservation efforts/activities should be based on results of the water audit recommended in 002a.
Water 004a	Currently a component of the Town MS4 Permit Requirements Natural Step: Embedding Sustainability into the Culture of Municipal Government One Planet Action Plan: Sustainability Tool Kit
Water 004b	Included in Mission Statement of Clean Water Coalition; Initial actions taken by Green Committee
Water 004c	Hampton Bays Water District 2009 Drinking Water Quality Report Santa Cruz Climate Action Plan 2009, page 54 PlaNYC, page 67
Water 004d	
Water 005	Tactic further develop Hampton Bays Water District water conservation plan Reference: Build It Green Checklist NYC Enhance Water Efficiency Standards
Water 006a	The Suffolk County Department of Health Services - Guidelines and Regulations will be developed by the County; Town should coordinate Potential Reuses of Greywater and Reclaimed Wastewater in New York State
Water 006b	New York State Department of Environmental Conservation: Wastewater Treatment Purple Pipe Study New York City's Wastewater Treatment System
Water 006c	A Plan to Heal Marine Bays and Salt Ponds Along The Atlantic Coast of North America

LINK(S)
http://www.southamptontownny.gov/file storage/760/762/2054/2060/water_quality_09.pdf http://www.peconicestuary.org/about.php
http://www.mass.gov/dep/water/approvals/guidance.pdf http://www.metrovancouver.org/about/publications/Publications/gvrdstandardizediciwaterauditprocessfinalreport09jun20061.pdf
See pdf reference guide (to be provided) http://www.usgbc.org/ShowFile.aspx?DocumentID=5030 http://www.builditgreen.org/guidelines--checklists/
http://www.epa.gov/greenhomes/ConserveWater.htm
http://www.thenaturalstep.org/en/canada/toolkits#municipalgovernment http://www.oneplanetvision.org/organisations/one-planet-action-plans/free-toolkit/
http://www.southamptontownny.gov/file storage/760/762/2054/2060/water_quality_09.pdf
http://www.builditgreen.org/guidelines--checklists/ http://www.nyc.gov/html/gbee/downloads/pdf/water_efficiency.pdf
http://www.dec.ny.gov/docs/water_pdf/waterresue.pdf http://www.epa.gov/region09/water/recycling/
http://www.dec.ny.gov/chemical/8467.html http://www.msa.saccounty.net/news/Conduits/Conduit%207%2007%20rev4.pdf http://www.nyc.gov/html/dep/pdf/wwsystem.pdf
http://oceanarksint.org/app/download/6598364304/Inshore+Ocean+Restorer.pdf

WATER

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Water 007a	Sustainable Sites Initiative Prerequisite 3.1
Water 007b	City of San Diego: "How Your Pesticides and Herbicides Can Affect Water Quality"
Water 008a	Southampton Comprehensive Plan 1999- Sustainability Component: Natural Resources
Water 008b	
Water 009a	Critical Wildlands and Groundwater Protection Plan and GEIS Planning History Summary - FINAL February 24, 2006
Water 009b	Critical Wildlands and Groundwater Protection Plan and GEIS Planning History Summary - FINAL February 24, 2007
Water 009c	Green Committee had draft legislation completed; coordination with Suffolk County required; Clean Water Coalition may pursue multi-municipality inspection initiative. Models include Massachusetts' Title V program, PlaNYC
Water 010a	EPA Water Quality Scorecard provides a municipal assessment mechanism as a starting point Southampton Town Sustainability Vision Scope: Environment - Water Quality LEED NC GIB Credit 8 NYSDEC Stormwater Management Design Manual
Water 010b	This is addressed in MS4 Permit, Stormwater Management Program Plan LEED NC GIB Credit 8 Town's Stormwater Management program and SWPPP review
Water 010c	See City of Palo Alto's Regional Water Quality Control Plant (RWQCP)
Water 011a	Southampton Comprehensive Plan 1999- Sustainability Component: Natural Resources Chapter 325, Wetlands, enables the Town's Conservation Board to review applications for development on lands containing freshwater, brackish and tidal wetlands. Minimum standards are established or preserving these fragile natural resources also defined as Critical Areas by Chapter 157 of the Town Code. Additional Reference: PlaNYC
Water 011b	Prohibitions difficult to enforce
Water 012	LEED ND SLL Prerequisite 5
Water 013a	Santa Cruz, CA Water Shortage Contingency Plan
Water 013b	ClimAid

LINK(S)
Sustainable Sites Initiative Prerequisite 3.1: http://www.sustainablesites.org/report/Guidelines%20and%20Performance%20Benchmarks_2009.pdf http://www.santabarbaraca.gov/NR/rdonlyres/4384327D-AFF6-46E6-99D6-2BD6B8D194E0/0/LandscapeDesignStandardsforWaterConservation.pdf
http://www.sandiego.gov/water/operations/pdf/pesticide.pdf
http://www.southamptontownny.gov//content/72/837/2113/2365/default.aspx
http://www.southamptontownny.gov/FTP/SEQRA/criticalwildlands.pdf
http://www.southamptontownny.gov/FTP/SEQRA/criticalwildlands.pdf
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf
http://www.epa.gov/dced/pdf/2009_1208_wq_scorecard.pdf
http://www.spartanwatertreatment.com/articles/Final-Report-Effect-of-Roof-Material-on-Water-Quality.pdf http://www.cityofpaloalto.org/civicax/filebank/documents/6936
http://www.cityofsantacruz.com/Modules/ShowDocument.aspx?documentid=14601 http://www.southamptontownny.gov/file storage/72/837/845/4904/BePrepared-pocketguide_web.pdf

ECONOMICS

INTRODUCTION

Historically, Southampton's economy was based on farming and fishing. Now, our second home and tourism industry largely depend on the same resources: clean waters and green landscapes. Because of this, the resource protection and restoration that is a cornerstone of sustainability is critical to the Town's economic wellbeing. Economic diversification is also important in order to make Southampton's economy less vulnerable to environmental stresses.

GOAL

Achieve a resilient and diversified local economy where economic benefits are shared across the community. Recognizing that the economy and environment are inextricably linked, pursue economic health through sustainable practices for existing economic sectors, continued development of green businesses, and increased reliance on locally produced goods and services.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS Greening Southampton's economy is a means to create jobs, promote growth, and generate new business opportunities as well as an opportunity brand Southampton as a sustainability leader on Long Island.

SOCIAL A healthy economy leads to a healthy community by enabling local employment for a broader swath of Southampton's citizens.

ENVIRONMENTAL The greener Southampton's business are, the healthier the local ecosystems will be.

TACTIC HIGHLIGHTS

Promote the Town's "Safe and Sustainable" procurement policy, which supports sustainable businesses and stimulates demand for local and sustainable products, for use by the Town's private sector businesses.

Expand the use of the Town's website to encourage and inform sustainable business practices.

Continue and expand upon the "green-label" system as implemented in "A Greener Southampton". Build upon the existing "A Greener Southampton" business and public education reuse and recycle consumer campaign.

RELATED FOCUS AREAS

Education, Quality of Life

ECONOMICS TOPICS

SUSTAINABILITY INDEX	001a 001b
GREEN BUSINESS DEVELOPMENT	002a 002b 002c 002d
RESOURCE SHARING	003
AFFORDABLE HOUSING	004a 004b 004c
SUSTAINABLE ECONOMY	005a 005b 005c

ECONOMICS

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Econ 001a	Sustainability Index	Continue and expand upon the "green-label" system as implemented in " A Greener Southampton". Build upon the existing "A Greener Southampton" business and public education reuse and recycle consumer campaign.	Initiative / Pilot	Town Business Advisory Council
Econ 001b	Sustainability Index	Use Town's purchasing power to support sustainable businesses and create demand for sustainable products, including recycled and regional products and local food. Strengthen existing local purchasing preferences	Program	Business Management
Econ 002a	Green Business Development	Identify ways to support the development of green businesses, and increased sustainability in the commercial sector, by convening stakeholders from local businesses, the workforce, construction trades,, and training providers to discuss green jobs, hiring projections, training resources and needs, standards and certifications , barriers, etc. Follow up with a set of recommendations that may be added to this sustainability plan.	Public / Private Partnership	Local Businesses
Econ 002b	Green Business Development	Help facilitate or research funding sources for a sustainable business incubator within the Town limits to promote new sustainable business start-ups, connect financial investors, and promote clustering of sustainable businesses	Public / Private Partnership	Local Businesses
Econ 002c	Green Business Development	Develop a system to qualify commercial business applications for expedited review and application assistance based on sustainable features.	Program	Local Businesses
Econ 002d	Green Business Development	Support the growth of local food production businesses by evaluating the schedule of permitted uses to potentially increase the locations where certain food processing businesses may be located, and consider siting criteria for uses found to be appropriate	Evaluation	Local Businesses
Econ 003	Resource Sharing	Organize, promote, and support a Town of Southampton (or East End) Green Economic Symposium in order to encourage local sustainable businesses to share resources, information, and best practices to foster their mutual economic growth and development.	Public / Private Partnership	Local Businesses
Econ 004a	Affordable Housing	Pursue grant opportunities that will enable the Town to provide free energy and water audits and implementation guidelines in affordable year-round housing units to reduce utility costs	Program	Office of Energy and Sustainability, Housing Authority
Econ 004b	Affordable Housing	Increase efforts to provide workforce housing, including Town Board oversight of workforce housing initiatives. Seek alternatives with private/ public partnerships.	Program	Housing Authority
Econ 004c	Affordable Housing	Create a Task Force on rental housing to identify and address barriers to the development of affordable rentals. Include a range of stakeholders in this effort.	Program	Housing Authority, Land Management
Econ 005a	Sustainable Economy	Develop a strategy to actively support the development of a vibrant agricultural industry, focusing on food prodcution and organic products wherever possible.	Educational Campaign	Green Committee
Econ 005b	Sustainable Economy	In cooperation with other local municipalities and business community, explore heritage area linkages of small-scale attractions.	Educational Campaign	Local municipalities
Econ 005c	Sustainable Economy	Link Sustainability index to "sticker program" to indicate criteria on the sustainability index, include "G" for "Green Business", "L" for "Local" and "N" for "Native Plant"	Educational Campaign	Local Businesses

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	**Sector [Municipal, Commercial, Residential, All]**	**Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)**	**Water**	**Waste**	**Green Buildings**	**Energy & Carbon**	**Quality of Life**	**Education**	**Transportation**	**Land Use**	**Stewardship**	**Recommended Timeframe for Initial Action**	○ Not Initiated ◐ In Place ● Completed
Southampton Business Alliance, Chambers of Commerce, Individual businesses	Commercial	Yes										Intermediate Term	◐
	Commercial	Yes										Short Term	○
Southampton Business Alliance, Chambers of Commerce	Commercial	Yes					●					Intermediate Term	○
Chambers of Commerce	Commercial	Yes					●					Intermediate Term	○
Southampton Business Alliance, Chambers of Commerce	Commercial	Yes										Intermediate Term	○
Southampton Business Alliance, Chambers of Commerce	Commercial	Yes										Short Term	◐
Peconic Institute	Commercial	Yes					●					Intermediate Term	○
Chambers of Commerce	Residential	No				●	●					Long Term	
Chambers of Commerce	Residential	No				●	●					Short Term	○
Chambers of Commerce	Residential	No				●	●						◐
	Commercial	Yes								●	●	Intermediate Term	◐
Southampton Business Alliance	Commercial and Municipal	Yes										Intermediate Term	○
Southampton Business Alliance	Commercial	Yes										Short Term	○

ECONOMICS

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Econ 001a	Recommendation # 5 -Government; Report to Southampton Town Board from Southampton Green Committee May 8, 2009 The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience
Econ 001b	The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience
Econ 002a	
Econ 002b	NYU ACRE program
Econ 02c	The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience NYC Code Green
Econ 002d	
Econ 003	
Econ 004a	The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience
Econ 004b	
Econ 004c	
Econ 005a	
Econ 005b	Town of Southampton "Comprehensive Plan Pilot" document
Econ 005c	Noted in the Sustainable Southampton Workshop, 2011

LINK(S)
http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf
http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf
http://www.poly.edu/business/incubators/nyc-acre
http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf http://www.codegreensolutions.com/ http://law.du.edu/documents/rmlui/saving-the-world-through-zoning.pdf
http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf

LAND USE

INTRODUCTION

Southampton's sense of identity and its success as a world class resort destination are based on traditional rural and maritime land use patterns that have been eroding over time. The process of "suburbanization" is visually evident, and can also be seen in statistics that show a shift in home occupancy from mainly seasonal to nearly two-thirds full-time. In most communities, sustainable land use patterns are those that reduce environmental impacts through efficient management of water resources, transportation, energy use, solid and liquid waste disposal, etc. For Southampton, sustainable land use also means maintaining the types of landscapes and uses that have shaped the Town's character for centuries, which make it so distinctive, and which are cherished by Town residents.

GOAL

Achieve land development and redevelopment that preserves Southampton's rural and maritime heritage, and which reinforces traditional development patterns characterized by the interdependence of compact and walkable village and hamlet centers with surrounding open space and managed landscapes, agricultural uses, and accessible coastal areas.

ECONOMICS Protects working farms and other essential economic components of Southampton's economy.

SOCIAL Sense of place is maintained and reinforced.

ENVIRONMENTAL The natural character of Southampton is preserved.

TACTIC HIGHLIGHTS

Broaden, strengthen and aggressively promote the transfer of development rights (TDRs) in order to shift new development away from remaining vacant lands and open spaces toward compact, walkable village and hamlet centers.

Develop a Climate change Adaptation Plan for making the Town resilient in the face of anticipated sea level rise and increased extreme weather events.

Pass zoning ordinance encouraging shade devices and paving materials that will mitigate heat island effects and facilitate stormwater recharge.

RELATED FOCUS AREAS

Stewardship

LAND USE TOPICS

- CLIMATE ACTION PLAN — 001
- LAND USE PLAN — 002
- OPEN SPACE PRESERVATION — 003a 003b
- NEW OPEN SPACE — 004
- BIOMASS PRESERVATION — 005
- ENVIRONMENTAL RESTORATION — 006
- NEIGHBORHOOD PATTERN AND DESIGN — 007a 007b 007a 007b
- HEAT ISLAND EFFECT — 008

LAND USE

DESCRIPTION				
Tracking Number	**Topic**	**Tactic [Action]**	**Mechanism for Implemetation**	**Supporting entities**
Land Use 001	Climate Action Plan	Develop a Climate Change Adaptation Plan for making the Town resilient in the face of anticipated sea level rise and increased extreme weather events.		Town Board, Town Trustees, CPF, Muni Works, Erosion Control Districts
Land Use 002	Land Use Plan	Consider overlay districting and other land use protections to expand watershed protection on lands east of the Shinnecock Canal.	Plan	
Land Use 003a	Open Space Preservation	Continue to preserve priority open space and agricultural lands using the Purchase of Development rights (PDR) and Transfer of Development Rights (TDR) programs. Continue to identify appropropriate receiving areas for TDRs that achieve smart growth principles with sensitivity to existing density, neighborhood character and historic structures.	Program	Community Preservation, Land Management
Land Use 003b	Open Space Preservation	Identify additional opportunities for the Town to collaborate with local non-profit entities to coordinate open space preservation efforts.	Existing Policy	Land Management
Land Use 004	New Open Space	Continue to acquire small, marginal lots in the Special Old Filed Map District and identify any new acquisition opportunities in other zones in order to protect remaining sensitive lands, provide open space in densely settled areas, and create pocket parks along with plans for their stewardship.	Program	DLM, parks and rec, Town Board
Land Use 005	Biomass preservation	Sponsor reforestation and tree planting programs.	Program	Town Board, DLM, Parks and Rec
Land Use 006	Environmental Restoration	Continue to encourage native and non-invasive vegetation landscaping design guidelines and indicate standards in the Site Plan Review requirements. Promote to residential landscapers and homeowners through an ongoing education and outreach program.	Guideline	Town Board, Green Committee
Land Use 007a	Neighborhood Pattern & Design	Complete the deployment of HO/HC zones per 1999 Comprehensive Plan	Zoning Ordinance Amendment	Town Board, Town Attorney
Land Use 007b	Neighborhood Pattern & Design	Consider amending zoning ordinance to promote and allow for infill and mixed use development in appropriate locations such as hamlet centers and around train stations to support transit oriented development consistent with recommendations in the 1999 Comprehensive Plan Update.	Zoning Ordinance Amendment	Town Board, Town Attorney
Land Use 007c	Neighborhood Pattern & Design	Identify the best-loved streetscapes and developed areas in Town and quantify their setback, height, bulk and other dimensions. Then compare to ensure the Town Code permits replication of these historic patterns.	Zoning Ordinance Amendment	Town Board, Town Attorney, ARB
Land Use 007d	Neighborhood Pattern & Design	Designate sending and receiving areas for density transfers, apart from Pine Barrens RRADs.	Regulation	Town Board, Town Attorney, ARB
Land Use 007e	Neighborhood Pattern & Design	Consider tightening multi-family housing regulations to encourage their development in appropriate locations.	Regulation	Town Board, Town Attorney
Land Use 008	Heat Island Effect	Consider passing ordinances that enact standards to deter heat island effect.	Zoning Ordinance Amendment	Town Board, Town Attorney
Land Use 009	Coastal Erosion	Explore non-conforming expansiopn provisions relative to shorefront homes	Zoning Ordinance Amendment	Town Board, Town Trustees, Zoning Board of Appeals

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Energy & Carbon	Education	Quality of Life	Economics	Transportation	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
	All	Yes													
	All	No								●	●	Short Term	○		
Nature Conservancy, Group for the East End, others	All	No							●		●	Long Term	○		
	All	Yes			●						●	Short Term		◐	
	All	Yes									●	Short Term	○	◐	
Hampton Bays Beautification Association, Civics	All	No									●	Short Term			
	All	Yes									●	Short Term	○		
Civic	Residential	No						●	●			Short Term	○		
	Residential and Commercial	No						●		●		Short Term		◐	
	Residential	Yes										Short Term		◐	
	All	No			●							Intermediate Term	○		
	Residential	Yes										Intermediate Term	○		
	All	Yes			●							Intermediate Term		◐	
Peconic Estuary Program	Residential	Yes			●			●				Intermediate Term	○		

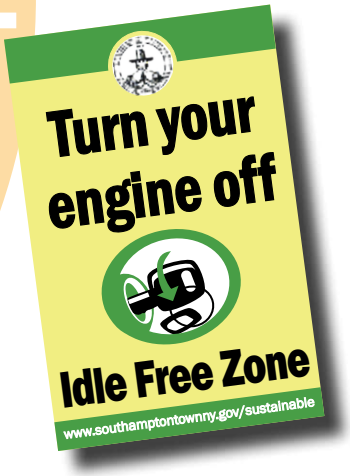
LAND USE

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Land Use 001	See Responding to Climate Change in New York State for potential strategies. The Georgetown Climate Center also has a compendium of adaptation plans from around the country, including coastal communities in the northeast.
Land Use 002a	Critical Wildlands and Groundwater Protection Plan and GEIS Planning History Summary - FINAL February 24, 2005 The Town's Zoning Code enabled the Agricultural Overlay District in 1972. Today, Article X of the Town's Zoning Code, defines the District's Purchase of purpose, regulations, transfer of development rights Suffolk County is conducting a regional study of TDRs under the New York & Connecticut Sustainability program, which may offer strategies for increasing the TDR use.
Land Use 002b	Critical Wildlands and Groundwater Protection Plan and GEIS Planning History Summary - FINAL February 24, 2008
Land Use 003	Southampton Town Sustainability Vision 08.16.2011 PlaNYC
Land Use 004	Southampton Town Sustainability Vision 08.16.2011
Land Use 005	Sustainable Sites Initiative: Site Design - Soil & Vegetation Prerequisite 4.2
Land Use 006a	Critical Wildlands and Groundwater Protection Plan SEEDS Summary Report LEED ND Sustainable Sites Summary of Recommendations Proposed as Part of the August 2002 Plan
Land Use 006b	SEEDS Summary Report
Land Use 006c	SEEDS report, page 22
Land Use 006d	LEED ND NPD Prerequisite 1
Land Use 007a	LEED ND GIB Credit 9
Land Use 007b	
Land Use 007c	
Land Use 007d	
Land Use 007e	
Land Use 008	

LINK(S)
http://www.georgetownclimate.org/adaptation/state-and-local-plans http://www.nyserda.ny.gov/Publications/Research-and-Development/Environmental/EMEP-Publications/Response-to-Climate-Change-in-New-York.aspx
http://www.southamptontownny.gov/FTP/SEQRA/criticalwildlands.pdf http://www.southamptontownny.gov/FTP/SEQRA/CPF/part3.pdf http://www.sustainablenyct.org/projects/
http://www.southamptontownny.gov/FTP/SEQRA/criticalwildlands.pdf
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf
http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_321_370860_0_0_18/CEAP.ProgressReport.2011.WEB.pdf
http://www.sustainablesites.org/report/SSI_Guidelines_Draft_2008.pdf
http://www.southamptontownny.gov/FTP/SEQRA/criticalwildlands.pdf http://eastendtransportation.org/gallery/report_1.pdf http://www.sustainablesites.org/report/SSI_Guidelines_Draft_2008.pdf
http://eastendtransportation.org/gallery/report_1.pdf
http://eastendtransportation.org/gallery/report_1.pdf

TRANSPORTATION / AIR QUALITY



INTRODUCTION

Vehicle use accounts for approximately 20% of U.S. greenhouse gas emissions, making transportation an important focus of any sustainability plan. At the local level, increasing vehicle use is having a harmful affect on local air quality — although the Town's ratings on the EPA Air Quality Index are generally good, its rankings with respect to ozone levels are on the decline and now fall below the national average. Water quality is affected by road runoff carrying pollutants from vehicles. There are also reports of neighborhood affected by dust and noise. To address these issues, this section of the plan focuses on strategies to promote alternate modes of transportation, particularly during the peak summer travel season.

GOAL

Reduce transportation impacts on environmental quality, greenhouse gas emissions and public safety through the promotion of alternative modes including walking, biking, transit, higher vehicle occupancies, and low-emission/ alternate fuel vehicles.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS Increased availability of alternative travel modes can reduce personal transportation costs, and provide access to employment.

SOCIAL The people of Southampton will have greater travel options locally and regionally.

ENVIRONMENTAL Reductions in VMT (vehicle miles travelled) reduce emissions and greenhouse gases.

TACTIC HIGHLIGHTS

Complete and implement the Complete Streets Policy

Increase use of bicycling as an alternative transportation mode by providing bicycle safety education and tools, and signage, maps and bicycle parking at train stations, hamlet centers, schools, beach access points, and other destinations.

RELATED FOCUS AREAS

Land Use, Quality of Life, Energy & Carbon

TRANSPORTATION / AIR QUALITY TOPICS

IDLING REDUCTION	001
BICYCLE USE	002a 002b 002c 002d 002e
COMPLETE STREETS	003
TRANSPORTATION DEMAND MANAGEMENT - REDUCE VEHICLE MILES TRAVELED [VMT]	004a 004b 004c 002d 004e 004f
PUBLIC TRANSPORTATION	005a 005b 005c 005d 005e 005f
PARKING	006
REDUCED EMISSIONS AND ALTERNATE FUEL VEHICLES	007
NEIGHBORHOOD PATTERN AND DESIGN	008
RESILIENT INFRASTRUCTURE CONSTRUCTION	009a 009b

TRANSPORTATION / AIR QUALITY

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Trans 001	Idling Reduction	Increase the effectiveness of the Town's idling reduction policy through completion of sign deployment, education campaign, compliance monitoring, and potential enforcement activity/legislation.	Existing Policy; Potential Legislation	CRC, Police, Green Committee
Trans 002a	Bicycle Use	Implement the recommendations for the development of a town-wide bicycle network, as outlined in the Sustainable East End Development Strategies Summary Report.	Program	Highway, DLM-Planning
Trans 002b	Bicycle Use	Add thresholds or parameters for bicycle parking (racks) to site plan review requirements.	Site Plan Review; Zoning Ordinance	Town Attorney, Complete Streets Committee, ToS Bicycling Advisory Committee
Trans 002c	Bicycle Use	Install bicycle-friendly infrastructure (e.g. bike racks, route maps, signage, water fountains, air pumps) in hamlet centers, beach parking lots, and other destination areas.	Capital Project	Highway, ToS Bicycling Advisory Committee
Trans 002d	Bicycle Use	Promote bicycle transportation via education and safety programs, map distribution, etc.	Program	Highway, CRC, ToS Bicycling Advisory Committee
Trans 002e	Bicycle Use	Explore the feasibility of public bicycle rentals, with bicycles made available in hamlet centers and beaches. Alternatively, identify and pursue strategies to increase rental availability through the private sector, such as offering licenses for bicycle concessions on Town-owned land.	Research, program	ToS Bicycling Advisory Committee
Trans 003	Complete Streets	Consider Completing, adopting and implementing where appropriate the Complete Streets policy and plan.	Policy document; potential legislation; site plan review, capital planning	Complete Streets Committee, Transportation Commission; Planning Board
Trans 004a	Transportation Demand Management - Reduce VMTs	Encourage residents to utilize car sharing, carpooling and vanpooling programs by providing park-and-ride lots in hamlets and at transit hubs.	Initiative / Pilot	Office of Energy and Sustainability, Highway / Municipal Works, Municipal Works
Trans 004b	Transportation Demand Management - Reduce VMTs	Encourage residents to utilize shuttles, or inter-hamlet transit services by providing educational materials on schedule, frequency, and routes	Education	

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Energy & Carbon	Education	Quality of Life	Economics	Land Use	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
Green Committee; Police	All	Yes								●		Short Term		◐	
ToS Bicycling Advisory Committee, NYS DOT	All	No					●			●		Long Term		◐	
	All	No					●			●		Short Term		◐	
NYS Dept. of Transportation, Suffolk County DOT	All	Yes					●			●		Short Term	○		
NYS Dept. of Transportation; School Districts, Bicycle shops, County DOT	All	Yes					●			●		Short Term		◐	
Local Businesses	All	Yes				●	●			●		Short Term	○		
Bicycle Advisory Committee, County and State DOT's	All	No					●			●		Short Term			
NYS DOT (511 Rideshare), Suffolk County Transit, LIRR, Hampton Jitney	Residential	Yes					●					Short Term		◐	
NYS DOT (511 Rideshare), Suffolk County Transit, LIRR, Hampton Jitney	Residential	Yes					●					Short Term	○		

TRANSPORTATION / AIR QUALITY

	DESCRIPTION			
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Trans 004c	Transportation Demand Management - Reduce VMTs	Recruit and/or promote car sharing services, in order to reduce VMT by second home owners and tourists who may access Town by train or jitney and use car sharing for local trips. Assist in identifying suitable locations for siting vehicles.	Program, planning, education	DLM
Trans 004d	Transportation Demand Management - Reduce VMTs	Promote the use of multimodal transportation by town employees through the distribution of materials on transit providers, routes and schedules.	Program	Office of Energy and Sustainability, Highway / Municipal Works, Municipal Works
Trans 004e	Transportation Demand Management - Reduce VMTs	Consider, create, and implement a municipal action plan for pursuing Volpe study recommendations.	Plan, program, capital projects	Transportation Commission, Town Board
Trans 004f	Transportation Demand Management - Reduce VMTs	Consider, create, and implement, a municipal action plan for pursuing locally relevant recommendations of the SEEDs study.	Plan, program, capital projects	Transportation Commission, Department of Land Management
Trans 005a	Public Transportation	Per Sustainable East End Development Strategies Report, page 2-6 support the County with providing increased weekend shuttle bus service from train stations, hamlet centers and remote parking.	Initiative / Pilot	
Trans 005b	Public Transportation	Support transit use through expansion of the bus shelter program to provide safe, convenient, comfortable transit waiting areas. Pursue grant opportunities for solar lighting in bus shelters.	Regulation	Town Engineer, Department of Land Management
Trans 005c	Public Transportation	Advocate for increased transit service with Suffolk County transit.	Program	Suffolk County Transit
Trans 005d	Public Transportation	Advocate for increased LIRR service frequency, especially during the summer season	Program	Office of Energy and Sustainability, Town Board

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
NYS DOT (511 Rideshare), Suffolk County Transit, LIRR, Hampton Jitney	All	Yes										Intermediate Term	○		
NYS DOT (511 Rideshare), Suffolk County Transit, LIRR, Hampton Jitney	All	Yes						●		●		Short Term	○		
East End Transportation Council, LIRR, County, State, and Federal Government	All	No								●		Long Term	○		
	All	No								●		Intermediate Term		◐	
Suffolk County Transit	All	Yes						●		●		Intermediate Term	○		
NYS DOT; SCT; CAC's/civics	All	No						●				Intermediate Term		◐	
State Assembyman; County Legislator; East End Supervisors & Mayors; East End Trans. Council	All	No						●				Intermediate Term	○		
Congressman; State senate member; EES&MA; EETC, LIRR	All	No						●				Short Term	○		

TRANSPORTATION / AIR QUALITY

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Trans 005e	Public Transportation	Advocate for the coordination of rail, bus, and ferry schedules to increase efficiency of intermodal transportation, reduce travel times and encourage use.	Regulation	Office of Energy and Sustainability, Highway / Municipal Works
Trans 005f	Public Transportation	Identify a location(s) for and implement an intermodal transit hub that accommodates expanded rail, bus, and demand responsive feeder/ distributor services, park-and-ride facilities, bicycle parking, and a range of passenger amenities.	Capital Project	Office of Energy and Sustainability, Highway / Municipal Works
Trans 006	Parking	Consider revisions to commercial parking standards to reduce high parking requirements where unnecessary.	Zoning Ordinance	
Trans 007	Reduced Emissions and Alternate Fuel Vehicles	Support the Town's policy requiring procurement of hybrid and energy efficient vehicles – adopted in 2011-- with prominent signage on the vehicles that promote efficiency and a link (or QR code) to the Town website for more information.	Policy	
Trans 008	Resilient Infrastructure Construction	Source heat resistant pavement materials for road repair and new construction.	Program	Business Management, Green Committee
Trans 009	Resilient Infrastructure Construction	Assess transportation infrastructure vulnerable to flooding from extreme weather events and sea level rise and identify adaptation strategies, including potential relocation to higher ground.	Study	DLM, Highway, Town Board

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Energy & Carbon	Education	Quality of Life	Economics	Land Use	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
Congressman; State senate member; EES&MA; EETC	All	No						●				Intermediate Term	○		
State and County DOTs, NYS DOT (511 Rideshare), Suffolk County Transit, LIRR, Hampton Jitney	All	No								●		Intermediate Term	○		
	All	Yes								●		Intermediate Term			
Highway; Police; other depts. Outside agencies	Municipal	No										Intermediate Term	○	◐	
	All	No						●				Short Term	○		
State, County DOT's, LIRR	All	No										Short Term			

TRANSPORTATION / AIR QUALITY

TACTIC	RESOURCES + NOTES
Trans 001	Town of Southampton Resolution 2008-532: Policy enacted in 2011; Compliance procedure must be developed Signs created; posting sites identified; must be posted at Town facilities;Original policy distributed; re-distribute in paychecks Recommendation 7: Report to Southampton Town Board from Green Committee May 8, 2009 References: PlaNYC, Nantucket, MA Climate Action Plan, Madison Sustainability Plan, EPA Idle-Reduction Campaign
Trans 002a	SEEDS report, page 74; LEED ND SLL Credit 4; Potential Bike rack funding through Cornell Cooperative extension in the resources & notes
Trans 002b	LEED ND SLL Credit 4; Section 4-9 SEEDS report
Trans 002c	LEED ND SLL Credit 4; Section 4-9 SEEDS report
Trans 002d	SEEDS report, page 73; LEED ND SLL Credit 4
Trans 002e	
Trans 003	NYSDOT Complete Streets policy; Eugene, OR: A Community Climate and Action Plan, Strategy 13.3, page 32
Trans 004a	NYS DOT van pooling program available; facilitate & otherwise support DOT outreach to Southampton Town as an employer & other large employers with high density employment centers; Include the lot under consideration for the vicinity of the LIE and Route 58 Southampton Town Sustainability Vision 08.16.2014; Boston, MA: A Climate of Progress, 2011; SEEDS Report, page 26
Trans 004b	
Trans 004c	
Trans 004d	Southampton Town Sustainability Vision 08.16.2013 Hopstop.com
Trans 004e	The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience
Trans 004f	
Trans 005a	
Trans 005b	Continue Town bus shelter installation program; work with agencies for additional shelters / funding. Focus sidewalk installations near bus stops. Evaluate roadway related changes to improve current bus stop accomodations & support long range bus rapid transit concept in key corridors. (Bus pull outs; signal preemption, parking). LEED ND NPD Credit 7; Sustainable Southampton Advisory Committee
Trans 005c	Advocate for Sunday & holiday bus service, especially in peak times Hampton Bays Corridor Strategic plan recommends streamlined route along Montauk Highway and/or Hampton Bays shuttle.
Trans 005d	
Trans 005e	Southampton Town Sustainability Vision 08.16.2011; SEEDS, page 26
Trans 005f	SEEDS, page 28 Eugene, Oregon Strategy 14.2
Trans 006	Southampton Town Sustainability Vision 08.16.2012; LEED ND NPD Credit 5
Trans 007	Evaluate purchase of alternative fuel vehicles, including access to alternative fueling systems. References: ECOtality Program, Sustainable Sites Initiative 8.8 (p.208), Recommendation # 4 -Government; Report to Southampton Town Board from Southampton Green Committee May 8, 2010
Trans 008	Recommend roundabouts where feasible; other traffic control measures which reduction congestion & waiting time (i.e. Synchronized signals); SEEDS report, page 22
Trans 009a	
Trans 009b	

LINK(S)
http://www.epa.gov/otaq/stateresources/policy/transp/tcms/extended_idling.pdf http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf http://www.ackenergy.org/Climate_Plan_Public_DRAFT_1_14_1__3_.pdf http://epa.gov/cleanschoolbus/antiidling.htm
http://eastendtransportation.org/gallery/report_1.pdf
http://eastendtransportation.org/gallery/report_1.pdf
http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_2_361126_0_0_18/00_CEAP_FINAL_10%2018%2010_no%20appendices.pdf
http://eastendtransportation.org/gallery/report_1.pdf
www.carsharing.net
www.hopstop.com
http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf
http://www.dos.ny.gov/lg/publications/LGEProjectReports/2005/SouthamptonFinalReport.pdf
http://www.eastendtransportation.org/gallery/report_1.pdf
http://eastendtransportation.org/gallery/report_1.pdf
http://eastendtransportation.org/gallery/report_1.pdf http://www.eugene-or.gov/portal/server.pt/gateway/PTARGS_0_321_370860_0_0_18/CEAP.ProgressReport.2011.WEB.pdf
http://www.ecotality.com/ http://www.sustainablesites.org/report/SSI_Guidelines_Draft_2008.pdf
http://eastendtransportation.org/gallery/report_1.pdf

ENERGY & CARBON

INTRODUCTION

Southampton is a signatory to the US. Conference of Mayors Climate Protection Agreement, which commits participating municipalities to strive to meet or beat the Kyoto Protocol targets in their own communities. This section of the plan Is aimed at fulfilling that commitment with strategies for reducing the Town's carbon footprint.

GOAL

Become carbon neutral through a combination of conservation, efficiency, and alternative energy sources.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS Southampton is located in one of the most expensive energy markets in the country and accordingly it is fiscally prudent to minimize energy usage.

SOCIAL: Climate change is the world's leading health threat.

ENVIRONMENTAL: Because climate change poses a direct threat to the New York shoreline, any effort to reduce carbon footprint is a benefit to a waterfront community like Southampton.

TACTIC HIGHLIGHTS

Develop a Climate Action Plan.

Proceed to the next step on the Town's ESCO energy audit in order to realize new efficiencies, cost savings, and provide municipal leadership on energy-saving retrofits.

Amend the zoning code to allow the development of commercial-scale renewable energy installations (e.g. "solar farms") with appropriate location and site plan controls.

RELATED FOCUS AREAS

Green Buildings, Transportation, Air Quality, Land Use, Economics, Education, Waste

ENERGY & CARBON TOPICS

- LONG-TERM ENERGY PLANNING: 001a, 001b, 001c, 001d, 001e, 001f, 001g, 001h
- ENERGY AND CARBON AUDITS: 002a, 002b
- CLEAN ENERGY: RENEWABLES: 003a, 003b, 003c, 003d, 003e, 003f, 003g
- ENERGY AND CARBON REDUCTION: 004a, 004b, 004c, 004d, 004e
- EDUCATION: 005a, 005b, 005c

ENERGY & CARBON

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Energy 001a	Long-term energy planning	Develop a comprehensive energy and climate action plan with a tiered approach for achieving carbon neutrality for Town facilities by 2040 (i.e: 30% reduction over baseline by 2020, 50% by 2025, etc). Plan should include recommendations for the EPA GHG emissions groups: scope 1,2, and 3.	Policy	Department of Land Management, Highway Department, Municipal Works, Green Committee, Town Board
Energy 001b	Long-term energy planning	Partner with a local Renewable Energy Credit provider, such as LIPA, to provide clean energy for municipal uses when appropriate.	Study, Policy	Town Board
Energy 001c	Long-term energy planning	Support the construction and expansion of, and improvements to all forms of energy supply infrastructure as a means to provide enhanced environmental benefits, greater fuel diversity and consumer choice to all Southampton Town residents.	Policy	Town Board
Energy 001d	Long-term energy planning	Support improvement of the electrical grid by working with the local utility (LIPA) to upgrade their infrastructure and to provide smart grid features such as smart metering.	Regulation	Department of Land Management
Energy 001e	Long-term energy planning	Assess the feasibility, costs and benefits of having a regional waste-to-energy plant	Study	Land Management, Green Committee
Energy 001f	Long-term energy planning	Work with LIPA and NY State to determine the potential for the development of microgrids in Town	Study	Office of Energy and Sustainability, Department of Land Management
Energy 001g	Long-term energy planning	Identify energy infrastructure vulnerable to flooding damage and strategies for protection under extreme weather events and sea level rise.	Study	
Energy 002a	Energy and Carbon Audits	Complete the ESCO energy and carbon audit and implement recommendations	Audit	Municipal Works Department (Buildings and facilities Division), Town Comptroller
Energy 002b	Energy and Carbon Audits	After determining the proportion of the Town's carbon footprint generated by municipal actions, perform energy/ carbon audits on a regular basis for all town buildings, transportation systems, and other emissions sources to monitor and measure reduction achievements. This monitoring should be done in coordination with long term energy planning tactics.	Audit	Office of Energy and Sustainability, Department of Land Management, Highway / Municipal Works
Energy 003a	Clean Energy: Renewables	Determine the feasibility of creating a commercial-sized wind turbine power plant on Town-owned land	Study	Office of Energy and Sustainability, Department of Land Management
Energy 003b	Clean Energy: Renewables	Provide information to private building owners on opportunities for alternative funding sources, such as grants or tax breaks, for onsite renewable system installation and operation and Renewable Energy Credit (REC) purchases..	Policy, Educational Campaign	Citizen's Response Center

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
LIPA, NYSERDA	All	No	●		●				●	●		Intermediate term		◐	
LIPA	All				●				●	●		Intermediate Term	○		
	All				●							1-2 years	○		
	All				●							Long Term	○		
Hydra Systems		Yes	●	●								Long Term	○		
													○		
LIPA, NYS, FEMA															
	Municipal				●				●	●		Short Term	○		
	Municipal				●				●	●		Short Term	○		
	Municipal				●					●		Short Term	○		
	All				●					●		Short Term	○		
														◐	

ENERGY & CARBON

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Energy 003c	Clean Energy: Renewables	Consider renewing the Town's contract with the Green Choice Program to purchase annual wind energy credits when budget appropriations allow.	Policy	Office of Energy and Sustainability
Energy 003d	Clean Energy: Renewables	Encourage the use of clean energy by allowing for PV panels on structures in parking lots or silver roofs on commercial buildings, where appropriate.	Zoning ordinance / Building code	LIPA, RELI
Energy 003e	Clean Energy: Renewables	Currently, only about 2% of Long Island's power supply is sourced from on-Island renewable energy sources. Where possible in Town facilities implement a program for on-site renewable energy generation	Guideline	
Energy 003f	Clean Energy: Renewables	Consider ways for multiple users to share the benefits of a single solar installation [Community solar].	Program	LIPA
Energy 003g	Clean Energy: Renewables	Develop a Solar Map interactive tool for viewing the non-residential locations of existing solar installations in Town. In addition, allow users to calculate the benefits of going solar by determining the potential size and cost for solar electric and hot water systems.	Program	
Energy 004a	Energy and Carbon Reduction: Buildings	Support efforts to educate residents about the problems associated with light pollution and the Town regulations that help to curtail it. Consider strengthening the Town's existing Outdoor Lighting Code	Education	
Energy 004b	Energy and Carbon Reduction: Buildings	Establish design guidelines and standards for site design to promote optimum conditions for the use of passive and active solar strategies, as well as landscaping to provide shade and cooling. Establish incentives such as expedited review for applications that utilize standards.	Regulation, Incentive	Office of Energy and Sustainability
Energy 004c	Energy and Carbon Reduction: Buildings	Develop an initial peak load management program for municipal buildings, including smart meters and real-time pricing.	Study	Office of Energy and Sustainability, Department of Land Management
Energy 004d	Energy and Carbon Reduction: Services	Adopt a policy which addresses and promotes ~~to~~ the use of the state of the art energy efficiency equipment for all Town capital projects.	Policy	Municipal Works, Department of Parks and Recreation, Hampton Bays Water Districts
Energy 004e	Energy and Carbon Reduction: Town Operations	Create incentive programs for Town Departments to use less energy -- e.g. green teams, competitions, awards, etc. Include energy efficiency in Department performance review goals.	Incentives	Quality of Life, Education
Energy 005a	Education	Establish a coordinated education campaign to increase impact of energy and carbon reduction plans.	Educational Campaign	Green Buildings, Transportation, Quality of Life, Education
Energy 005b	Education	Establish Town-wise campaign for saving energy by shutting down computers and office equipment when not in use. (See 2009 LIPA audit.)	Educational Campaign	Green Buildings, Quality of Life, Education
Energy 005c	Education	Create a flyer for property owners to let them know that a permit may be needed for electrical updates to accommodate plug-in vehicles.	Educational Campaign	Green Buildings, Transportation, Quality of Life, Education

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
Clean Choice	Municipal	No			●							Short Term		◐	
	All	No			●							Short Term	○		
	Municipal	No										Short Term	○		
	All	Yes		●										◐	
	Residential and Commercial	Yes											○		
	Municipal	Yes											○		
	Municipal	No			●							Intermediate Term	○		
	Municipal	No										Intermediate Term	○		
	Municipal	No			●							Intermediate Term	○		
	Municipal	Yes						●				Intermediate Term		◐	
Green Committee	All	Yes										Intermediate Term			
Green Comimttee	Municipal	Yes						●				Intermediate Term			
	All	Yes						●							

●

ENERGY & CARBON

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Energy 001a	Leading the Way. Long Island Municipal Implementation of Clean Energy Solutions, 2009 Climate Smart Communities
Energy 001b	
Energy 001c	
Energy 001d	Recommendation # 2 -Government; Report to Southampton Town Board from Southampton Green Committee May 8, 2011
Energy 001e	
Energy 001f	LEED ND GIB Credit 12 (p.413)
Energy 001g	Galvin Electricity Initiative
Energy 001h	NYS Climate Adaptation Plan
Energy 002a	Recommendation # 2 -Government; Report to Southampton Town Board from Southampton Green Committee May 8, 2011 The Zofnass Rating System for Sustainable Infrastructure
Energy 002b	
Energy 003a	
Energy 003b	
Energy 003c	
Energy 003d	
Energy 003e	
Energy 003f	Community options are needed to expand access to solar power for renters, those with shaded roofs, and those who choose not to install a residential system on their home for financial or other reasons.
Energy 003g	
Energy 004a	LEED ND GIB Credit 11 (p.407) LEED ND GIB Credit 10 (p.401)
Energy 004b	Sustainable Sites Initiative 8.4 (p.201) plaNYC (p.108) LIPA
Energy 004c	Leading the Way: Long Island Municipal Implementation of Clean Energy Solutions
Energy 004d	
Energy 004e	
Energy 005a	
Energy 005b	

LINK(S)
http://www.molloy.edu/Documents/Sustainability/Leading_the_Way.pdf http://www.dec.ny.gov/energy/50845.html http://www.dec.ny.gov/energy/50845.html
http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY04F&RE=1&EE=1
http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY04F&RE=1&EE=2
http://www.galvinpower.org/sites/default/files/John_Kelly_Microgrid_Briefing_52010.pdf
http://www.gsd.harvard.edu/research/research_centers/zofnass/
http://www.dsireusa.org/incentives/incentive.cfm?Incentive_Code=NY04F&RE=1&EE=4
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf
See pdf reference guide
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf http://www.lirpc.org/3.2010-12-02_LI2035StrategiesReport.pdf
http://www.nrel.gov/docs/fy11osti/49930.pdf
http://www.cityofberkeley.info/Planning_and_Development/Energy_and_Sustainable_Development/Berkeley_Solar_Map.aspx
http://www.sustainablesites.org/report/SSI_Guidelines_Draft_2008.pdf See PDF reference guide
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf
http://www.molloy.edu/Documents/Sustainability/Leading_the_Way.pdf
http://www.gsd.harvard.edu/research/research_centers/zofnass/
http://www.molloy.edu/Documents/Sustainability/Leading_the_Way.pdf http://www.sustainablesites.org/report/SSI_Guidelines_Draft_2008.pdf

GREEN BUILDINGS

INTRODUCTION

'Green buildings' represents an area particularly suited to municipal action for promoting sustainability because the Town regulates the built environment through its building and zoning codes, It is an area where small investments in code amendments or review standards can yield substantial gains. The Town of Southampton has already made significant progress in this area when it enacted the Residential Construction Energy Code in 2008, and Commercial Construction Energy Code in 2010. This section of the plan seeks to continue and strengthen these efforts, and ensure that Town development standards evolve along with Industry innovation.

GOAL

Promote new development that minimizes the carbon footprint of building construction, renovation and operations, that provides a healthy environment for occupants, and that utilize natural systems to support a high quality of life.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS Greening Southampton's building stock is an economic opportunity for the local construction industry.

SOCIAL Green buildings are the physical manifestation of Southampton's commitment to stewardship.

ENVIRONMENTAL Green buildings are less resource intensive.

TACTIC HIGHLIGHTS

Establish a system for regular (i.e. biennial) evaluation and updates to the Town's Energy Code, based on a review of LEED, Energy Star and other 3rd party certification standards, in order to keep up with advances in technology, and lower costs/increased feasibility.

Amend Chapter 123 of the Town Code, Building Construction, to incorporate sections on green building practices beyond energy, such as materials, roofing, demolition, water use, etc., referencing third party rating systems such as LEED, Green Globes, National Green Building Standard (ICC 700), etc., and establishing requirements and/or providing incentives for achieving specific rating levels. Any such amendment must comply with the New York State Building Code.

RELATED FOCUS AREAS

Energy & Carbon, Water, Waste, Land Use, Economics

GREEN BUILDING TOPICS

- SUSTAINABLE NEW CONSTRUCTION — 001a, 001b, 001c, 001d, 001e
- GREEN BUILDING EDUCATION — 002
- WATER EFFICIENCY IN BUILDINGS — 003a, 003b
- HEAT ISLAND EFFECT – ROOFS — 004

GREEN BUILDINGS

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Green Buildings 001a	Sustainable new construction	Consider establishing a system for regular (i.e. biennial) evaluation and updates to the Town's Energy Code, based on a review of LEED, Energy Star and other 3rd party certification standards, in order to keep up with advances in technology, and lower costs/increased feasibility.	Regulation	DLM-Building & Zoning, Green Committee
Green Buildings 001b	Sustainable new construction	Consider amending Chapter 123 of the Town Code, Building Construction, to incorporate sections on green building practices beyond energy, such as materials, roofing, demolition, water use, etc, referencing third party rating systems, such as LEED, Green Globes, National Association of Home Builders, etc, and establishing requirements and/or providing incentives for achieving specific rating levels. In the case of historic structures, guidelines from entities such as the EPA, National Trust for Historic Preservation and US Secretary of the Interior should be consulted when the objective is to preserve the original integrity of a historic building.	Regulation	DLM-Building & Zoning, Green Committee
Green Buildings 001c	Sustainable new construction	Utilize the building permit process as an opportunity to educate applicants and contractors on green building design -- e.g. distribute educational materials to applicants, prompt applicants to consider green building features through a query on the application form, direct outreach to contractors through Building Department contacts, etc.	Education	Office of Energy & Sustainability, Green Committee, CRC
Green Buildings 001d	Sustainable new construction	Use the Town's licensing program to track and promote contractor certification in green building practices.	Program	Licensing Review Board, Office of Energy & Sustainability, Green Committee, CRC
Green Buildings 001e	Sustainable new construction	Educate and train building inspectors to become advocates for green building practices with applicants.	Program	Office of Energy & Sustainability, Business Management
Green Buildings 002	Green Building Education	Conduct periodic education events for contractors and homeowners on green building practices, as occurred to introduce the Town's energy code in 2009.	Education	Office of Energy & Sustainability, CRC
Green Buildings 003a	Water Efficiency in Buildings	Create building code requirements for ultra low flush / waterless urinals in all town facilities and consider for new commercial projects	Regulation	Office of Energy and Sustainability, Department of Land Management, Municipal Works, Housing Authority
Green Buildings 003b	Water Efficiency in Buildings	Incentivize greywater or cistern systems -- i.e. for new buildings over 5,000 sf. Based upon a pilot program create a set of guidelines for the use of greywater systems within the Town	Study, Incentive	Office of Energy and Sustainability, Department of Land Management, Municipal Works, Housing Authority
Green Buildings 004	Heat Island Effect – Roofs	Consider a building code requirement that will reduce the heat island effect, such as incorporating the use light-colored roofing materials with high solar reflectance index (SRI) for more than 75% of the roof surface. Sensitivity to historic structures and their context should be part of any future building code requirement.	Regulation	

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Energy & Carbon	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
	Residential	Yes		●	●							Intermediate Term	○		
	Commercial	Yes			●							Intermediate Term	○		
					●								○		
Long Island Chapter of the Green Building Council	All	Yes										Intermediate Term	○		
	Municipal	No										Intermediate Term	○		
LI Green Homes Council	All	No							●			Intermediate Term	○		
	Residential	No										Intermediate Term			
	Commercial	No			●							Intermediate Term	○		
S.C. Water Authority	Town-wide	No			●							Intermediate Term	○		
	All	No			●							Intermediate Term	○		

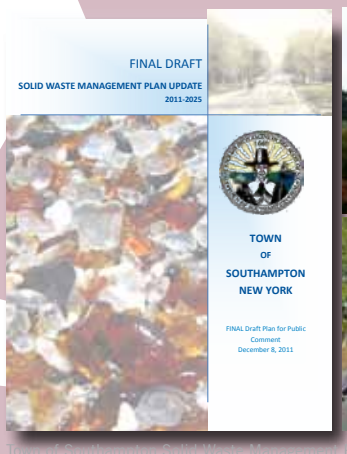
GREEN BUILDINGS

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Green Buildings 001a	LEED NC Precedents: LEED Initiatives by State Build It Green Checklist
Green Buildings 001b	Guides to, and comparative evaluations of, rating systems are published regularly, by government and the private sector LEED NC Precedents: LEED Initiatives by State Build It Green Checklist
Green Buildings 001c	Southampton Building Code
Green Buildings 001d	
Green Buildings 001e	
Green Buildings 002	Southampton Building Code
Green Buildings 003a	PlaNYC Build It Green Checklist
Green Buildings 003b	PlaNYC Build It Green Checklist
Green Buildings 004	LEED SSc7.2

LINK(S)
http://www.usgbc.org/ShowFile.aspx?DocumentID=5030 http://www.builditgreen.org/guidelines--checklists/ http://www.usgbc.org/ShowFile.aspx?DocumentID=9907
http://www.usgbc.org/ShowFile.aspx?DocumentID=5030 http://www.builditgreen.org/guidelines--checklists/
http://www.ecode360.com/8694497
http://www.ecode360.com/8694497
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf http://www.builditgreen.org/guidelines--checklists/
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf http://www.builditgreen.org/guidelines--checklists/
http://www.leeduser.com/credit/CS-2009/SSc7.2?ip_login_no_cache=cf64ddb2c1ebe26ac6b113f41a15d435

WASTE



Town of Southampton Solid Waste Management Plan

INTRODUCTION

Southampton no longer has an active landfill in the Town, and solid waste is carted off Long Island for disposal upstate or further west. While this practice puts municipal waste out of sight and can put it out of mind, it is costly and has a large carbon footprint. Methane emanating from landfills is twenty-one times more potent than carbon dioxide in contributing to greenhouses gases, and the long-distance hauling contributes as well. The Town of Southampton adopted a Municipal Solid Waste Management Plan (SWMP) in 2011 to improve waste collection and encourage waste reduction, reuse and recycling. This section of the plan reflects the approved SWMP, while proposing zero waste production as an aspirational goal addressing both the fiscal and environmental impacts of waste management in the Town.

GOAL

Achieve net zero waste production by minimizing waste production and treating waste as a resource rather than a by-product.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS The reduction of municipal solid waste volume saves money for the Town by potentially reducing tipping fees. Diversion of recyclable materials, such as paper, offers the potential opportunity to convert waste into a cash resource.

SOCIAL A long-term approach to waste management further ensures the health and wellness of the citizens of Southampton.

ENVIRONMENTAL Typically, about two-thirds of landfill waste is biodegradable organic matter and when this material decomposes, it releases the potent greenhouse gas methane. Reducing municipal solid waste reduces the Greenhouse gas emissions of the Town.

TACTIC HIGHLIGHTS

Adopt and implement the 2011 Draft Solid Waste Management Plan

Remove organic matter from the waste stream by developing a food waste composting program.

PROPOSED INITIAL TACTIC

Support the food waste composting recommendation to assess capacity to begin food waste composting at a small scale as per the Solid Waste Management Plan Update.

RELATED FOCUS AREAS

Green Buildings, Air Quality, Land Use, Energy and Carbon

WASTE TOPICS

- MUNICIPAL FACILITY RECYCLING PROGRAM 001
- COMPREHENSIVE E-WASTE RECYCLING PROGRAM 002
- PLASTIC RECYCLING 003
- ORGANIC WASTE 004
- WASTE EDUCATION 005
- SCHOOL RECYCLING 006
- MATERIALS EXCHANGE 007
- PAPER WASTE 008
- BUILDING WASTE 009
- HAZARDOUS WASTE 010
- PRODUCT STEWARDSHIP 011
- LONG TERM WASTE PLANNING 012

WASTE

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Waste 001	Municipal Facility Recycling Program	Per the recommendation of the Draft Solid Waste Management Plan, where practical expand municipal recycling operations to address all waste types, beginning with an expansion of the types of plastics accepted (i.e. 3 through 7) for which there is a market.	Program	Municipal Works - Building Maintenance and Facilities, Municipal Works - Waste Management, Parks & Recreation, Highway, Human Services , Solid Waste Advisory Committee
Waste 002	Comprehensive e-waste recycling program	Continue to expand educational efforts to promote and increase the use available recycling services in the Town.	Program	Municipal Works - Waste Management, Solid Waste Advisory Committee
Waste 003	Plastic Recycling	For local schools and other governmental organizations not under direct Town control, when possible continue to aide and assist these organizations to establish recycling programs too.	Program	Community Response Center, Solid Waste Advisory Committee
Waste 004	Organic Waste	Identify and assess options for the collection and composting of food waste, potentially as part of a regional effort.	Pilot	Sustainability Office/Green Committee; Planning/ Agricultural Advisory Committee, Solid Waste Advisory Committee
Waste 005	Waste Education	Develop and implement a comprehensive approach for education and outreach that promotes resource stewardship, waste reduction and diversion, and indicates the links between waste and other environmental issues such as water quality.	Educational Program	Sustainability Office/Green Committee; Community Response Center
Waste 006	School Recycling	Coordinate outreach and education with programs in local schools.	Educational Program	Sustainability Office/Green Committee,
Waste 007	Materials Exchange	Support private sector efforts to divert waste from landfills through assistance with promotion, space, resources, connections, etc. Potential candidates for support include 'freecycling' networks, programs that collect materials for use by classrooms and non profits, thrift shops, and salvage efforts.	Program - Voluntary	Solid Waste Advisory Committee
Waste 008	Paper Waste	Further reduce paper use by the Town through increased use of electronic technology for communications, applications and permits, FRPs, bids, maps, meeting notices and agendas, SEQRA, environmental review, etc.	Policy	All Town departments
Waste 009	Building Waste	Develop a program to divert construction and demolition (C&D) waste materials from landfills [See the EPA's guideline: Construction Waste Management Section 01 74 19 for more detail]. including guidelines and procedures for assessing projects salvageable materials prior to demolition for salvageable materials. Coordinate this effort with the Town's environmentally preferable purchasing protocols for reusable construction products and materials.	Guideline	Land Management Municipal Works - Building Maintenance and Facilities, Municipal Works - Waste Management
Waste 010	Building Waste	Encourage the adaptive reuse of older buildings/historic structures; provide incentives. When demolition is unaviodable, require the recycling, reuse, or donation of materials.	Program; Policy	Land Management Landmarks & Planning Board Municipal Works - Waste Management

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING			
Potential Partnerships	**Sector [Municipal, Commercial, Residential, All]**	**Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)**	Water	Energy & Carbon	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	**Recommended Timeframe for Initial Action**	Not Initiated	In Place	Completed
	Municipal	No			●	●				●		Intermediate term		◐	
Business groups, such as local Chambers of Commerce, SBA, industry associations, etc.	Commercial	Yes			●		●					Intermediate Term	○		
	Town-wide	Yes				●						Short Term		◐	
Cornell Cooperative Extension, Agricultural community, Local supermarkets	Residential	Yes				●						Short Term	○		
Suffolk Clean Water Coalition	Town-wide	Yes					●					Long Term		◐	
Area school districts	Town-wide	Yes					●					Short Term			
Area school districts and pta, savage companies, thrift shops, etc.	Town-wide	Yes			●	●						Intermediate Term		◐	
	Town-wide											Short Term		◐	
	Municipal											Short Term	○		
Nonprofits	Commercial Residential	Yes				●	●	●		●		Short Term			

WASTE

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Waste 0010	Hazardous Waste	Reduce illegal dumping of hazardous waste, such as oil based paint, insecticides, poisons and household batteries, by increasing the frequency of Household Hazardous Waste (HHW) Collection Days.	Program	Municipal Works - Building Maintenance and Facilities, Municipal Works - Waste Management, Solid Waste Advisory Committee
Waste 0011	Product Stewardship	Provide information to consumers about local retailers and manufacturers that take back products and packaging at the end of their useful life, such as used ink jet cartridges, eyeglasses, cellphone donation, car donations, textile recycling, pharmaceuticals etc.	Educational Program	Business Management, Land Management, Municipal Works-Waste Management, Solid Waste Advisory Committee

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Energy & Carbon	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	○ Not Initiated ◐ In Place ● Completed
	Residential	Yes										Short Term	◐
	Residential	Yes										Short Term	
													◐

WASTE

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Waste 001	Per the recommendation of the Draft Solid Waste Management Plan 2011 -2055, Final Draft for Public Comment, dated 12.08.2011, Section 6.2.6
Waste 002	Per the recommendation of the Draft Solid Waste Management Plan 2011 -2055, Final Draft for Public Comment, dated 12.08.2011, Section 6.2.6 The Town operates four residential self hauler transfer facilities; two of which receive E-Waste, however the Transfer Facilities are for residential not commercial businesses. NYS Law requires manufacturers to take responsibility for recycling many types of electronic equipment that they have produced at no fee.
Waste 003	Per the recommendation of the Draft Solid Waste Management Plan 2011 -2055, Final Draft for Public comment, dated 12.08.2011, Section 6.2.7; would require support with education and outreach
Waste 004	Per the recommendation of the Draft Solid Waste Management Plan 2011 -2055, Final Draft for Public comment, dated 12.08.2011, Section 6.3.2 Oakland's Zero Waste Campaign; NYC's Greenmarket Program collects food waste at its farmers markets; The Town should assess existing farm compost operations for their interest in, and potential capacity for, accepting consumer food wastes.
Waste 005	Per the recommendation of the Draft Solid Waste Management Plan 2011 -2055, Final Draft for Public Comment, dated 12.08.2011, Section 6.4.2 Should be coordinated with other environmental education efforts (see Education section).
Waste 006	Per the recommendation of the Draft Solid Waste Management Plan 2011 -2055, Final Draft for Public Comment, dated 12.08.2011, Section 6.2.6
Waste 007	Preliminary research has shown that additional staffing is required to ensure that the deposition area is not inundated with trash in an effort to bypass fees. Local municipalities incur costs of up to $80,000/year on disposal costs of unwanted "material exchange" items. There are also liability issues associated with parasites and safety issues with mechanical and electrical items (lamps/mowers). See: Albuquerque's Recycling and Zero Waste Strategy"
Waste 008	Per Recommendation # 6 -Government; Report to Southampton Town Board from Southampton Green Committee May 8, 2009
Waste 009	Sustainable Site Initiative Credit 7.4
Waste 0011	This is not generally a Town program, but NYS and Federal Laws. There are generally battery and electronics programs from vendors for residential return programs. Albuquerque's Recycling and Zero Waste Strategy
Waste 0012	

LINKS
http://www.southamptontownny.gov/file storage/760/762/1122/1128/Southampton-SWMP-2011-2025.pdf
http://www.southamptontownny.gov/file storage/760/762/1122/1128/Southampton-SWMP-2011-2025.pdf
http://www.southamptontownny.gov/file storage/760/762/1122/1128/Southampton-SWMP-2011-2025.pdf
http://www2.oaklandnet.com/Government/o/PWA/o/FE/s/GAR/OAK024364 http://www.southamptontownny.gov/file storage/760/762/1122/1128/Southampton-SWMP-2011-2025.pdf http://www.recyclebank.com/Brookhaven
http://www.southamptontownny.gov/file storage/760/762/1122/1128/Southampton-SWMP-2011-2025.pdf
http://www.southamptontownny.gov/file storage/760/762/1122/1128/Southampton-SWMP-2011-2025.pdf
http://www.cabq.gov/cap/strategies/recycling-and-zero-waste/recycling-and-zero-waste
http://www.sustainablesites.org/report/Guidelines%20and%20Performance%20Benchmarks_2009.pdf http://www.epa.gov/rtp/campus/environmental/017419.pdf
http://www.cabq.gov/cap/strategies/recycling-and-zero-waste/recycling-and-zero-waste

QUALITY OF LIFE

INTRODUCTION

The term Quality of Life refers to a combination of factors that contribute to life satisfaction, such as health and safety; access to life's necessities and enhancements, including goods, services, education, recreation and entertainment; the cost of living; type and length of commute to work, etc. At the Green Committee's forums on sustainability, health emerged as an important quality of life issue for Southampton residents, both in terms of personal, human health and the health of the ecosystems in which we live.

GOAL

Provide access for all Town residents to a healthy lifestyle including opportunities for active recreation, locally produced/organic food, safe drinking water, educational and cultural activities, community engagement, and personal fulfillment.

TRIPLE BOTTOM LINE VALUE ADDED

ECONOMICS A higher quality of life means the value of property, businesses, and investments in Southampton are stronger and more resilient.

SOCIAL The well-being of Southampton's citizens is improved.

ENVIRONMENTAL The natural beauty of Southampton is one of its greatest assets; Preserving, promoting and protecting the local ecology will help the Town to stay one of America's premier resort communities.

TACTIC HIGHLIGHTS

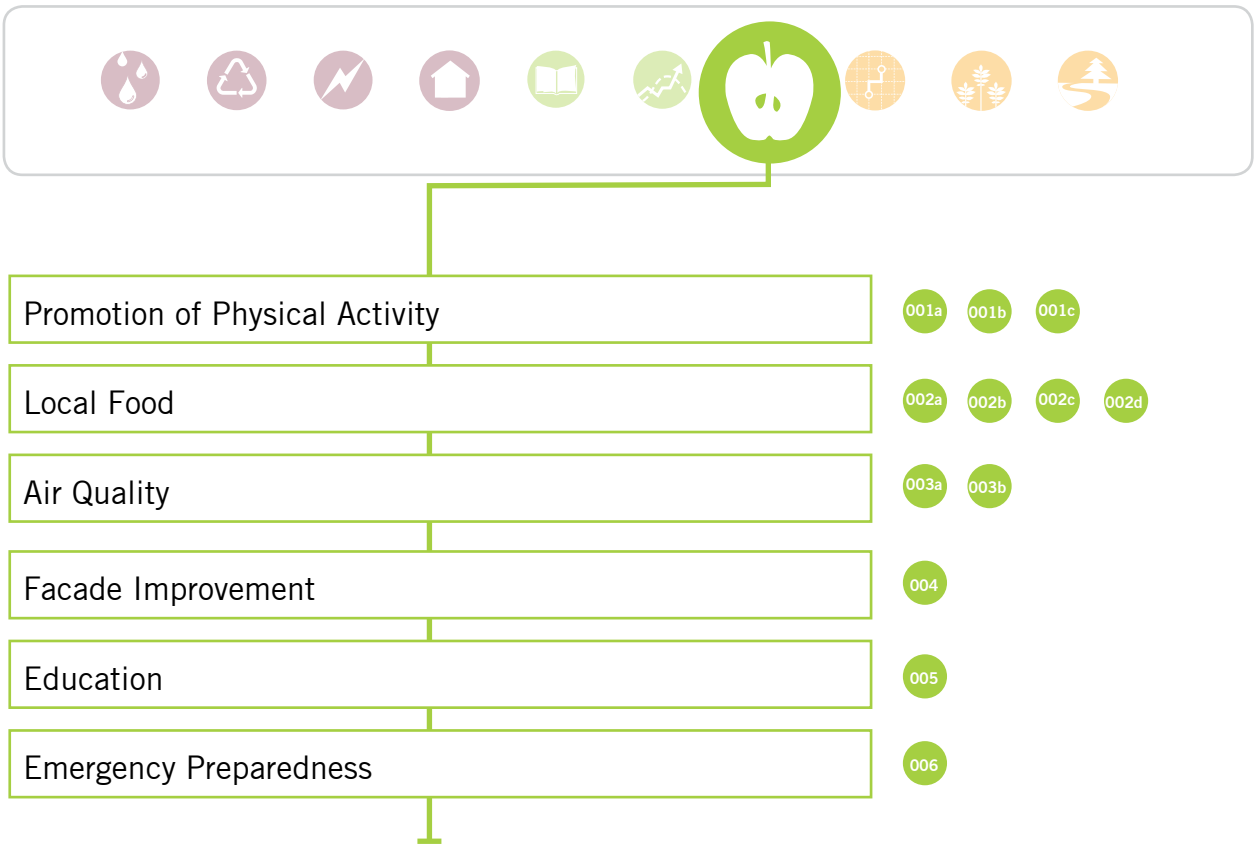
Develop a town-wide health challenge to encourage family wellness. For example, encourage residents to implement one healthier habit in their lives like eating fresh, locally grown food or increased walking. Teams comprised of families, civic groups, businesses, town employees, students, teachers, church groups, etc. can use an honor-system scorecard to track progress. Encourage local businesses to sponsor.

Develop and provide seed funding for a façade and site improvement program to assist and encourage property owners to improve the appearance and sustainability of their properties.

RELATED FOCUS AREAS

Economics, Education

QUALITY OF LIFE TOPICS



QUALITY OF LIFE

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Qual of Life 001a	Promotion of Physical Activity	Develop a town-wide health challenge to encourage family wellness. For example, Southampton can start by encouraging residents to implement one healthier habit in their lives like eating locally grown food. Teams comprised of families, civic groups, businesses, town employees, students, teachers, church groups, etc can use a honor-system scorecard to track progress. Encourage local businesses to sponsor. See Township of Scotch Plains, NJ as an example. http://www.scotchplainschallenge.com/	Program	Human Services
Qual of Life 001b	Promotion of Physical Activity	Provide outdoor fitness equipment and fitness trails in Town parks, including passive parks (note: grant funding may be available for this.)	Program	Human Services
Qual of Life 001c	Promotion of Physical Activity	Encourage walking and biking by expanding bicycle infrastructure, promoting bike routes, and providing safety education.	Program	Transportation Commission, Biking Citizen's Advisory Committee
Qual of Life 002a	Local Food	Increase support for farmers market initiatives, such as the youth-staffed farmers market at the Flanders Crohan Community Center by providing lands to host them.	Incentive, Subsidies, Public / Private Partnerships	Human Services
Qual of Life 002b	Local Food	Consider incentives and/or municipal support to encourage Community Supported Agriculture (CSA) efforts that provide a diverse array of affordable fresh produce to subscribers	Incentive, Subsidies, Public / Private Partnerships	Human Services
Qual of Life 002c	Local Food	Host a Green Lifestyle Fair, with speakers, presentations, discussions, film, informational literature, tours, etc. This can be in conjunction with, or in addition to, the "Great Greening" and "A Greener Southampton" campaign efforts.	Incentive, Subsidies, Public / Private Partnerships	Human Services
Qual of Life 002c	Local Food	Support the creation of community gardens by identifying, and making available, Town-owned land where they may be located.		
Qual of Life 002d	Agriculture	Recognize adaptation as the key component for continuance of agriculture so that any considerations related to agricultural production should maintain flexibility for changing circumstances and practices	Education	Agricultural Advisory Committee
Qual of Life 002e	Agriculture	Work with farmers, nonprofits, governmental agencies and educational institutions to help farmers strengthen the economic viability of their operations		
Qual of Life 003	Affordable Housing	Encourage and incentivize a variety of affordable housing (both rentals and for sale to include the rehabilitation of existing structures for housing stock), especially in Hamlets where it is most scarce. Assemble a working group of stakeholders to collaborate on an affordable housing plan.	Program	Town of Southampton Housing Authority, LIBI, Southampton Business Alliance, Suffolk County
Qual of Life 004	Affordable Housing	As discussed in the 1999 Comprehensive Plan, any affordable housing plan will consider the needs of a particular hamlet, the appropriateness of the site including all environmental considerations, the proposed development design to accommodate any increased density, and any potentially significant negative impacts to the school district or other special assessment district in which the proposed development is located.	Policy	Town Board, Town of Southampton Housing Authority, land Management
Qual of Life 005	Affordable Housing	Explore additional and alternative ways to finance affordable housing as recommended in the 1999 Comprehensive Plan Update.	Program	Town of Southampton Housing Authority,

PARTNERSHIPS			RELATED FOCUS AREA										TRACKING			
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Energy & Carbon	Economics	Education	Transportation	Land Use	Stewardship		Recommended Timeframe for Initial Action	Not Initiated	In Place	Completed
	All	Yes					●	●					Short Term	○		
Green Committee		Yes											Short Term	○		
		Yes						●					Short Term	○		
Flanders Crohan Community Center	Municipal	Yes					●						Short Term		◐	
Green Committee		Yes						●		●			Intermediate Term		◐	
	All	Yes											Short Term	○		
	All	Yes						●		●			Short Term			
	All	Yes							●				Long Term	○		
	All	Yes								●			Short Term			
		Yes											Long Term	○		
	Residential	Yes					●			●			Short Term	○	◐	
	Residential	Yes											Intermediate Term	○		

QUALITY OF LIFE

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Qual of Life 006	Air Quality	Assist eligible landowners, agricultural producers, and others in managing local natural resources in a sustainable manner by creating a government resource guide. This guide should help residents and local businesses to apply for financial and technical assistance from local, state, federal and NGO organizations such as the Natural Resources Conservation Service Air Quality Incentives Program	Assessment	Human Services, Department of Land Management
Qual of Life 006a	Air Quality	Promote the planting of low-pollen trees to reduce heat without increasing allergenic pollen.	Program	Municipal Works, Parks and Recreation
Qual of Life 007	Community Beautification	Develop and provide seed funding for a façade and site improvement program to assist and encourage property owners to improve the appearance and sustainability of their properties.	Program	Building Department, Planning, Human Services
Qual of Life 008	Education	Utilize sustainability education and events to build community. Conduct outreach to existing civic and community groups, inviting collaboration.	Education Campaign	
Qual of Life 009	Emergency Preparedness	Develop an Extreme Heat Response Plan to ensure access to cooling services during extreme heat events. Include an education component to homeowners regarding energy efficient home cooling strategies.	Plan	Community Response Center, Town Board

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Qual of Life 001a	The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience PlaNYC Scotch Plains, NJ
Qual of Life 001b	
Qual of Life 001c	
Qual of Life 002a	The Madison Sustainability Plan: Fostering Environmental, Economic and Social Resilience
Qual of Life 002b	
Qual of Life 002c	
Qual of Life 002d	
Qual of Life 003a	Southampton Town Sustainability Vision 08.16.2011
Qual of Life 003b	
Qual of Life 004	
Qual of Life 005	
Qual of Life 006	

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Energy & Carbon	Green Buildings	Quality of Life	Education	Economics	Transportation	Land Use	Stewardship	Recommended Timeframe for Initial Action	
	All	Yes							●			Long Term	
	All	Yes								●		Short Term	
Cornell Cooperative Ext.		Yes										Long Term	
Local Schools	All	Yes						●				Short Term	
LIPA, Keyspan	Municipal	Yes										Intermediate Term	

LINK(S)

http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf
http://nytelecom.vo.llnwd.net/o15/agencies/planyc2030/pdf/planyc_2011_planyc_full_report.pdf
http://www.scotchplainschallenge.com/

http://www.cityofmadison.com/sustainability/documents/SustainPlan2011.pdf

http://www.ny.nrcs.usda.gov/programs/eqip/air_quality.html

STEWARDSHIP

INTRODUCTION

Stewardship is an integral part of the larger concept of Sustainability because the function of stewardship is to sustain our existing natural, cultural and scenic resources for enjoyment by future generations. The Town of Southampton possesses considerable resources that need management, protection, and in some cases restoration. This section of the plan proposes stewardship tactics for agricultural lands, open space and greenbelt areas, woodlands, wetlands, trails, historic places, and fisheries.

GOAL

Ensure sustainable stewardship of the Town's natural, cultural, historic, and scenic resources, in both public and private ownership.

ECONOMICS Managing the natural resources of Southampton, such as fisheries, allows existing business to stay in the community.

SOCIAL Everybody, now and in the future, can enjoy the natural beauty of Southampton.

ENVIRONMENTAL Protecting the fisheries, woodlots and other natural resources of Southampton will allow future generations to enjoy the local natural capital.

TACTIC HIGHLIGHTS

Adopt and implement the recommendations of the 2012 Historic Districts study and amend the Town's regulations to facilitate their establishment.

Identify all Town-owned vacant land and ensure there is a maintenance plan for each.

RELATED FOCUS AREAS

Land Use, Water

STEWARDSHIP TOPICS

- TRAIL PRESERVATION 001
- HISTORIC PLACES 002
- FISHERIES 003
- NUTRIENTS IN ENVIRONMENT 004
- EDUCATION 005
- VACANT LAND 006
- FOREST AND VEGETATION 007a 007b

STEWARDSHIP

DESCRIPTION				
Tracking Number	Topic	Tactic [Action]	Mechanism for Implementation	Supporting entities
Stewardship 001	Trail Preservation	Build upon the strong trail preservation program by creating criteria for the sustainable maintenance and sustainable development criteria for new trails.	Program	Trails Advisory Board; Planning Board, Cornell Cooperative Ext.
Stewardship 002a	Historic Places	Consider the results of the Historic Resources Inventory and where appropriate and consented to, facilitate the enactment of Historic Districts.	Regulations	The Town of Southampton Landmarks and Historic Districts Board, Community Preservation Fund
Stewardship 002b	Historic Places	Adopt and implement the recommendations of the Historic Resources Survey (AKRF) and amend any applicable Town regulations to facilitate their establishment.	Plan	Landmarks and Historic Districts Board
Stewardship 002c	Historic Places	Identify all (non-cpf) Town-owned vacant land and ensure there is a maintenance plan for each.		Landmarks and Historic Districts Board
Stewardship 003	Fisheries	Create an action plan to address remaining items to be implemented under the Marine Resources Protection and Management Plan.	Existing Plan	Town Trustees
Stewardship 004	Nutrients in Environment	Propose a set of regulations to limit the amount of Nitrogen and Phosphorus (nutrients) that are permitted to enter the environment (especially surface waters) for man-made sources and/or actions, exclusibve of agricultural activities	Regulations	Town Trustees, NYSDEC, Suffolk County
Stewardship 005	Education	Educate property owners on home landscape stewardship- i.e. low input land management techniques including IPM (integrated pest management), xeriscaping, native plants, lawn alternatives, etc. through information distributed with permit applications, Town website, contractors and retailers, etc.	Education	Parks & Rec, Green Committee, Trustees
Stewardship 006	Vacant Land	Inventory all vacant Town-owned lands and identify and/or assign responsibility for maintenance to prevent sites from falling into a poor condition or attracting illegal dumping. Consider development of some lots for pocket parks.	Program	Municipal Works, Parks & Rec, CPF, Town Board
Stewardship 007a	Forest and Vegetation	Sustainably manage forest resources to prevent fragmentation; identify and prioritize key forest sustainability issues for the Town for areas not covered by the Central Pine Barrens Land Use Plan.	Program, Planning	CPF
Stewardship 007b	Forest and Vegetation	Consider the_enactment of a vegetation protection ordinance to protect significant trees and landscape features.	Legislation	
Stewardship 008	Marine Resources	Continue to focus on Stormawater runoff abatement	Policy; regulation	Trustees
Stewardship 009	Marine and Freshwater Resources	Where appropriate, partner with the Town Trustees on long-term efforts for habitat protection to sustain fisheries and other marine-related industires	Planning	Trustees

PARTNERSHIPS			RELATED FOCUS AREA									TRACKING	
Potential Partnerships	Sector [Municipal, Commercial, Residential, All]	Opportunity for Private Sector, Individual or Volunteer Initiative (Y/N)	Water	Waste	Green Buildings	Energy & Carbon	Education	Quality of Life	Economics	Land Use	Transportation	Recommended Timeframe for Initial Action	ot Initiated / Place / ompleted
	All	Yes								●		Short Term	◐
	All	No								●		Intermediate Term	◐
	All	No										Intermediate Term	
	Municipal	Yes										Intermediate Term	
	All	No			●					●		Short Term	◐
Peconic Baykeeper	All	No			●							Short Term	○
PEP, Peconic Baykeeper, Nature Conservancy, relevant businesses	Residential	No					●			●		Intermediate Term	○ ○
	Municipal	No								●		Intermediate Term	◐
NYSDEC, US Forest Service, American Forests, Suffolk County	All	Yes								●		Intermediate Term	○
	All	No								●		Intermediate Term	
													○
													◐

STEWARDSHIP

REFERENCES AND LINKS

TACTIC	RESOURCES + NOTES
Stewardship 001	Chapters 247 and 298 establish the basis for trail preservation agreements within the Town and the corresponding assessments and incentives. Chapter 29 establishes the importance of providing for the planning and maintenance of a comprehensive trails system and program in the Town through the efforts of the Town Board and Trails Advisory Committee.
Stewardship 002	Chapter 330 of the Town Code defines the purpose, definitions and responsibilities of the Town Landmarks and Historic Districts Board in designating individual landmarks and districts throughout the Town. Section 157-10. (4) Critical Areas of the Town Code also define areas of social, cultural, historic, archaeological or educational importance. 2012 History resources study, prepared by AKRF
Stewardship 003	Marine Resources Protection and Management Plan
Stewardship 004	Southampton Town Sustainability Vision 08.16.2011
Stewardship 005	Suffolk County ban on the application of nitrogen-based fertilizers on turf grass between November 1 and April 1, and requires licensed "home improvement contractors" (which includes landscapers) to complete a turf management course
Stewardship 006	
Stewardship 007a	See 'Baltimore County Forest Sustainability Project' as a model and the Montreal Process Criteria and Indicators (MPC&I) as a tool for engaging stakeholders and developing a Forest Sustainability Strategy.
Stewardship 007b	Land management prepared a draft vegetation protection ordinance a number of years ago which was not enacted.

LINK(S)
http://www.southamptontownny.gov/FTP/SEQRA/CPF/part3.pdf
http://www.southamptontownny.gov/FTP/SEQRA/mrmp.pdf

APPENDIX K

TOWN OF SOUTHAMPTON

GOOSE MANAGEMENT PLAN

TOWN OF SOUTHAMPTON
GOOSE MANAGEMENT PLAN
Municipal Separate Storm Sewer Systems (MS4s)
Permit No. GP-0-10-002

January 2014
Town of Southampton
Engineering Division

TOWN OF SOUTHAMPTON

PHASE II STORMWATER MANAGEMENT PROGRAM

GOOSE MANAGEMENT PLAN

January 2014

Prepared for

TOWN OF SOUTHAMPTON
OWNED AND OPERATED SEPARATE STORMWATER SEWER SYSTEM

Prepared by

TOWN OF SOUTHAMPTON
ENGINEERING DIVISION

1.0 INTRODUCTION

The Town of Southampton is a designated entity under the New York State Pollutant Discharge Elimination System General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4) under Permit No. GP-0-10-002. The Town of Southampton contains several watersheds that are classified as pathogen impaired and is required under the MS4 program to educate the public on where, how and why pathogens pose threats. As part of this section of the permit, the Town must develop a program to manage goose populations. The Town of Southampton has demonstrated its intentions on improving sustainability within the Town and beyond in a number of economic, social, and environmental areas as outlined in the 400+ Sustainability Plan. This management program is intended to implement best management practices to dissuade Canada Geese from becoming residential but encourage them to maintain their migratory habits and stay a wild animal.

1.1 Issues : Wildlife is a valuable natural resource and provides many benefits the environment. Issues arise, when wildlife interact with humans, become over populated causing damage to both the natural environment and the human environment. This is evidenced by inundation of waste materials which provide pathogens and nutrients to watersheds causing algal blooms which adversely affect water quality.

1.2 Goals: In an effort to outline the goals of this Program, the Town has established a goal in which to abide by in the future management of Canada Geese in the Town.

1.2.1 Reduce the number of local nesting or “resident” Canada Geese within the Town of Southampton to a population that does not continue to contribute to the degradation of water quality in its impaired watersheds. Reduction measures shall be non-lethal and shall be based upon habitat manipulation and public education and implementation of best management practices.

1.3 Plan of Approach: The Town of Southampton has researched the many different forms of Canada Goose managements and will provide initial focus on best management practices to educate the public to dissuade the nesting of Canada Geese.

2.0 CANADA GEESE

2.1 Description: A Canada Goose is a goose with a black head and neck, white patches on the face, and a brown body. The Canada Goose is native to arctic and temperate regions of North America. There are several different flyways for migratory Canada Geese, ones in this region travel through the Atlantic Flyway as shown by the red swath below. The Atlantic Flyway Council defines a “resident” Canada goose in the Atlantic Flyway as geese that are hatched or nest in any Atlantic Flyway state or in Canada at or below 48 degrees N. Latitude and east of 80 degrees W. longitude, excluding New Foundland (USFWS 2001). Resident Canada geese spend most of the year near their breeding areas.

2.2 Habitat: The Canada Goose can live up to 10 to 24 years of age. The generally live where they nest, and they have two requirements for residence, fresh water, and succulent vegetation for food. Canada geese prefer managed lawns with a clear view of water. They generally nest within 100 feet of open water. Nests consist of a large mound of vegetations such as grass, cattails, phragmities, is concave, nearly two feet in diameter and lined with soft down material from the females breast.

2.3 Behavior

2.3.1 Diet – Geese are primarily herbivores. Their diet includes green vegetation and grains and grasses. Local geese are predominately grazers, and hense large open areas with a full view of the area are preferred.

2.3.2 Reproduction- Geese become sexually active between 2 – 3 years of age. Geese are monogamous, and generally mate for life. An egg can be laid about every two days with between four and seven eggs making a typical clutch. Eggs are incubated by the female under the males protection and takes between 25-30 days before hatching. At 10 weeks the goslings can fly and reach general adult like attributes. Geese molt during the breeding season, and adults lose their flight feathers for 20-40 days.

2.3.3 Migration – Canada geese nesting in the United States covers a relatively short distance. Geese joint up with other geese and generally migrate in autumn. They return each year to the previous nesting site.

2.4 Survival

2.4.1 Predators – Geese are subject to predators attacking the eggs, and adults. Local egg predators include Raccoons, Red Foxes, large gulls, Common Raven and American Crows. Once the egg has hatched, the gosling/adult is sometimes preyed upon by local Snowy Owls,

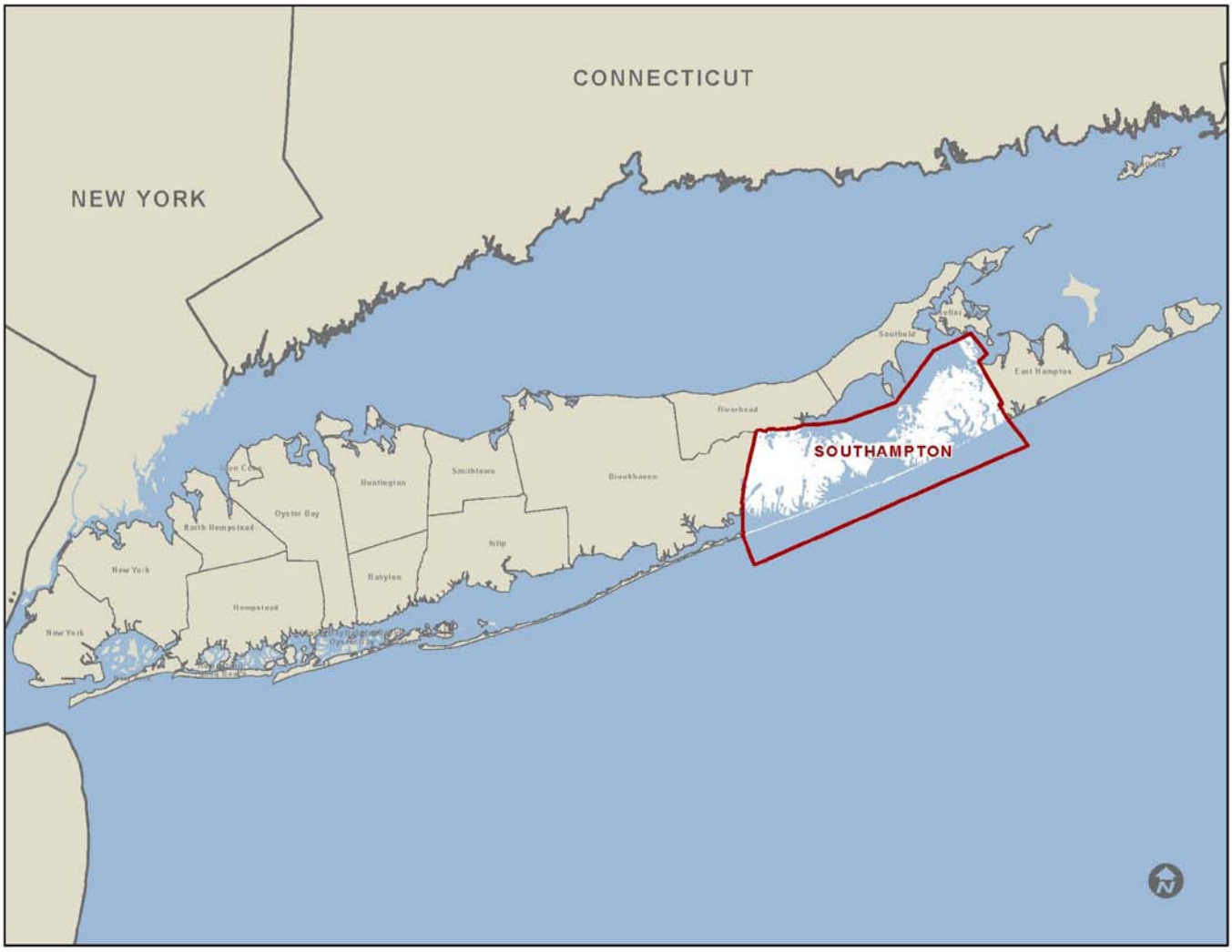
2.4.2 Hunting – Canada Geese are protected by Federal and State laws and regulations. It is illegal to hunt, kill, sell, purchase, or possess migratory birds for their parts (feathers, nests, eggs, etc.) except as permitted by regulations adopted by the U.S. Fish and Wildlife Service (USFWS) and the New York State Department of Environmental Conservation (NYSDEC). Farmers, and/or Managers of Airport, Beaches, or Drinking Water Supply may request for permission for the lethal removal of geese between May 1 and August 31 and do not require a federal permit, but authorization from Region 1 DEC Wildlife Office.

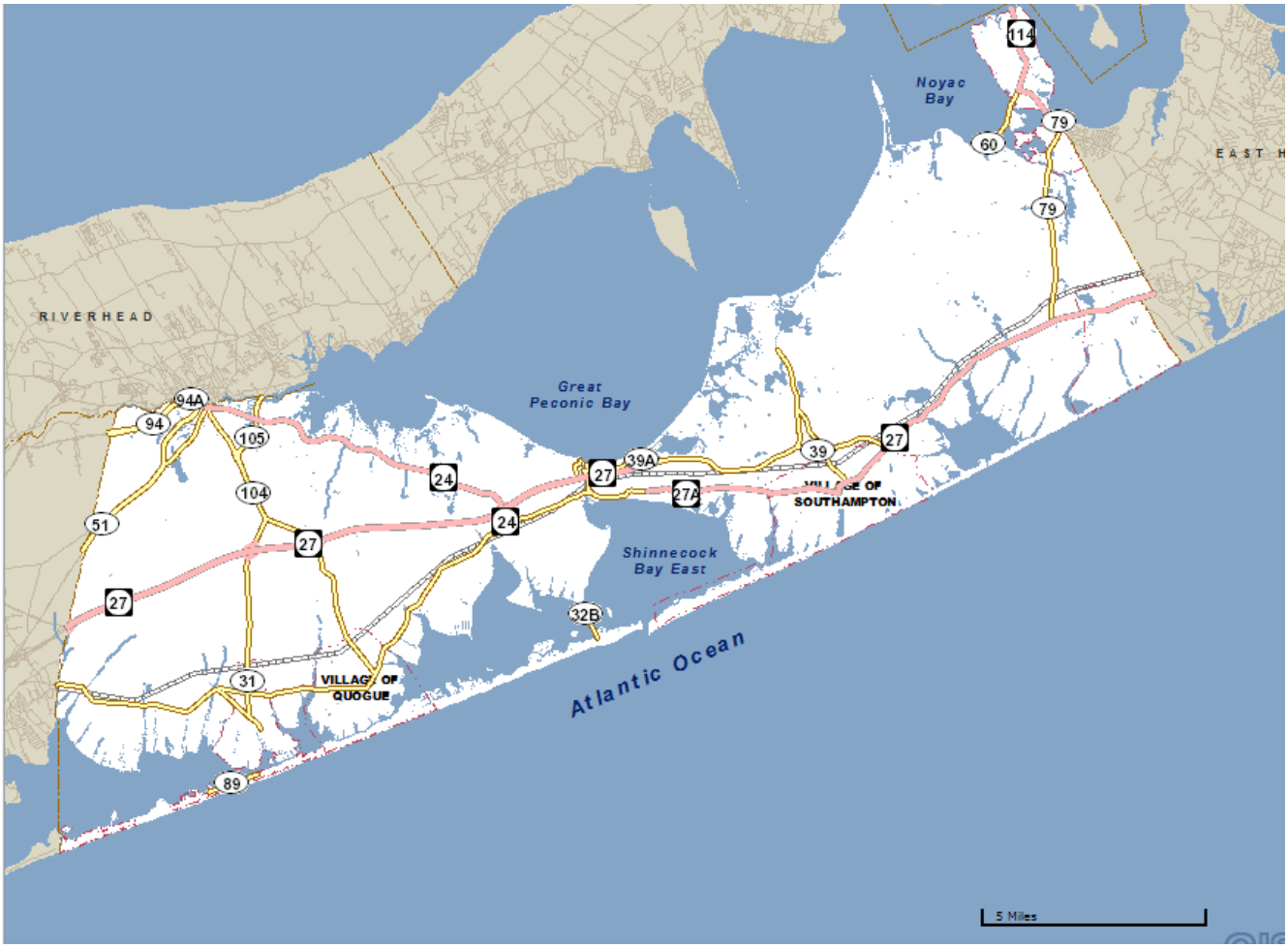
2.5 Relationship with Humans – Geese prefer open lawn areas for nesting and resting, therefore the Town of Southampton manicured estates, golf courses, park lands, and waterbodies are typical places to find Geese. Geese have been known to attack humans when they feel threatened, more so in the presence of goslings. Public attitudes towards geese is variable often torn between the environmental effects, personal feelings, and ethical issues. Discussions of controlling any type of populations are met with emotions and beliefs of this type of control.

2.6 Population – In 1999, DEC developed a management plan for resident Canada geese in the Atlantic Flyway. DEC biologics concluded that an acceptable number of resident geese in New York was at or below 85,000 birds. In 2005, USFWL estimated goose populations to be 161,000. In 2010 DEC estimated 257,000 birds in New York State. Increased population of Canada Geese, contributes more pollutants of concern to waterbodies which has adversely affected other wildlife populations through algal blooms and pathogens.

3.0 AFFECTED ENVIRONMENT AND ISSUES

The Town of Southampton has historically implemented various best management practices (BMP's) intended to protect the Town's water quality. The Town is located in the eastern end of Long Island in Suffolk County, encompasses an area 8.3 miles wide at the widest and extends approximately 25 miles from west to east, and covers approximately 139 square miles (88,960 acres). Southampton lies between the Peconic River, Great Peconic Bay, and Noyac Bay on the north, and Shinnecock Bay east and the Atlantic Ocean to the south as shown in the below figures.



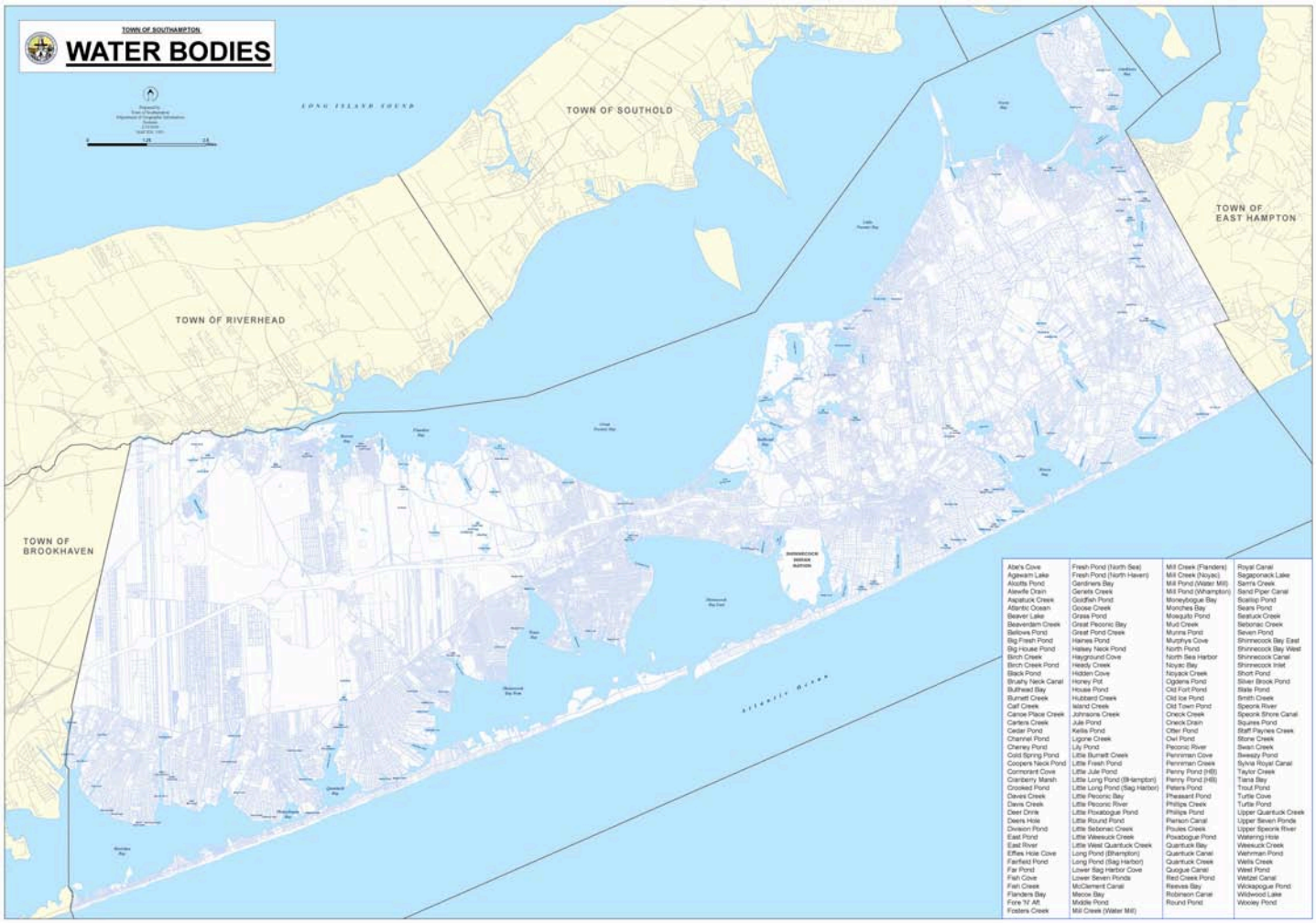


The Town of Southampton has a large number of freshwater and tidal wetland areas. Some of these water bodies are impaired by either pathogens and/or nutrients. The Canada Goose, and other wildlife and domestic animals contribute to these pollutants of concerns by defication within areas that can be washed down stream during storm events. Canada Geese pose more of a problem contributed to pollutants in their population numbers, and the fact that they reside in both the water and the land providing for direct deposit of pollutants into the water bodies. The waterbodies within the Town of Southampton are polluted by a number of non-point sources including stormwater runoff, groundwater flows, and sanitary subsurface flows. The Town wishes to address multiple forms of pollutant contribution through different education and action programs.

3.1 Pathogens- are viruses, bacteria, algae and protozoans that cause diseases in humans, animals and/or plants. Pathogenic or disease-causing bacteria are ubiquitous in nature and are normally associated with human and animal wastes. In many cases where human pollution is suspected on the basis of coliform test results, the actual pollution source may, in fact, be caused by animal wastes generated in the watershed's ponds, streams, streets, and yards. Stormwater discharges throughout the watershed typically contain these bacteria. Based on numerous studies throughout the country over the last 15 to 20 years, it is not uncommon to find total coliform, fecal coliform and fecal streptococci in stormwater runoff at very high concentrations, from hundreds of thousands to over a 100 million colonies per 100 ml (USEPA, 1992).

Bacteria levels in stormwater runoff routinely exceed public health standards for water contact recreation. Bacteria is a leading contaminant in many of New York's waters, and has led to shellfish bed closures in many areas of Long Island.

Pathogens may cause gastroenteritis, salmonellosis, and hepatitis A. Pathogens can enter the waterways through untreated or partially treated human sewage and wild/domestic animal waste. Two protozoa of major concern as waterborne pathogens are Giardia lamblia and Cryptosporidium parvum. Sources of pathogens in surface waters can be attributed to failing Sanitary Septic Systems, animal waste that is conveyed through the stormwater sewer systems. Livestock wastes, recreational boaters that dump untreated sewage is also a likely contributor of pathogens to Southampton 's waterbodies. High concentrations of pathogens can cause bathing beach closures, and shellfish closures.



3.2 Nutrients- Nitrogen, although essential for sustaining marine ecosystems, excessive nutrient levels will result in eutrophication, an increase in plant growth and decay, that can be harmful to an estuary. Nitrogen, is considered a nutrient, and when the balance concentration is exceeded, it stimulates aquatic plant growth including algae and "seaweed". Under certain conditions, these algal blooms are damaging to fish and other aquatic animals by consuming the dissolved oxygen (DO) in the water they need to breath. This condition, referred to as hypoxia can cause fish

death. Excessive algae growth can cloud water, blocking sunlight from eelgrass which provides a nursery and spawning habitat for juvenile finfish and shellfish.

Runoff from both developed land, and farmed land has elevated concentrations of both phosphorus and nitrogen, which can enrich streams, lakes, reservoirs and estuaries. Enrichment of waterbodies by nitrogen and phosphorus is known as eutrophication. Sources of these pollutants include fertilizer, atmospheric deposition, animal waste, organic matter, and stream bank erosion. Another source of nitrogen is fossil fuel combustion from automobiles, power plants and industry.

Nutrients are particular concern in estuaries and are a source of degradation in many of New York's Water. Nitrogen has contributed to hypoxia in the Long Island Sound, and is a key pollutant of concern in the Peconic Estuary.

4.0 BEST MANAGEMENT PRACTICES

Methods to manage geese in suburban communities should include an integrated approach strategy and should include local community education and support, discuss palatable control options, consider effectiveness, cost, and regulatory considerations.

4.1 Stop All Feeding – Canada Geese are wild animals, and should be able to feed on their own. Feeding geese can cause unnatural behavior, pollution, overcrowding, delayed migration, poor nutrition and disease. The Town of Southampton amended Town Code Chapter 150-Doogs and Other Animals with 150-14.1 Feeding Geese prohibited. This code amendment makes it unlawful for people to feed or leave feed for goose or geese on Public Land. The Town has also included Goose Management –Feeding in its public education program to inform residents why it is not sustainable to feed geese. Feeding geese act as beacons to other birds and geese to come to feed. Feeding also makes geese less fearful of humans.

4.2 Hazing – Or making the environment uncomfortable for the geese to remain is a good best management practice. This practice is not harmful to the birds, and is generally acceptable to the public. Due to the adaptability of geese, these methods usually are not long term solutions as the geese become accustomed to the harassment.

4.2.1 Noisemakers – These would be loud noises some of which are generated from some form of pyrotechnics such as propane cannons, bangers and screamers, firing blanks, sirens, airhorns and whistles and recorded goose distress calls. These become ineffective if the birds become de-sensitized to them. This is not generally favorable in developed areas.

4.2.2 Visuals - This form of harassment includes frightening the geese by various options including mylar tape (red on one side and silver on the other) used as a streamer, flags placed in windy locations consisting of heavy gauge garbage bags, mylar strips, eye-spot balloons 18"-36" in diameter inflatable balls with large owl-type eyes. Scarecrows are also effective in scaring geese away from small areas. Remote controlled (RC) aircraft.

4.2.3 Dogs and Falcons – Utilizing trained dogs (boarder collies) can be very successful but must be under the supervision of a trained handler. Trained falcons are successfully used at airports.

4.3 Altering of Habitat – Geese prefer a habitat of large open turf areas with water features in close proximity. Altering the habitat so that there is a reduced access to the open turf type areas will

result in a reduction of geese. Habitat modification is most effective before geese have established themselves in an area.

4.3.1 Reducing Adjacent Turf – As part of the Town's stormwater management education program, the Town encourages residents to reduce the area of manicured turf as it increases the need for fertilizer, irrigation, and maintenance. An added benefit to a reduced turf area is to discourage geese from inhabiting the area.

4.3.2 Barrier Fencing – Fencing can be used to exclude walking geese from a lawn are. Fences can be constructed as permanent or temporary and can be made of mylar, tape, woven wire, chicken wire, electric wire, construction fence, chain link or other materials. Openings in the fencing should be no larger than 3 inches and must be at least 24 inches to be effective. They should be extended far enough to prevent the geese from walking around the ends. If used as temporary, fences should be installed during limited flight periods of pre-nesting, molting and new goslings. Fencing can be used in conjunction with other methods for increase effectiveness.

4.3.3 Boulder Barriers – Boulders approximately 2-3 feet in diameter will act as a barrier to geese trying to access the land around boulders. Boulders used in conjunction with other BMPs can improve the aesthetics of the environment and improve the habitat modification to prevent goose access.

4.3.4 Vegetative Buffers – A vegetative buffer that is of sufficient height to prevent the geese from viewing the water is one of the best choices to provide an environmentally friendly long term goose management practice. Vegetation can consist of tall native adapted grasses, shrubs, and trees. This is also a best management practice for stormwater management as it provides a filtering buffer to settle out pollutants contained in the stormwater runoff. The vegetative height should be at least 24 inches high and 25 feet wide. A serpentine path will allow human access to the water's edge while still obscuring the goose's view.

4.3.5 Overhead Lines - Overhead lines of wire can be used to prevent geese resting on the open water and along the shorelines go onto lawn areas. Constructing a system of suspended wires over the water to prevent birds from accessing certain areas. Single strands of #14 wire, monofilament can be arranged in a grid with 10-15 feet between wires. Each wire must be secured so that it remains 12-18" above the water surface. Stremers attached to the wires will make the more visible to people and add to the goose deterrent. Wires should not be used in areas used for swimming, fishing, or other recreation.

4.3.6 Repellents – The use of natural bio degradable sprays are effective for limited times. An active ingredient is methyl anthranilate, which is non-toxic to humans, dogs, cats. Or birds. It is a chemical that makes grass dis-tasteful to the geese. Repellents should be applied in accordance with manufacturers recommendations but generally applied only to dry and just mowed turf, in full sun, at temperatures over 50 degreesF. Two to three hours of dryig time must be allowed after application and should be repeated ever 4-5 days.

5.0 OTHER MANAGEMENT PRACTICES

The Town of Southampton shall pursue best management practices outlined in Section 4.0 as the initial attempt at controlling the population increase of Canada goose in the Town of Southampton. In the event that the population continues to increase, and the BMPs are ineffective at management, than the Town shall consider other management practices outlined in this section. The Town of Southampton shall abide by all regulatory requirements at the time it deems necessary to pursue the following practices.

5.1 Direct Population Impact Measures – These are measures in which a clear immediate quantifiable impact can be seen following the measure such as death, removal, and egg addling. These practices are generally regulated by the State or Federal government and have a more emotional input from the community.

5.1.1 Hunting –Residents following regulatory permit requirements can hunt waterfowl in New York State. Each year more than 30,000 people hunt waterfowl which results in population reduction of approximately 100,000 Canada geese a year. Hunting, when performed safely can help slow growth of residential geese. In addition, the areas of hunting are less desirable for nesting in the future.

5.2 Goose Removal – Federal and state permits are required for this effective method. This is generally performed in the summer and is effective for reducing year round goose numbers in the area. Once the geese are removed they can either be relocated which is not an option at this time, or they can be processed and donated to charities for use as food for the needy.

5.4 Reproduction Control –Canada geese can live up to 24 years and have many goslings. Although habitat modification and hazing are generally more socially accepted to prevent geese from nesting, hunting, goose removal and reproduction control are generally more effective ways to impact a pest flock. Reproduction control must be carried out in such a way that ALL eggs produced by an adult must be removed for its entire lifetime which is labor intensive and costly.

5.4.1 Nest Removal – Removing the next would require the goose couple to re-nest immediately. Geese will become creative at relocating nests in difficult to access areas to improve the nests safety. This is a difficult and time consuming measure/

5.4.2 Egg Management – Managing the goose eggs such that productive eggs do not produce goslings.

5.4.2.1 Addling – shaking the egg until the liquid is heard moving around inside the egg.

5.4.2.2 Puncturing – Poking a strong, sharp pin through one end of the egg.

5.4.2.3 Dummy Eggs – Viable eggs removed from the nest and replaced with “dummy” or eggs made of wood or plastic. The goose will continue to incubate.

5.4.2.4 Oiling – coating the eggs with oil early on, so that there is no transfer of gasses through the shell.

6.0 CONCLUSION

The Town of Southampton cherishes the natural resources within the Town including the land, water, and air. The natural environment makes the Town a destination point for tourists, and therefore the Town will strive to protect it for the current and future generations to enjoy. The Town has adopted the 400+ Sustainability Plan that serves to improve the environmental, social and economic protections within the Town. This management plan will focus on Community Based Goose Management in which the Town provides education to residents on how to address the problem of increase goose populations. By teaching techniques and providing information to residents, the Town’s hope is to encourage residents to implement some of these strategies at home to dissuade goose from becoming residential. The best time to act is in later winter, before the nesting begins.

APPENDIX L

ADDITIONAL CODE AMENDMENTS

CHAPTER 111 – BEACHES, PARKS AND WATERWAYS

CHAPTER 150 – DOGS AND OTHER ANIMALS – PET WASTE & GOOSE FEEDING PROHIBITION 150-14.1

CHAPTER 330 – ZONING, 330-46.3 NATIVE VEGETATION AND NATURAL VEGETATION PROTECTION STANDARDS

Town of Southampton, NY
Monday, June 8, 2015

Chapter 111. Beaches, Parks and Waterways

[HISTORY: Adopted by the Town Board of the Town of Southampton 4-10-1990 by L.L. No. 11-1990. Amendments noted where applicable.]

GENERAL REFERENCES
Alcoholic beverages — See Ch. **89**.
Bathing attire — See Ch. **106**.
Coastal erosion hazard areas — See Ch. **138**.
Dogs and other animals — See Ch. **150**, Art. **I**.
Flood damage prevention — See Ch. **169**.
Protection of natural resources — See Ch. **229**.
Peddling and soliciting — See Ch. **254**.
Shellfish — See Ch. **278**.
Protection of vegetation — See Ch. **308**.
Vehicles and traffic — See Ch. **312**.
Off-road vehicles — See Ch. **320**.
Management of Town waters — See Ch. **A340**.

Article I. Beaches, Parks and Recreation Centers

[Amended 5-26-1992 by L.L. No. 26-1992; 6-8-1999 by L.L. No. 8-1999; 3-23-2004 by L.L. No. 12-2004; 2-28-2006 by L.L. No. 13-2006; 4-11-2006 by L.L. No. 16-2006]

§ 111-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESS ROAD, TOWN
A Town-owned public right-of-way that is open for passage of vehicles, people and animals to a beach, park or recreational area.

ACCESS ROAD, TRUSTEE
A Town Trustee-owned open right-of-way for passage of vehicles, people and animals to a beach, park or recreational area.

BAY BEACH AREA
As defined in Article **VII**, § **111-31**.

BEACH RECREATION FACILITY
Active public parkland, including any building and accessory structure located thereon, within the bounds of the Bay Beach Area and the Ocean Beach Area that is owned by the Town of Southampton and specifically designated for use by Town residents and visitors for recreational purposes and managed by the Town Department of Parks and Recreation.

BRIDLE TRAIL

As defined in § **150-4**.

COMMERCIAL ENTERPRISE SERVICE PERMIT

A permit issued by the Superintendent of the Department of Parks and Recreation to an individual, commercial entity or not-for-profit organization for use of a public facility for the purpose of providing services or lessons or offering equipment or merchandise for sale or rental, not directly related to Town programming provided through the Department of Parks and Recreation.

CONCESSION

A refreshment, item or activity which is offered for sale or rent at a public facility, subject to bidding requirements.

CONCESSION AGREEMENT

An agreement between the Town and a vendor for the sale or rent of concessions consistent, in the opinion of the Town, with the use of the public facility and, except as otherwise provided by the Town Board, the provisions of Chapter **254**, Peddling and Soliciting.

DOG WALKING TRAIL

As defined in § **150-4**.

DUNE AREA

A naturally occurring accumulation of sand in wind-formed ridges or mounds landward of the Bay Beach Area or Ocean Beach Area, often characterized by the natural growth of beach grass (Ammophila breviligulata). Included in this definition are deposits of fill placed for the purpose of dune construction.

FACILITY USE PERMIT

A permit issued by the Superintendent of the Department of Parks and Recreation authorizing use of a beach recreation facility, park recreation facility, park, trail, facility or real property acquired in fee title by the Community Preservation Fund, recreation center or parking areas of an access road (both Town and Trustee) designated as a "parking-by-permit-only area" pursuant to Chapter **312**, Vehicles and Traffic, or a permit issued by the Director of Human Services authorizing use of the Hampton Bays, David W. Crohan, Bridgehampton or Westhampton Community Centers, or a permit issued by the Town Management Services Administrator authorizing use of any other Town community centers and other Town-owned buildings.
[Amended 5-26-2009 by L.L. No. 23-2009; 3-23-2010 by L.L. No. 9-2010]

LEASE

As defined in § **31-2**.

LICENSING AGREEMENT

As defined in § **31-2**.

MANAGEMENT AGREEMENT

As defined in § **31-2**.

OCEAN BEACH AREA

As defined in Article **VII**, § **111-31**.

PARK

As defined in § **330-5**, active and passive public land designated for park purposes by the Town of Southampton.

PARKING-BY-PERMIT-ONLY AREA

Parking areas of a beach recreation facility, park recreation facility, a recreation center designated pursuant to § **111-2** and posted pursuant to § **111-4A** or an access road (both Town and Trustee) regulated pursuant to Chapter **312**, Vehicles and Traffic, where parking is restricted to vehicles displaying a resident or nonresident parking permit.

PARK RECREATION FACILITY

Public parkland, including any buildings and accessory structures located thereon, outside of the bounds of the Bay Beach Area and Ocean Beach Area, that is owned by the Town of Southampton and specifically designated for use by Town residents and visitors for recreational purposes and managed by the Town Department of Parks and Recreation. For purposes of this chapter, the following shall be considered a park recreation facility:
[Amended 8-13-2013 by L.L. No. 13-2013]

A. The Shinnecock Commercial Fishing Dock. Although owned by Suffolk County and not open to general use by residents and visitors for recreational purposes, the site is subject to an operations and management agreement between Suffolk County and the Town of Southampton administered by the Department of Parks and Recreation.

PARKS AND RECREATION ADVISORY COMMITTEE

As defined in Chapter **60**.

PARKS SUPERINTENDENT

The Superintendent of the Department of Parks and Recreation or his or her designee.

PERSON

Includes an individual, any combination of individuals or a corporation.

PUBLIC - PRIVATE PARTNERSHIPS

As defined in § **31-2**.

RECREATION CENTER

An assemblage of land, buildings, improvements and equipment for the use of Town residents and visitors for recreational purposes, which may be part of a park or park recreation facility.

RECREATIONAL AREA

As defined in § **31-2**.

RECREATIONAL FACILITY

As defined in § **31-2**.

RECREATION SERVICE PROVIDER AGREEMENT

An agreement between the Town and an entity to provide professional recreation services, such as golf and baseball instruction, umpiring and similar services, to the public, none of which shall be subject to Town bidding requirements.

SPECIAL MANAGEMENT CONCERN AREA

An area where signage is posted to inform the public about certain environmental conditions such as the likely presence of endangered species and any supplemental rules and regulations in effect.

TOWN BOARD

The Town Board of the Town of Southampton.

TOWN-OWNED HISTORIC BURIAL GROUNDS

All Town-owned historic cemeteries, burial grounds and abandoned cemeteries.
[Added 8-13-2013 by L.L. No. 13-2013]

TOWN TRUSTEES

The Board of Trustees for the Freeholders and Commonalty of the Town of Southampton.

TRAIL

As defined in § **295-2**.

§ 111-2. Defacement; damage; graffiti; deposit of injurious substances; reward for information; animals; prohibited trapping; administration.

A. Defacement; damage; graffiti. No person shall deface, destroy, or damage in any manner nor place graffiti on any structure, roadway, sign or building located on a beach recreation facility, park recreation facility, park, trail, recreation center, or an access road (both Town and Trustee).

B. Glass objects, litter, refuse and injurious substances. No person shall throw, break, or deposit a glass object, litter or refuse, including household waste, or any injurious substance of any nature on any beach recreation facility, park recreation facility, park, trail or recreation center or upon any parking area or roadway or pathway thereof.

C. Reward for information. Any individual, other than a police officer or other enforcement officer, who provides information to appropriate enforcement authorities which leads to the imposition of any fines hereunder or under Chapter **187** or **211** of the Town Code shall receive a payment of 50% of fines collected up to a maximum amount of $1,000.

D. Animals. Dogs or other domestic animals shall be allowed on beach recreation facilities, park recreation facilities, parks, trails, recreation centers, or access roads (both Town and Trustee) only as provided for in Chapter **150**, Dogs and Other Animals, § **150-5.1**, of the Code of the Town of Southampton, and subject to any rules and regulations promulgated under this chapter by the Parks Superintendent and, with respect to Trustee access roads, subject to any terms of any applicable annual management agreement with the Southampton Town Trustees. If posted as a special management concern area, further restrictions may be promulgated from time to time by the Parks Superintendent consistent with the recommendations of the U.S. Fish and Wildlife Services' Atlantic Coast Piping Plover Revised Recovery Plan, including potential requirements for any such animals to be leashed and under the control of their owner or other responsible person at all times, particularly between the months of April 1 through August 31. Rules may also be promulgated to prohibit pets from April 1 through August 31 if pet owners fail to keep any such animals leashed and under control in proximity to an area posted as a special management concern area.

E. Prohibited trapping. No person shall set or use body gripping traps for the purposes of hunting or otherwise on any Town-owned lands, including but not limited to Town-owned beach recreation facilities, park recreation facilities, parks, trails, Town access roads, nature preserves, sanctuaries, and lands purchased through the Town's Community Preservation Fund (CPF). The use of such traps on Town-owned lands is prohibited at all times.

F. Administration.

(1) The Parks Superintendent shall be authorized to designate parking-by-permit-only areas and to promulgate rules and regulations with regard to the operation of Town-owned beach recreation facilities, park recreation facilities, parks, trails and recreation centers not inconsistent with this chapter.

(2) The personnel of the Department of Parks and Recreation designated by the Parks Superintendent shall have the authority to administer § **111-2F(1)** and all rules and regulations

promulgated hereunder. Any person utilizing beach recreation facilities, park recreation facilities, parks, trails or recreation centers shall obey the instructions of said personnel in this regard. Failure to obey said rules and regulations or instructions shall be a violation of this chapter and subject to the penalties set forth in Article **IX**, § **111-39**.

(3) The Parks Superintendent shall be authorized to administer permits and promulgate other rules and regulations with regard to designated Town and Trustee access roads which have been regulated as parking-by-permit-only areas pursuant to Chapter **312**, Vehicles and Traffic. In the case of Trustee access roads, the terms of an annual management agreement between the Southampton Town Trustees and the Town Department of Parks and Recreation shall expressly state any exceptions thereto, supplemental requirements, or conditions imposed by the Board of Trustees of the Freeholders and Commonalty of Southampton Town.

§ 111-2.1. Town-owned historic burial grounds and abandoned cemeteries.

[Added 8-13-2013 by L.L. No. 13-2013]

A. Prohibited acts. The following shall be prohibited on Town-owned historic burial grounds and abandoned cemeteries:

(1) Defacement; damage; graffiti. No person shall deface, destroy, or damage in any manner or place graffiti on any structure, roadway, sign, building or gravestone located on a Town-owned historic burial ground and abandoned cemetery.

(2) Glass objects, litter, refuse and injurious substances. No person shall throw, break, or deposit a glass object, litter or refuse, including household waste, or any injurious substance of any nature on any Town-owned historic burial ground and abandoned cemetery or upon any parking area, roadway or pathway thereof.

(3) Animals. Dogs or other domestic animals shall not be allowed on Town owned historic burial grounds and abandoned cemeteries.

(4) Prohibited recreational use. No person shall use Town-owned historic burial grounds and abandoned cemeteries for recreational uses, including but not limited to games such as, football, soccer, baseball, kickball, frisbee and softball; Halloween walks, gravestone rubbing; or any other recreational use that may injure or damage historic grave sites and/or stones.

B. Hours. No person shall enter Town-owned historic burial grounds or abandoned cemeteries for any purpose between the hours of 8:00 p.m. and 6:00 a.m.

§ 111-3. Temporary structures; vehicles; parking restrictions; facility use permits.

A. Temporary structures. No campers, trailers, tents or temporary structures of any kind may be maintained upon the beach recreation facilities, parks, park recreation facilities, recreation centers, access roads (both Town and Trustee), trails or other properties of the Town of Southampton without a written permit issued by the Superintendent of Parks and Recreation (or, in the case of the Bay Beach Area or Ocean Beach Area, a written permit issued by the Town Trustees), and subject to such rules as may have been adopted and may hereafter be adopted by the Town Board or the Superintendent of Parks and Recreation, or the Town Trustees, as with respect to the Bay Beach Area or Ocean Beach Area.

[Amended 3-23-2010 by L.L. No. 9-2010]

B. Vehicles. Vehicles may enter the beach recreation facilities, park recreation facilities, and recreation centers only at designated entrances and may park only in the areas where indicated. Traffic shall proceed through the entrance gate and, except for parking, shall at all times travel toward the exit gate or gates as indicated by signs; provided, however, that no passenger buses or any other commercial vehicles shall be permitted, except those owned or operated by or engaged on behalf of the Town of Southampton or any incorporated village therein or any school district or special district in the Town, or utilized by persons pursuant to a duly issued facility use permit or any utility company while performing maintenance or repair work. In addition, at the discretion of the personnel of the Department of Parks and Recreation, the aforementioned restriction on commercial vehicles shall not apply to passenger vehicles registered for commercial purposes and displaying a valid beach parking permit. All permitted vehicles shall be parked as per markings on the surface or indicating signs and, when leaving, shall come to a complete stop before entering any public road or right-of-way.

C. Parking restrictions.

(1) There shall be no parking between 9:00 p.m. and 6:00 a.m. at any beach recreation facility, park recreation facility, park, trail or recreation center, with the following exceptions:

(a) The parking areas of the Tiana Beach Recreation Facility (both oceanside and bayside) shall be closed from May 15 to September 15 on Fridays and Saturdays from 7:00 p.m. to 6:00 a.m. and is hereby designated a seasonal tow-away zone from May 15 through September 15 on Fridays and Saturdays between the hours of 7:00 p.m. and 6:00 a.m., provided that signs conforming to the New York State Manual of Uniform Traffic Devices are posted conspicuously at this beach recreation facility.

(b) The parking areas of the Red Creek Park Recreation Facility shall be closed from 11:00 p.m. to 6:00 a.m. from May 1 through September 30 unless otherwise permitted by the Superintendent of Parks and Recreation for recreational programming.
[Amended 3-23-2010 by L.L. No. 9-2010]

(c) The parking areas of the North Sea Community Park Recreation Facility and Southampton Town Recreation Center shall be closed from 11:00 p.m. to 6:00 a.m. unless otherwise permitted by the Superintendent of Parks and Recreation for recreational programming.
[Amended 3-23-2010 by L.L. No. 9-2010]

(d) The parking areas of the following beach recreation facilities, park recreation facilities, and recreation centers shall be subject to rules and regulations promulgated by the Superintendent of Parks and Recreation pursuant to § **111-2F(1)**:
[Amended 3-23-2010 by L.L. No. 9-2010]

[1] Ponquogue Bridge Marine Park Recreation Facility and Fishing Piers (Northside and Southside).

[2] Shinnecock Commercial Fishing Dock.

[3] Conscience Point Marina Park Recreation Facility.

[4] East Quogue Village Green Park Recreation Facility and similar places of public assembly under stewardship of the Department of Parks and Recreation.

[5] Ocean Road beach access parking-by-permit-only area, Bridgehampton.

(2)

Facility use permits to use parking areas and other facilities at times and during periods permitted thereunder shall be required for the utilization of-Town beach recreation facilities, park recreation facilities, recreation centers, and access roads (both Town and Trustee) which have been designated as "parking-by-permit-only areas."

D. Facility use permits.
[Amended 5-26-2009 by L.L. No. 23-2009; 3-23-2010 by L.L. No. 9-2010]

(1) Facility use permits to use parking areas and other facilities of beach recreation facilities, park recreation facilities, recreation centers, and access roads (both Town and Trustee) regulated as a "parking-by-permit-only area" under Chapter **312**, Vehicles and Traffic, may be issued, in writing, by the Superintendent of Parks and Recreation, or designated department staff, and may be subject to a nonrefundable permit fee, special conditions, time restrictions and additional rules and regulations pursuant to § **111-2F(1)** of this chapter. Facility use permits to use the Hampton Bays, David W. Crohan, Bridgehampton or Westhampton Community Centers may only be issued, in writing, by the Director of Human Services or designated staff and may be subject to a nonrefundable permit fee, special conditions, and time restrictions. Facility use permits for other Town-owned buildings or Town community centers may be issued, in writing, by the Town Management Services Administrator, or designated department staff, and may be subject to a nonrefundable permit fee, special conditions, and time restrictions.

(a) Special conditions may include requirements for the provision of portable lavatories at the applicant's expense, furnishing the Town with a comprehensive liability insurance policy naming the Town as an additional insured, imposition of a monetary retainer to guarantee satisfactory condition of the utilized area and/or facilities upon completion of the permitted use period, and other reasonable conditions so as to ensure the public health, safety and welfare and appropriate use of the Town area and/or facility. Additionally, at Trustee-owned access roads, a facility use permit may include conditions promulgated under an annual management agreement between the Town Board and the Town Trustees.

(b) Where the activity may impact the health, safety and welfare of the public, as a condition to granting the facility use permit, the Superintendent of Parks and Recreation or the Director of Human Services may require the applicant to reimburse the Town for the costs of increased police protection, public safety oversight, staffing of Parks and Recreation Department personnel, public works facilitation, or other related costs, including any additional equipment, as may be deemed necessary to adequately and safely control and protect the persons attending the activity, the facility, and traffic in and around the facility. Such costs shall be provided to the applicant prior to the issuance of the permit.

(2) At a Town-owned beach recreation facility, park recreation facility, or access road (both Town and Trustee) regulated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic, between the hours of 6:00 a.m. and 12:00 midnight, the following activities shall only be permitted under the terms and conditions of a facility use permit duly issued by the Superintendent of Parks and Recreation:

(a) Catered events;

(b) Barbecues;

(c) Concerts, shows, fairs, or dances;

(d) Valet parking associated with off-site functions;

(e) Staging areas for walkathons, marathons and bike races;

(f) Commercial film/photography;

(g) Organized or reoccurring parties or gatherings which exceed the regular closure time of the particular facility or parking area;

(h) Sporting activities;

(i) Seasonal themed activities.

(3) A facility use permit is required for any use of Town-owned facilities or real property acquired in fee title by the Community Preservation Fund (CPF) pursuant to Chapter **140** of the Code of the Town of Southampton for requested uses or events which are not inconsistent with the provisions of Chapter **140** of the Town Code.

(a) Only noncommercial and not-for-profit fundraising activities open to the public which are directly related to and benefit the hamlet in which the property is located, or which directly benefit the stewardship and management of the subject property, may be permitted. Such activities are limited to four per year per property. Activities sponsored by a municipality shall be exempt from this limitation. Any monies received for such activities must be used to directly benefit the hamlet in which the property is located or deposited with an organization specifically authorized to steward or manage the subject property, to be used exclusively to manage the subject property.

(b) Prior to approval of a facility use permit for CPF-acquired property, the Superintendent of Parks and Recreation or Director of Human Services shall refer the application or request to the CPF Manager, who shall make a determination whether the proposed activity is compatible with the Community Preservation Fund purpose for which the property was acquired and whether the proposed activity would have a negative impact on the environmental resources, open space/park/recreation or historic character of the property. The CPF Manager may establish certain requirements or special conditions for such activity and may promulgate rules and regulations applicable to all special events and facility uses of CPF lands in addition to the regulations in Chapter **283**.

(c) These provisions shall apply to those events which are also subject to Chapter **283**, Special Events.

(4) Failure to obtain a duly authorized facility use permit or deviating from permit conditions is a violation of this chapter.

(5) If an applicant's intended use of a facility and/or area, pursuant to a facility use permit, meets the definition of a special event, as defined by Chapter **283** of the Town Code, the applicant must also concurrently secure a special event permit prior to said use at the discretion of the Superintendent of Parks and Recreation.

(6) The Director of Human Services, the Superintendent of Parks and Recreation or the Town Management Services Administrator may refer facility use permit applications to the Town Police, Chief Fire Marshal, or any other Town department or advisory board whose expertise and evaluation may be appropriate for review and incorporate any recommendations as conditions of a facility use permit.

(7) The Director of Human Services, Superintendent of Parks and Recreation or the Town Management Services Administrator may deny a facility use permit application, in writing, setting forth reasons for the denial and providing copies to the Southampton Town Police Department and Chief Fire Marshal. An applicant who has been denied a facility use permit may appeal such denial to the Public Safety Commission upon filing a request for an appeal

and paying the applicable fee with the Town Clerk within 10 days from the date of the written denial.

(a) The Public Safety Commission shall hear the appeal in order to show cause why the determination of the Superintendent of Parks and Recreation, the Director of Human Services, or the Town Management Services Administrator should not be upheld. The Public Safety Commission shall consider the potential impacts on Town resources and facilities, and the public health, safety, and welfare of the surrounding community and the Town as a whole.

(b) The Public Safety Commission shall render its findings in writing, no later than 10 days from the close of the public hearing. The decision of the Public Safety Commission shall be final and shall constitute the exhaustion of the applicant's administrative remedy.

(8) The Superintendent of Parks and Recreation shall conspicuously post signage indicating liability for penalties for failure to obtain a facility use permit as required hereunder at Town-owned beach recreation facilities, park recreation facilities, or access roads (both Town and Trustee) which have been regulated as parking-by-permit-only areas under Chapter **312**, Vehicles and Traffic.

(9) The Town Board may regulate the following by resolution:

(a) Amendments to the fee schedule for facility use permits, which are undertaken outside of the adoption of the Town annual operating budget pursuant to Chapter **8**, Budget.

(10) The Director of Human Services, the Superintendent of Parks and Recreation, the Town Management Services Administrator, the Chief Fire Marshal, or the Chief of Police shall have the authority to terminate an activity or suspend a facility use permit at facilities within their purview.

(11) Facility use permits and use of intoxicating beverages.

(a) The Director of Human Services, the Superintendent of Parks and Recreation or the Town Management Services Administrator may authorize the use of intoxicating beverages in his or her discretion in limited circumstances at facilities within their purview. Such authorization shall be in writing under the terms and conditions of a separate alcoholic beverage permit, which specifies times and location of when and where alcoholic beverages are proposed to be present. The applicant must pay the applicable alcoholic beverage permit fee and shall append said permit to the corresponding facility use permit. The following supplemental requirements must also be followed:

[1] Discretionary approval by the Director of Human Services, Town Management Services Administrator, or Superintendent of Parks and Recreation as provided for herein for use of intoxicating beverages on Town-owned property is limited to beer and/or wine. The Superintendent of Parks and Recreation is responsible for administering facility use permits and alcoholic beverage permits for beach recreation facilities, park recreation facilities, parks, trails, recreation centers, and public lands abutting access roads (both Town and Trustee) regulated as parking-by-permit-only areas under Chapter **312**, Vehicles and Traffic, subject to the provisions of any applicable annual management agreement with the Town Trustees.

[2] Beer kegs are prohibited.

[3]

With respect to alcoholic beverages, consumption from glass containers is prohibited.

(b) Discretionary approval by the Town Management Services Administrator, as provided for herein, for use of intoxicating beverages on Town-owned property is limited to community centers and other Town-owned buildings that are not managed by the Department of Parks and Recreation or the Director of Human Services. The Town Management Services Administrator shall require that alcoholic beverages only be served in connection with a catered event in which the caterer has paid the applicable caterer permit fee and has a New York State liquor license and is in good standing per the approved caterers list maintained by the Town Management Services Administrator.

(c) The Director of Human Services, the Superintendent of Parks and Recreation or the Town Management Services Administrator shall file a copy of all facility use permits with an appended alcoholic beverage permit with the Town Police and the Chief Fire Marshal, so as to distinguish them as an exception to the provisions of § **111-8B** as noted.

(d) An alcoholic beverage permit shall be granted only upon the condition that the applicant for such permit agrees in writing to the following:

[1] To observe faithfully all laws regulating the distribution and use of alcoholic beverages.

[2] To hold the Town harmless and assume full responsibility for any injury or damages to persons or property as a result of the presence or consumption of such alcoholic beverages.

[3] To police the conduct of all persons attending or working at the organized activity or event to which the permit is granted so as to prevent any disorderly conduct, drunkenness, or other conduct of such a nature as to materially impair the quiet and enjoyment of other persons using the recreational area.

[4] Consumption of alcohol on Town-owned property, if consumed, shall only be done in accordance with the New York State Alcoholic Beverage Control Law.

(e) In all cases involving applications for alcoholic beverage permits, the Director of Human Services, the Superintendent of Parks and Recreation or the Town Management Services Administrator may, in his or her discretion, deny such application, in writing, setting forth reasons for the denial and providing copies to the Southampton Town Police Department, and the Chief Fire Marshal. An applicant who has been denied an application for an alcoholic beverage permit may appeal such denial to the Public Safety Commission upon filing a request for an appeal with the Town Clerk and paying the applicable fee within 10 days from the date of the written denial.

[1] The Public Safety Commission shall conduct a public hearing with respect to any appeal and shall give the appealing party and any other interested party a reasonable opportunity to be heard, in order to show cause why the determination of the Superintendent of Parks and Recreation, the Director of Human Services, or the Town Management Services Administrator should not be upheld. The Public Safety Commission shall consider the potential impacts on Town resources and facilities, and the public health, safety, and welfare of the surrounding community and the Town as a whole.

[2] The Public Safety Commission shall render its findings in writing, no later than 10 days from the close of the public hearing. The decision of the Public Safety

Commission shall be final and shall constitute the exhaustion of the applicant's administrative remedy.

E. Access roads. Parking on access roads (both Town and Trustee) is regulated by parking-by-permit-only areas pursuant to Chapter **312**, Vehicles and Traffic of the Code of the Town of Southampton.

§ 111-4. Parking permit requirements.

A. The Parks Superintendent shall have the authority to designate parking-by-permit-only areas and parking permit requirements for beach recreation facilities, park recreation facilities, parks, and recreation centers. Such designation and parking permit requirements shall be in writing, with signage conspicuously posted in such areas. All vehicles, except those owned, operated or engaged on behalf of the Town or any incorporated village therein, found to be parked in such areas must display a valid permit issued by the Parks Department [when an attendant is on duty] from May 15 through June 30 and at all times from 9:00 a.m. to 9:00 p.m. from July 1 through Labor Day to the extent required by such signage.
[Amended 4-26-2011 by L.L. No. 12-2011]

B. Parking permits shall be issued to residents and nonresidents. The Department of Parks and Recreation shall issue resident parking permits to vehicle owners upon submission of satisfactory proof of home ownership or residency and upon payment of the applicable permit fee. Both resident and nonresident parking permits may be issued annually or on a daily basis.

(1) The Department of Parks and Recreation shall also issue, to the owner and/or operator of hotels, motels, bed-and-breakfasts, inns, conference centers and similar facilities operating within the Town of Southampton, one annual nonresident parking permit per room accommodation at the applicable permit fee. The permit shall include the name of the facility.

(2) The Town Board may, by resolution and upon recommendation of the Parks Superintendent, designate additional offices or departments with the authority to issue parking permits to vehicle owners upon submission of satisfactory proof of ownership and the applicable permit fee. However, all such offices or departments shall follow uniform procedures established by the Parks Superintendent concerning issuance of parking permits.

C. The Town Board may regulate the following by resolution:

(1) Amendments to the fee schedule for resident and nonresident parking permits and Town employee parking permits, which are undertaken outside of the adoption of the Town annual operating budget pursuant to Chapter **8**, Budget.

(2) Resident use and nonresident use of certain designated Town-owned beach recreation facility, park recreation facility, parks and recreation centers.

(3) Procedures for termination of parking permits and renewal.

(4) Parking permits for night fishing.

(5) Special courtesy parking permits.

D. The Parks Superintendent shall have the authority to revoke or suspend a parking permit for cause. Any suspension shall be in writing, and the Parks Superintendent shall set forth the reasons for the revocation or suspension and provide copies to the Town Board, Town Police Department and the Department of Public Safety.

E. Any resident and/or taxpayer residing in the Incorporated Village of Sag Harbor, but within the boundaries of the Town of East Hampton, shall be eligible to purchase a resident permit.

F. At all access roads (both Town and Trustee) which have been regulated as a parking-by-permit-only area pursuant to Chapter **312**, Vehicles and Traffic, the Parks Superintendent shall have the authority to install supplemental signage and pavement markings consistent with Chapter **111** and Chapter **150** (Dogs and Other Animals) and pursuant to the terms of any applicable annual management agreement with the Southampton Town Trustees.

§ 111-5. Liability; theft.

The Town shall not be liable for any injury to any person or damage or loss of any property located on any beach recreation facility, park recreation facility, park, trail, recreation center, or access road (both Town and Trustee) regulated as a parking-by-permit-only area pursuant to Chapter **312**, Vehicles and Traffic.

§ 111-6. False permit display prohibited.

No person shall display a parking permit unless duly issued by the Department of Parks and Recreation. A person who has obtained more than one parking permit shall not display or use such permit in any manner, unless such permit has been obtained to replace a previously lost or defaced parking permit.

§ 111-7. Merchandise vending; distribution of literature; commercial enterprises; recreation service providers.

A. The selling, vending or offering for sale of any wares or merchandise, or services, including but not limited to lessons, equipment rental or transportation service, or the peddling and distribution of any tickets for admission to entertainment or other functions or chances or lotteries or the distribution of leaflets, booklets or any advertising material is strictly prohibited at beach recreation facilities, park recreation facilities, parks, trails, recreation centers, and access roads (both Town and Trustee) designated as parking-by-permit-only areas pursuant to Chapter **312**, Vehicles and Traffic; provided, however, that any such activities conducted pursuant to concession agreements, commercial enterprise service permits, recreation service provider agreements, management agreements, licensing agreements, special event permits and facility use permits wherein express authorization is provided and in such instances as the Town Board may approve, by duly adopted resolution, shall be permitted.

B. Concession agreements.

(1) The Parks Superintendent shall require concession agreements to be consistent with Chapter **254**, Peddling and Soliciting, of the Town Code, and any exceptions thereto shall be expressly stated in the concession agreement, subject to Town Board approval by duly adopted resolution.

(a) The provisions of § **254-10E**, Stationary sales prohibited, shall not apply to approved concessions at beach recreation facilities, park recreation facilities, parks, trails and recreation centers, and access roads (both Town and Trustee) regulated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic.

(b) Waivers or a reduction in fee for concession agreements is authorized where the peddler's permit fee established by Chapter **254**, Peddling and Soliciting, is found by the Parks Superintendent to be a disincentive to recommended service provision at a beach recreation facility, park recreation facility, park, recreation center, and access roads (both Town and Trustee) regulated as a parking-by-permit-only area under Chapter **312**,

Vehicles and Traffic. The Parks Superintendent shall issue his/her findings in writing and state the reasons for the fee adjustment. Additionally, the Parks Superintendent shall request that the Town Comptroller prepare an interfund transfer by Town Board resolution from the revenues collected by the office of the Town Clerk for such approved peddler/concessionaire authorized for a concession agreement fee adjustment.

(2) The Parks Superintendent may authorize interim concession agreements in cases where no bids have been received or a pilot concession offering is being considered with insufficient time to conform to procurement policies. Such interim concession agreement shall not exceed one year in duration and shall require Town Board approval by duly adopted resolution.

(3) For purposes of this subsection, concessions shall not include the selling or vending of services and lessons or offering equipment for sale or rental under the terms and provisions of an approved commercial enterprise service permit, as provided for in § **111-7C** below.

(4) For purposes of this subsection, concessions shall not include selling or vending of services and lessons, or offering equipment for sale or rental related to Town programming provided by the Department of Parks and Recreation and subject to the terms and provisions of a recreation service provider agreement, as provided for in § **111-7D** below.

C. Commercial enterprise service permits.

(1) Commercial enterprise service permits for use of a beach recreation facility, park recreation facility, park, recreation center, or access road (both Town and Trustee) regulated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic, may is issued, in writing, by the Parks Superintendent and may be subject to a commercial enterprise service fee, special conditions, time restrictions, and additional rules and regulations as deemed necessary by the Parks Superintendent.

(2) The following activities require a commercial enterprise service permit:

(a) The selling, vending, or offering for sale of any services or lessons or offering equipment or merchandise for sale or rental not related to Town programming provided through the Department of Parks and Recreation, by any person, commercial entity, or not-for-profit organization.

(b) The selling, vending, or offering for sale of any transportation services not related to Town programming provided through the Department of Parks and Recreation.

(3) Upon a showing by the applicant for a permit that he/she is willing and able to comply with the regulations promulgated by the Parks Superintendent, a permit may be issued upon payment of the applicable fee.

(4) The Parks Superintendent may refer Commercial Enterprise Service Permit applications to the Town Board, Parks and Recreation Advisory Committee, Town Police, or Department of Public Safety for review, and incorporate any recommendations as conditions of a Commercial Enterprise Service Permit.

(5) The Parks Superintendent may, in his or her discretion, deny a commercial enterprise service permit application, in writing, setting forth the reasons for the denial, and providing copies to the Town Board, Town Police Department, and the Department of Public Safety.

(6) The Town Board may regulate the following by resolution:

(a)

Amendments to the fee schedule for commercial enterprise service permits, which are taken outside of the adoption of the Town annual operating budget, pursuant to Chapter **8**, Budget.

(b) Procedures for termination of commercial enterprise service permits and renewal.

(7) The Parks Superintendent shall have the authority to suspend a commercial enterprise service permit, for cause. Any suspension shall be in writing, and the Parks Superintendent shall set the reasons for the suspension and provide copies to the Town Board, Town Police Department, and the Department of Public Safety.

D. Recreation service provider agreements.

(1) Recreation service provider agreements for use of a recreational area or recreational facility for Town programming related to the Department of Parks and Recreation may be issued, in writing, by the Parks Superintendent and may be subject to a recreation service provider fee arrangement, special conditions, time restrictions, and additional rules and regulations as deemed necessary by the Parks Superintendent.

(2) The Parks Superintendent shall establish and maintain a master list of recreation service providers and recreation service provider agreements.

(3) The Parks Superintendent shall have the authority to revoke a recreation service provider agreement, for cause. Any revocation shall be in writing, and the Parks Superintendent shall set forth the reasons for the revocation and provide copies to the Town Board, Town Police Department, and the Department of Public Safety.

(4) Recreation service provider agreements shall not apply to concessions (e.g., wares or merchandise, refreshments or food service), which are subject to bidding requirements.

E. Management agreements; licensing agreements; special event permits; facility use permits.

(1) Management agreements, in accordance with Chapter **31**, Recreational Management and Stewardship Agreements, of the Town Code, may allow for merchandise vending, distribution of literature, commercial enterprises, and recreation service provisions, subject to Town Board approval and annual review by the Department of Parks and Recreation and Office of General Services.

(2) Licensing agreements, in accordance with Chapter **31**, Recreational Management and Stewardship Agreements, of the Town Code, may allow for merchandise vending, distribution of literature, commercial enterprises, and recreation service provisions, subject to Town Board approval and annual review by the Department of Parks and Recreation and Office of General Services.

(3) Special event permits, subject to Chapter **283** of the Town Code, may allow for merchandise vending, distribution of literature, commercial enterprises, and recreation service provisions, but only to the extent authorized by the Town Board. The Parks Superintendent shall annotate such authorization as a special condition of the facility use permit, consistent with an approved special event permit application.

(4) Facility use permits, subject to § **111-3D** of the Town Code, may allow for merchandise vending, distribution of literature, commercial enterprises, and recreation service provisions, but only to the extent authorized by the Parks Superintendent as a special condition of the facility use permit, unless otherwise permitted as part of a special event permit authorized by the Town Board by duly adopted resolution.

§ 111-8. Surfboards and windsurfing equipment; intoxicating beverages.

A. Surfboards and windsurfing equipment. No person shall use a surfboard or windsurfing equipment within 150 feet of any designated swimming area of a beach recreation facility. Use of surfboards or windsurfing equipment in the Ocean Beach Area or Bay Beach Area within 150 feet in proximity to an access road (both Town and Trustee) which has been regulated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic, shall be subject to rules and regulations posted by the Parks Superintendent pursuant to the terms of any applicable annual management agreement with the Southampton Town Trustees.

B. Intoxicating beverages. No person shall have in his or her possession or engage in the consumption or use of beer, wine, liquor or any other intoxicating beverage at any of the beach recreation facilities, park recreation facilities, parks, trails, recreation centers, or access roads (both Town and Trustee) which have been regulated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic, except by written permission of the Town Board as a condition of an approved special event permit in accordance with Chapter **283** of the Town Code or under the terms of an approved facility use permit appended with an approved alcoholic beverage permit pursuant to § **111-3D(10)** of this chapter.

Article II. Use of Waterways

§ 111-9. Short title.

This Article shall be known as the "Waterways Law of the Town of Southampton."

§ 111-10. Applicable areas.

A. The following rules and regulations shall, except when prohibited by the laws of the United States, apply to all waters or waterways in the Town and to all waters and waterways adjacent to a distance of 1,500 feet from the shore, provided that they shall not apply to waters or waterways within an incorporated village in the Town or to waters or waterways adjacent to a distance of 1,500 feet from the shore, except upon the consent of the Board of Trustees of such incorporated village, and provided further that they shall not apply to waters or waterways in the channel system, if any, under the supervision of the Long Island State Park Commission.

B. All provisions of the Navigation Law of this state, of the Inland Rules enacted by Congress and governing the navigation of the inland waters of the United States and of the Pilot Rules for United States inland waters applicable to the channel system relative to the rules for boats passing each other as to lights on boats and other matters consistent with the proper use of the channel system shall be complied with by all boats navigating said systems.

§ 111-11. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ANCHOR

To secure a vessel to the bottom by employing an anchor which is removed from the bottom every time the vessel is underway.

BOAT (VESSEL)

Every description of watercraft or artificial contrivance used or capable of being used as a means of transportation on water.

BOW-RIDING

The practice of riding on the bow of a vessel when such vessel is not equipped by the manufacturer with seating facilities for riding on the bow while said vessel is underway.

CHANNEL SYSTEM

The bed of a natural waterway with well-defined banks presenting the evidence of the flow of tidal waters and commonly or usually traversed by watercraft, and, in addition, refers to man-made or stabilized waterways designed for the navigation of watercraft. For the purpose of this chapter, boat basins and bathing areas are included in the term "channel system."

COMMERCIAL HAULER

Anyone engaged in the business of launching and hauling boats either directly or indirectly (i.e., boatyard).

COMMERCIAL OPERATOR

An individual, firm, partnership, corporation or other entity engaged in the business of selling, renting, leasing, loaning or otherwise allowing another person to use a boat, personal watercraft, specialty prop-craft or sailboard. For the purpose of this chapter, a "commercial operator" shall include those employees in control of or supervising the clientele's use of the boat, personal watercraft, specialty prop-craft or sailboard.
[Added 5-24-1994 by L.L. No. 22-1994]

FREEHOLDER

Any person who owns real property in the Town of Southampton which is his or her principal place of abode and domicile or any member of his or her immediate family under 19 years of age actually residing on said property.

HOUSEBOAT

A boat, barge or other craft equipped for use primarily as a dwelling, as opposed to primarily used for transportation over the water.

MOOR

To secure a vessel to a stake or anchor which remains in position on the bottom while the vessel is underway (mooring).

OWNER

Includes the person under whose name the vessel was last registered with the United States Coast Guard or within any state of the United States, if requiring registration, and, in any other case, the last known owner or the person who claims lawful possession of such vessel by virtue of legal title or equitable interest therein which entitles him to such possession.

PERSONAL FLOTATION DEVICE (PFD)

A wearable flotation device, classified and approved by the United States Coast Guard, which is in a condition that is fit for its intended purpose, bears a legibly marked United States Coast Guard approval number and is of an appropriate size for the person who intends to use it.
[Added 5-24-1994 by L.L. No. 22-1994]

PERSONAL WATERCRAFT

A vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing or kneeling on or being

towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.
[Added 5-24-1994 by L.L. No. 22-1994]

RESIDENT

A person who, during the period of not less than 12 months immediately preceding his or her application for a permit hereunder, has had a principal place or abode and domicile in and shall have actually and continuously resided within the Town of Southampton for said twelve-month period.

SPECIALTY PROP-CRAFT

A vessel which uses an outboard motor or a propeller-driven motor and which is designed to be operated by a person sitting, standing or kneeling on or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.
[Added 5-24-1994 by L.L. No. 22-1994]

TAXPAYER

A person who owns real property as shown on the assessment rolls of the Town of Southampton, but is not a resident, as defined herein.

TIE-UP

To secure by means of rope or line to a fixed or floating object.

WAKE-JUMPING

Repeatedly operating a vessel across another vessel's wake.

§ 111-12. Sanitation.

A. Discharging of toilets is prohibited in the waters of the Town of Southampton.

B. Dumping or discharging petroleum products, refuse, garbage or waste, either liquid or solid, or emptying swimming pools in the waters and wetlands of the Town of Southampton is prohibited.
[Amended 5-24-1994 by L.L. No. 22-1994]

C. Discharge into waters and wetlands.
[Added 11-10-1992 by L.L. No. 45-1992; amended 5-11-1993 by L.L. No. 12-1993]

(1) The installation, construction or maintenance of any discharge device, discharge system or gravity-dependent outflow pipe that is determined to be a permanent ancillary component of any area, use or structure which effects the discharge of swimming pool effluent, stormwater runoff or any other liquid effluent into the surface waters or wetlands of the Town of Southampton by any property owner, swimming pool maintenance company, home improvement contractor (as defined in Chapter **143** of the Town Code of the Town of Southampton) or any other agent of a property owner shall be deemed a violation of this chapter.

(2) Any violation of this section by a home improvement contractor as defined in Chapter **143**, Contractors, of the Town Code of the Town of Southampton shall be referred to the Home Improvement Contractor Licensing Review Board to hear and determine whether said violation shall be the basis for the suspension or revocation of a home improvement license pursuant to § **143-11**.

(3) Nothing herein shall be construed to prohibit the temporary installation of dewatering equipment to permit water to be discharged into surface waters or wetlands of the Town of

Southampton from a swimming pool or other structure or area during construction or structural repair thereof, or the use of circulating pumps or wells to cleanse shellfish in holding tanks, or tanks used to hold clams, lobsters or fish on a temporary basis prior to sale; provided, however, that prior to any such installation or use, a property owner shall obtain a Town Trustee permit therefor. Failure to obtain a permit in such circumstances shall be deemed a violation of this chapter.

§ 111-13. Mooring; use of Town docks; time limits; houseboats.

A. Boats shall not moor or anchor in any channel, and in no case shall boats tie to or anchor within 50 feet of any channel marker, navigation aid or controlling device or so as to interfere with the full use of the channel.

B. Boats shall not moor or anchor so as to endanger the safety of or cause damage to any boat previously anchored or moored or so as to interfere with the mooring of any boat previously laid down. Any boats so moored or anchored shall be removed by the owner or person in charge thereof on an order of the Town Board or Town Trustees or any duly authorized officer or agent thereof or member of the Town police or Bay Constable of the Town. If said boat is not removed after orders to so remove it, it may be removed by or at the direction of the Town Board or Town Trustees or any duly authorized officer or agent thereof or member of the Town police or a Bay Constable of the Town at the expense of the owner or person in charge of said boat.

C. No mooring shall be placed in Town waters except as provided in the rules and regulations for the management and products of the waters of the Town of Southampton.

D. Time limits. No person shall tie up or moor or anchor any boat or floating structure whatsoever to or within 50 feet of any dock, wharf, highway or landing place maintained at the expense of the Town of Southampton or Town Trustees for a longer period than two hours in any 24 hours, except for the purpose of making necessary repairs to machinery or the hull for the purpose of rendering such boat or structure seaworthy to permit the same to proceed to a place of permanent repairs. The period allowed for such repairs is not to exceed five days. The period of two hours above-provided shall not be confined to a continuous period only, but shall include all docking or mooring or anchoring to or within the above distance to said dock, wharf, highway or landing place within a period of 24 hours. Nothing in this Subsection **D** shall be construed to apply to the following:

(1) Eastport Dock and Basin.

(2) Speonk Shore Basin.

(3) Baycrest Dock and Canal.

(4) Old Fort Pond Fixed Dock.

(5) Shinnecock Commercial Fishing Dock.

(6) Town Trustee Commercial Fishing Basin at Road H.

E. No boat shall be tied at Eastport Dock and Basin, Speonk Shore Basin, Baycrest Dock and Canal, the Town Trustee Commercial Fishing Basin at Road H, or Old Fort Pond Fixed Dock, except as provided in the rules and regulations of the Town Trustees.
[Amended 6-27-2006 by L.L. No. 34-2006]

F. Houseboats.

(1) No person, corporation, firm, association, organization, owner or agent shall moor, anchor or tie up any houseboat within the waters of the Town of Southampton without first obtaining a permit from the Town Trustees; the permit shall be valid for 72 hours, and the fee therefor shall be $25.

(2) Houseboats moored, anchored or tied up in waters over private lands (bottoms) shall be subject to the zoning laws of the Town of Southampton pertaining to buildings and structures.

G. Obstructions on docks. No person shall place any obstruction or place, pile or store any nets, boxes, bait cars or fishing equipment or gear whatsoever upon any dock, wharf, pier, ramp or highway maintained at the expense of the Town of Southampton or the Town Trustees.

H. Commercial fishing docks. No vessel shall be allowed to enter upon or use the facilities of a commercial fishing dock or basin operated by the Town of Southampton Parks and Recreation Department unless the owner thereof shall procure from the Superintendent of Parks and Recreation and have in his possession a permit, which shall be stored on the vessel for which it is issued and made available for inspection upon request by the Town.

I. No person, corporation, firm, association, organization, owner or agent shall employ an anchor or similar device to secure any vessel not in use to the bottom of any waters within the Town of Southampton, unless such person, corporation, firm, association, organization, owner or agent has been issued a mooring permit by the Town Trustees.
[Added 10-28-1997 by L.L. No. 37-1997]

§ 111-14. Ramps.

A. All boat engines must be shut off when loading or unloading at any Town or Town Trustee ramp or landing.

B. No person shall park or leave any unattended vehicle on any ramp.

C. Ramp permits.

(1) No person shall use any ramp owned or controlled by the Town of Southampton or Town Trustees without first obtaining a permit, evidenced by a sticker which shall be prominently displayed on the vehicle for which it was issued. Stickers lost or defaced may be reissued. The Town Board or Town Trustees may at any time terminate all existing stickers and call for renewal registration. The Town Trustees office is hereby authorized to issue such stickers in accordance with the rules and regulations of the Town Trustees.

(2) Misuse of stickers. No person shall display or use a ramp sticker unless said sticker properly applies to the registered vehicle owner's status (i.e., resident, taxpayer, nonresident, commercial boat hauler) at the time of said use and is displayed only on the vehicle for which it was issued.

(3) Vehicles with a boat trailer or an unattached boat trailer which are parked within areas prohibited by § **312-54C** of the Vehicles and Traffic Code of the Town of Southampton shall display a ramp sticker.
[Added 5-24-1994 by L.L. No. 22-1994]

§ 111-15. Navigational hazards.

A.

Any boat which becomes a menace to navigation, unseaworthy, sinks, grounds or becomes otherwise disabled shall be removed by the owner or person in charge thereof on order of the Town Board or Town Trustees or any duly authorized officer or agent thereof or member of the Town police or a Bay Constable of the Town. If said boat is not removed after an order so to remove it, it may be removed by or at the direction of the Town Board or Town Trustees or any duly authorized officer or agent thereof or member of the Town police or a Bay Constable of the Town.

B. The owner or person in charge of said boat may reclaim the same after proving his ownership and paying the appropriate fee. An impound fee of $50, plus $2 per day of storage, is required for the release of boats up to 16 feet in length. An impound fee of $75, plus $2 per day of storage, is required for the release of boats 16.1 feet to 20 feet in length. An impound fee of $100, plus $2 per day of storage, is required for the release of boats 20.1 feet to 24 feet in length. Boats in excess of 24 feet in length will be hauled by commercial salvage/hauling and will only be released when the salvage/hauling fee, plus $2 per day of storage, has been paid. The impound and storage fees may be waived only in the case of recovered stolen property which has legitimately been reported as such prior to any impound. These fees shall be payable to the Town Trustees. The Town Trustees or the Town of Southampton shall not be liable for any damage incurred by the boat removal.

§ 111-16. Speed and operation near bathers.

A. No boat shall be operated at a greater speed than five miles per hour within 500 feet from shore, except when said boat is being operated in a channel which approaches closer than 500 feet to shore, or greater than such speed as may be indicated by signs installed by the Trustees of the Freeholders and Commonalty of the Town of Southampton, the federal government, the County of Suffolk or incorporated villages. The provisions of this section shall not apply to boats participating in an organized racing event for which a license has been obtained under § **94-4** of this Code.
[Amended 5-12-1992 by L.L. No. 19-1992]

B. No boat propelled other than by hand shall cruise or be operated within 100 feet of any lifeline or bathing float or, if there is no lifeline or bathing float, then within 150 feet of any public or semipublic beach regularly used for bathing or swimming, nor shall such boat cruise or be operated in excess of five miles per hour within 50 feet of any person bathing or swimming or an anchored or moored boat.

C. No boat shall be operated at a speed greater than 45 miles per hour in the waters of the Town of Southampton. The foregoing speed restriction shall apply to all navigable waters located within the boundary lines of the Town of Southampton except when the provisions thereof are in conflict with the laws of the United States or the State of New York or in any municipal corporation or administrative authority thereof having jurisdiction thereover.

§ 111-17. Water-skiing.

A. No person shall operate a boat for towing a person on water skis or a surfboard, inflatable, parasail or similar device, nor shall any person be towed on water skis or a surfboard, inflatable, parasail or similar device unless there is in such a boat a person 10 years of age or older, other than the operator, in a position to observe the progress of the person being towed.
[Amended 5-24-1994 by L.L. No. 22-1994]

B.

No person shall be towed on water skis or a surfboard, inflatable, parasail or similar device or use or operate a boat to tow a person thereon between the period from sunset to one hour after sunrise or during periods of limited visibility.
[Amended 5-24-1994 by L.L. No. 22-1994]

C. No person shall be towed on water skis or a surfboard, inflatable, parasail or similar device or use or operate a boat to tow a person thereon in any channel or within 150 feet of any public or semipublic bathing beach or public dock or within 50 feet of any swimmer or bather or moving or anchored boat, nor shall any such person engaged in such activities come within 500 feet of the shoreline unless they approach or depart perpendicular to the shoreline and solely for the purpose of commencing or ending the ride.

D. No person shall be towed on water skis or a surfboard, inflatable, parasail or similar device or use or operate a boat to tow a person thereon, unless such person being towed is wearing a Coast Guard approved personal flotation device of Type I, II or III.
[Amended 10-28-1997 by L.L. No. 37-1997]

§ 111-18. Operation of boats.

A. Every person operating a boat shall at all times operate the same in a careful and prudent manner at such a rate of speed as not to disturb the reasonable comfort or endanger the property of another or the life or limb of any person or so as to interfere with the free and proper use of the waters. Imprudent operation shall include but not be limited to wake-jumping or permitting bow-riding.

B. No boat shall be operated in such a manner as to throw up a wake which could be dangerous to life or limb of a person, boats or other property.

C. No person under the age of 18 years shall operate a mechanically propelled vessel on the waters of the Town of Southampton unless:
[Amended 5-24-1994 by L.L. No. 22-1994]

(1) The operator is accompanied therein by a person who is 18 years of age or older; or

(2) The operator is 10 years of age or older and is the holder of a boating safety certificate issued to him by the New York State Commissioner of Parks, Recreation and Historic Preservation, the United States Power Squadrons or the United States Coast Guard Auxiliary.

D. No person who is the owner of a mechanically propelled vessel shall knowingly authorize or permit the operation thereof on the waters of the Town of Southampton unless:
[Amended 5-24-1994 by L.L. No. 22-1994]

(1) The operator is 18 years of age or older;

(2) The operator is accompanied therein by a person 18 years of age or older; or

(3) The operator is 10 years of age or older and is the holder of a boating safety certificate issued to him by the New York State Commissioner of Parks, Recreation and Historic Preservation, the United States Power Squadrons or the United States Coast Guard Auxiliary.

E. Small sailboats, commonly known as "sailboards" or "windsurfers," are prohibited in the following areas:
[Amended 5-24-1994 by L.L. No. 22-1994]

(1) Within 500 feet of Shinnecock Inlet.

(2) In the channel system of Town waters.

F. Small sailboats under 16 feet, windsurfers, sailboards, swimmers and anchored boats are prohibited from using any motor boat area used for waterskiing, designated by buoys, from May 15 to September 15.
[Amended 5-24-1994 by L.L. No. 22-1994]

G. No person shall operate a vessel of Class A or 1 as defined in Article 4, Part 1, § 43, Paragraph 1 of the New York State Navigation Law, or a rowboat or canoe, nor shall the owner of such vessel while on board such vessel permit its operation, unless each person on such vessel under the age of 12 is wearing a securely fastened United States Coast Guard approved personal flotation device of an appropriate size and type when such vessel is underway.
[Amended 5-24-1994 by L.L. No. 22-1994]

§ 111-19. Equipment required; capacity plates; mufflers.

A. No person shall operate a watercraft on the waters of the Town of Southampton unless said watercraft has on board the following equipment:

(1) Personal flotation devices as required by Title 33 of the Code of Federal Regulations, Part 175; except in the case of a vessel of Class A, as defined in Article 4, Part 1, § 43, Paragraph 1, of the New York State Navigation Law, or a rowboat or canoe, United States Coast Guard approved personal flotation devices of Type I, II or III of an appropriate size shall be on board for each occupant when such vessel is underway.
[Amended 5-24-1994 by L.L. No. 22-1994]

(2) Fire extinguishers as required by Article 4, Part 1, § 40, Paragraph 6, of the New York State Navigation Law.

(3) Lights as required by Article 4, Part 1, § 43, of the New York State Navigation Law.

(4) Signal devices as required by Article 4, Part 1, § 40, Paragraphs 2, 7 and 9, of the New York State Navigation Law.

(5) Ventilation as required by Article 4, Part 1, § 40, Paragraph 8, of the New York State Navigation Law.

(6) Anchors as required by Article 4, Part 1, § 40, Paragraph 3, of the New York State Navigation Law.

(7) Carburetor backfire flame arrestor as required by Article 4, Part 1, § 40, Paragraph 4, of the New York State Navigation Law.

B. No person shall operate a watercraft on the waters of the Town of Southampton, unless such watercraft meets the requirements of Article 4, Part 3, § 71C, of the New York State Navigation Law in regard to capacity plates.

C. Mufflers. No person shall operate a boat propelled wholly or partly by an engine operated by gas, gasoline, naphtha, diesel, oil or other substance without having the exhaust from the engine run through a muffler or so controlled by the introduction of water into the exhaust pipe or line so as to muffle the noise of exhaust in a reasonable manner.

D. In addition to the penalties provided for in Article **IX**, the Bay Constable has the authority to take the following actions for violation of this section:

(1) Direct the operator to proceed to a dock or anchorage.

(2) Suspend further use of the boat until the condition is corrected.

§ 111-20. Aquatic events.

A. No person, firm, corporation, club or association shall hold, sponsor, sanction or participate in sailboat races or regattas where the course for the same would enter or cross any marked channel within the Town of Southampton.

B. Nothing herein contained shall prohibit the Town Board from issuing special permits for aquatic events, boat races or otherwise under proper supervision in limited areas for limited periods of time. All such events require the aforementioned permit.

§ 111-21. Launching and retrieval of boats.

No person shall launch or retrieve any inboard boat less than 16 feet in length from the terminus of any Town road or Trustee road unless there is an existing launching ramp at the terminus of said road.

§ 111-22. Seaplanes.

[Amended 12-10-1996 by L.L. No. 48-1996]

A. Seaplanes and amphibious aircraft are prohibited from landing, taking off, taxiing or otherwise operating in Mecox Bay.

B. In all other Town waters, the following shall apply:

(1) Seaplanes and amphibious aircraft are prohibited from landing or taking off within 1,000 feet of any shoreline.

(2) Seaplanes and amphibious aircraft may operate within 1,000 feet of the shoreline while taxiing, at a speed no greater than five miles per hour.

§ 111-23. Commercial personal watercraft, specialty prop-craft and sailboard operations.

[Added 5-24-1994 by L.L. No. 22-1994]

A. All commercial personal watercraft, specialty prop-craft or commercial sailboard operators shall provide a patrol boat (other than a single person personal watercraft or specialty prop-craft) which must be operational and manned at all times for the purpose of observing and controlling their clientele.

B. All commercial personal watercraft, specialty prop-craft or commercial sailboard operators shall require their clientele to wear United States Coast Guard approved personal flotation devices of Type, I, II, III or V.

C. No commercial personal watercraft, specialty prop-craft or commercial sailboard operators shall knowingly authorize or permit its clientele to operate a personal watercraft, specialty prop-craft or sailboard on the waters of the Town of Southampton, unless:

(1) The operator is 18 years of age or older;

(2) The operator is 16 years of age or older and accompanied thereon by a person 18 years of age or older; or

(3) The operator is 16 years of age or older and is the holder of a boating safety certificate issued to him by the New York State Commissioner of Parks, Recreation and Historic Preservation, the United States Power Squadrons or the United States Coast Guard Auxiliary.

D. All commercial personal watercraft, specialty prop-craft or commercial sailboard operators shall provide their clientele with written notice of all rules, regulations and laws governing the operation of such vessels in the waters of the Town of Southampton prior to the operation thereof. The clientele shall provide the commercial operator with written acknowledgment of receipt of said rules, regulations and laws and written acknowledgment of receipt of instruction in the proper operation of the personal watercraft, specialty prop-craft or sailboard. Such acknowledgments shall be maintained by the commercial operator for at least 30 calendar days from the date of rental and be available for inspection by the Bay Constable during the hours of operation.

E. A commercial personal watercraft, specialty prop-craft or commercial sailboard operator shall not allow its clientele to operate a personal watercraft, specialty prop-craft or sailboard at any time during the period from 1/2 hour after sunset to 1/2 hour before sunrise or during periods of limited visibility.

Article III. Skin Diving

§ 111-24. Bathing and swimming.

[Amended 10-28-1997 by L.L. No. 37-1997]

A. No person shall swim, bathe, or use a surfboard, raft, inflatable or similar recreational equipment, apparatus or device other than a boat or vessel as defined herein, in any channel or inlet, except in the course of a rescue.

B. Nothing contained herein shall prohibit the use of a surfboard in those waters extending 150 feet from the shoreline of the northerly and westerly side of the Shinnecock Inlet, beginning at the eastern terminus of Dune Road, Hampton Bays, and extending northwesterly to the northern terminus of Road H.

C. Any person using a surfboard in those waters on the northerly and westerly side of the Shinnecock Inlet shall do so with the understanding that the Town assumes no responsibility for any damage or injury which such person may sustain or cause while using such surfboard.

§ 111-25. General provisions.

A. Skin diving shall include any person who, while swimming, surface-dives to explore underwater, hunt, fish or photograph, including any person using any self-contained underwater breathing apparatus, but shall not include bona fide salvage operations displaying proper signals.

B. Skin diving is prohibited in any fairway or channel or in the entire area of the Shinnecock Inlet or in any waters where the same may interfere with reasonable and proper operation of boats or within 150 feet of any person bathing or swimming.

C. No person shall engage in skin diving without displaying the international diving flag or authorized skin diving flag of suitable size adequately displayed by a float, buoy or boat at all times and without a person of suitable age and discretion other than the skin diver, in a position as lookout. Such

person shall not permit such diving flag to remain in any area unless such person is actually skindiving in the area at the time. No boat shall operate within 50 feet of any area so marked for skin diving.

§ 111-26. Spearfishing.

No person shall discharge any apparatus designed for use in spearfishing within 200 feet of any lifelines or bathing floats or, if there are no lifelines or bathing floats, then within 200 feet of any public or semipublic beach regularly used for bathing or swimming or within 150 feet of any person bathing or swimming.

Article IV. Operational Boats in Fresh Water

§ 111-27. Use of power propulsion restricted.

No person shall operate any watercraft upon any fresh water within the Town of Southampton in any manner other than by hand, foot or by sail or by the use of electric motors not in excess of 1/3 horsepower.

Article V. Removal of Beach Grass

§ 111-28. Compliance required.

[Amended 4-9-1996 by L.L. No. 10-1996]

A. No person shall remove, impair, damage or destroy any grass or natural growth whatsoever, poison ivy only excepted, from any lands or property in this Town located on the ocean strand, between the ocean and any bay, canal or inland body of water nor from any lands, within 200 feet of the north line of the ocean beach, in any portion of the Town, which has no separation from the mainland by bay, canal or inland water, without prior written approval by the Director of Natural Resources of the Town of Southampton and the Board of Trustees.

B. No person shall remove, impair, damage or destroy any beach grasses or wetlands vegetation of any kind nor place spoil thereon in any other area of the Town of Southampton without prior written approval by the Director of Natural Resources of the Town of Southampton and the Board of Trustees.

§ 111-29. Promulgation of rules and regulations.

The Director of Natural Resources shall have the authority to enact rules and regulations to govern the manner and place of taking, transplanting and replanting beach grass on the strand or in any other area in the Town of Southampton, as may from time to time appear to be necessary for the protection of the property and inhabitants of this Town, subject to final approval by the Town Trustees.

Article VI. Construction in and Adjacent to Town Waters and Beach Areas

§ 111-30. Permit required.

[Amended 7-23-1991 by L.L. No. 11-1991; 4-9-1996 by L.L. No. 10-1996; 9-26-1997 by L.L. No. 33-1997; 11-12-2002 by L.L. No. 48-2002]

A. No dock, spile, bulkhead, jetty, retaining wall, revetment, catwalk, walkway, stairs, steps, artificial beach nourishment or fill, upland retaining wall or any other structure shall be constructed or placed within the bay beach area or ocean beach area, as defined in this chapter, without first obtaining a permit from the Town Trustees. No chemically treated wood or preservatives may be used for the construction of docks, bulkheads, or pilings in the Town of Southampton.
[Amended 4-22-2008 by L.L. No. 21-2008]

B. The minimum setbacks for the foregoing structures shall be those setbacks as required by the rules and regulations of the Town Trustees as the same may be amended from time to time. All seasonal dock structures and moorings shall be removed from the water by December 1 of each year and shall not be installed prior to April 1 of each year.
[Amended 4-22-2008 by L.L. No. 21-2008]

C. No person shall dig, dredge or otherwise change the bottom of any waters in the Town of Southampton, nor dig any boat channel or basin in any upland to afford access to any of said waters, nor cause the same to be done, without first obtaining a permit from the Town Trustees.

D. No floating dock, jet boat float, jet-ski float, boat lift or hydro hoist shall be attached or affixed to a dock or to the bottom of any waters in the Town of Southampton without first obtaining a permit from the Town Trustees.
[Amended 4-22-2008 by L.L. No. 21-2008]

E. A first violation of Article **VI** shall be punishable by a fine not to exceed $1,000 or imprisonment for a period not to exceed 15 days, or both. Any subsequent conviction under this article shall constitute an unclassified misdemeanor as set forth in § **111-39A(2)**.
[Added 4-22-2008 by L.L. No. 21-2008]

Article VII. Use of Beach Area

§ 111-31. Definitions.

[Amended 4-9-1996 by L.L. No. 10-1996]
As used in this chapter, the following terms shall have the meanings indicated:

BAY BEACH AREA

A. All that area, 75 feet in width, owned by the Southampton Town Trustees, known as "Peconic Beach Road," bounded on the east by Sebonac Inlet, bounded on the west by the entrance of Red Creek Pond, bounded on the north by the high-water mark of Peconic Bay.

B. All that area, 50 feet in width, owned by the Southampton Town Trustees, known as "Shinnecock Beach Road," bounded on the east by the entrance to Old Fort Pond, bounded on the west by a point 300 feet west of Crab Road, Hampton Bays, bounded on the south by the high-water mark of Shinnecock Bay.

C. All that area between the high- and low-water marks, adjacent to Shinnecock Bay, Tiana Bay, Moriches Bay, Quantuck Bay, Mecox Bay, Sagaponack Pond and all those inland creeks, bays or harbors located from the Riverhead Town line to the East Hampton Town line which

border the Peconic Bay system, excluding incorporated villages, and Suffolk County beach known as "Meschutt Beach." Said areas are owned by the Southampton Town Trustees.

D. All that area owned by the Town of Southampton which borders any tidal or fresh waters, including but not limited to Foster Memorial Beach, Noyac; Circle Beach (Hallock's Beach), Noyac; and Towd Point, North Sea.

E. The terminus of all Town or Town Trustee roads leading to any body of water within the Town.

OCEAN BEACH AREA

Those premises along the Atlantic Ocean bounded on the north by the crest of the primary dune, on the east by the easterly Town line, on the south by the high-water mark of the Atlantic Ocean and on the west by the westerly Town line, excluding incorporated villages, and the Suffolk County Beach known as "Shinnecock Inlet East." This area is a right-of-way controlled by the Town Trustees.

NOTE: Any other parcels above the mean high-water mark which are not described above are private property and are subject to trespassing regulations. Nothing contained in the foregoing subsections shall in any way be construed as a relinquishment of the Trustees' right to regulate said property and easements.

§ 111-32. Motor vehicles.

A. It shall be unlawful for any person to drive or operate a motor vehicle on bay beach areas or on ocean beach areas between the Friday immediately preceding Memorial Day and the 15th day of September in each year between 9:00 a.m. and 6:00 p.m. Notwithstanding the foregoing, no vehicles shall be allowed on Foster Memorial Beach (commonly known as "Long Beach," Noyac) at any time from May 15 to September 15. (NOTE: Exceptions in Subsections **J**, **K**, **L** and **M**.)

B. No person shall drive or operate a motor vehicle on bay beach areas or ocean beach areas unless said vehicle is registered and unless the drive or operator is covered by a liability insurance policy equivalent to that required by the State of New York for the operation of a motor vehicle upon public highways and unless said vehicle displays a permit on the front bumper to operate said motor vehicle is said area from the Town Trustees. Such permit shall be issued by the Town Trustees upon application therefor if the applicant possesses a valid license to operate a motor vehicle on public highways and executes an affidavit that said vehicle contains the following equipment: jack, jack board, tow chain or rope, air pressure gauge, tire inflation device and shovel. Permits will only be issued to four-wheel-drive vehicles.
[Amended 4-12-1994 by L.L. No. 19-1994]

C. No person shall drive or operate a motor vehicle on bay beach areas or ocean beach areas unless said vehicle is equipped as prescribed in the foregoing subsection.

D. No person shall drive or operate a motor vehicle in excess of 10 miles per hour on any bay beach areas or ocean beach areas within the Town.

E. No person shall drive or operate any all-terrain vehicle (ATV) or motorcycle at any time on any bay beach areas or ocean beach areas within the Town.

F. No person shall drive or operate a motor vehicle on any dunes, beach grasses or wetlands vegetation of any kind.

G. The Town Trustees reserve the right to temporarily close the ocean beach areas or any part thereof to vehicular traffic during periods of severe beach erosion. Signs will be posted in

conspicuous access areas to advise the public of the location and duration of any temporary closure.

H. No person shall display or use a four-wheel-drive-vehicle permit unless said permit properly applies to the vehicle owner's residency status at the time of said use and is displayed only on the vehicle for which it was issued.

I. In addition to other penalties provided herein any person to whom a permit has been issued who violates a provision of Subsection **A**, **B**, **C**, **D**, **E**, **F**, **G** or **H** shall have said permit revoked when it is legally determined that any subsection has been violated. If such violation is the first violation of this section, such person shall be eligible to apply for, purchase and receive a new permit. A person shall not be eligible for the issuance of a permit if he has twice violated the provisions of this section within one year from the date of application.

J. The provisions of this section shall not apply to Town, county or state employees or contractors working under the direction or supervision of the Town or emergency vehicles.

K. The provisions of Subsection **A** shall not apply to a commercial fisherman holding a valid New York State Department of Environmental Conservation resident marine commercial food fishing license actively engaged in a commercial fishing activity. All other restrictions shall apply.

L. The provisions of Subsection **A** shall not apply to Shinnecock Beach Road. All other restrictions shall apply.

M. Nothing contained in this Article shall prevent the launching or retrieval of boats from the terminus of Town or Town Trustee roads, except as provided in § **111-21**.

§ 111-33. Undressing in public.

It shall be unlawful for any person to dress or undress in the ocean or bay beach area, either by changing from ordinary street clothes into bathing or beach attire or from bathing or beach attire into ordinary street clothes.

§ 111-34. Littering.

It shall be unlawful for any person to bring, carry, throw, break, cast, lay or deposit a glass bottle or pieces of crockery or glass or glassware, garbage or refuse, or any part thereof, or any injurious substance of any kind or nature on the ocean and bay beach area or upon any parking area, roadway or pathway thereof.

§ 111-35. Nudity.

It shall be unlawful for any person to come upon any beach or remain within or use the ocean or bay beach area or waters adjacent thereto, either in the daytime or at night, while in the nude. For the purposes of this section, "nude" shall mean the showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple.

§ 111-36. Camping.

It shall be unlawful for any person or persons to camp or sleep in the ocean or bay beach area or in any vehicle therein after sundown or to erect or cause to be erected any structure, temporary or otherwise, or any tent or other structure within said area.

Article VIII. Other Regulations

§ 111-37. Compliance required.

[Amended 5-24-1994 by L.L. No. 25-1994; 8-9-1994 by L.L. No. 35-1994; 10-28-1997 by L.L. No. 37-1997; 4-22-2008 by L.L. No. 21-2008]
Every person shall comply with the regulations as provided in the Rules and Regulations for the Management and Products of the Waters of the Town of Southampton promulgated by the Board of Trustees of the Freeholders and Commonalty of the Town of Southampton in all matters.

Article IX. Administration and Enforcement

[Amended 5-24-1994 by L.L. No. 22-1994; 3-23-2004 by L.L. No. 12-2004]

§ 111-38. Enforcement authority.

A. The Police Department and Bay Constables of the Town are hereby empowered to enforce all provisions of this chapter. Every person in charge of a boat navigating or using the waterways of the Town shall at all times obey the lawful orders of the members of such Police Department, Park Rangers and Bay Constables, and such officers shall have the right to stop and board any boat navigating or using the waterways of the Town for the purpose of enforcing this chapter.

B. The Police Department, Bay Constables, Park Rangers and enforcement officers of the Department of Public Safety of the Town are hereby empowered to enforce the provisions of Article **I**, Beaches, Parks and Recreation Centers, of this chapter pertaining to Town-owned beach recreation areas, access roads, parks, park recreation areas, trails and recreation centers.

C. Traffic Control Officers are hereby also authorized to enforce any rules and regulations promulgated by the Superintendent of Parks under this chapter for Town-owned beach recreation areas, park recreation areas, and recreation centers where such rules and regulations pertain to s, one-way restrictions, stop signs, speed limits, turn restrictions, fire zones, handicapped parking, designated parking spaces, designated tow-away zones, overnight or long-term parking, or regulations and restrictions pertaining to the parking, standing, or stopping of vehicles.

§ 111-39. Penalties for offenses.

A. Violations; misdemeanors.
[Amended 4-22-2008 by L.L. No. 21-2008]

(1) Violations. A first violation of this chapter shall be punishable by a fine not to exceed $350 or imprisonment for a period not to exceed 15 days, or both. A second conviction shall be punishable by a fine not to exceed $500 or imprisonment for a period not to exceed 15 days, or both. A third conviction shall be punishable by a fine not to exceed $750 or imprisonment for a period not to exceed 15 days, or both. In addition, any person who is convicted pursuant to this section shall be required to pay a mandatory water quality protection surcharge of $100. The water quality protection surcharge shall be paid to the clerk of the court or

administrative tribunal that rendered the conviction, who shall thereafter pay such money to the Town Comptroller, who shall administer such money in accordance with the provisions of § **8-6.2** of this Code. Each day's continued violation shall constitute a separate offense. [Amended 5-13-2014 by L.L. No. 12-2014]

(2) Misdemeanors. Any person found to have a subsequent violation of § **111-30** of this chapter shall be guilty of an unclassified misdemeanor which shall be punishable by a fine of not less than $1,000 or in each case, by imprisonment for a period not to exceed one year, or both. Each day that the offense continues shall constitute a separate additional misdemeanor.

B. Failure to obtain a facility use permit pursuant to § **111-3D** shall be subject to a minimum fine of $250.

C. In addition to the penalties noted in Subsection **A** above, for a violation involving graffiti or defacing of municipal property, the Town may bring an enforcement action under Chapter **187**, Graffiti, which is a Class A misdemeanor and has a maximum fine of $1,000.

D. In addition to the penalties noted in Subsection **A** above, for a violation involving the deposit of injurious substances or depositing of garbage or refuse, the Town may bring an enforcement action under Chapter **211**, Littering and Handbills, which is a misdemeanor and has a maximum fine of $5,000.

E. There shall be a fine of $50 for each violation of a parking by permit only area regulation promulgated under Chapter **111**, Beaches, Parks, and Waterways, consistent with the penalty imposed under Article **X**, Parking by Permit Only Areas, of Chapter **312**, Vehicles and Traffic.

F. There shall be a fine of $100 for each violation of a tow-away zone regulation promulgated under Chapter **111**, Beaches, Parks and Waterways, consistent with the penalty imposed under Article **XVIII**, Penalties, of Chapter **312**, Vehicles and Traffic.

G. There shall be a fine of up to $50 but not less than $25 for any other traffic regulation promulgated under Chapter **111**, Beaches, Parks and Waterways, including but not limited to a parking, standing, or stopping violation, except for violations of fire zones and handicapped parking which are subject to a minimum penalty of $250 consistent with the penalty imposed under Article **XII**, Parking Lots, of Chapter **312**, Vehicles and Traffic.

H. Fines listed for the offense committed in Subsections **E** and **F** above are payable within 30 days from the date of issue. If the fine is not paid within 60 days of the first scheduled court appearance for the offense, it will be doubled. Fines not paid within 90 days of the first scheduled court appearance will be tripled. The above-referenced time frames may be amended by the Southampton Town Justice Court.

I. In addition to any other remedy provided by law, the Town may bring an injunction proceeding to enforce this chapter.

J. In addition to any other remedy provided by law, the court may, in connection with a violation of the provisions of Article **II** of this chapter related to the reckless operation of boats, suspend a person's privileges to operate a vessel or it may suspend or revoke a vessel's registration.

K. In addition to any other remedy provided by law, the court may, in connection with a violation of the provisions of Article **II** of this chapter, require the convicted person, as a condition of sentence, to complete a boating safety course of the state, the United States Power Squadrons or the United States Coast Guard Auxiliary and show proof of successful completion of the course to the court or its designee.

§ 111-40. Amendments; authority of Trustees.

The Town Board shall not amend any part of this chapter which relates to land owned or controlled by the Southampton Town Trustees without prior written approval of said Trustees.

Town of Southampton, NY
Monday, June 8, 2015

Chapter 150. Dogs and Other Animals

[HISTORY: Adopted by the Town Board of the Town of Southampton 1-27-1981; amended 3-27-1990 by L.L.No. 9-1990. Subsequent amendments noted where applicable.]

GENERAL REFERENCES
Animal shelters — See Ch. **99**.
Beaches and waterways — See Ch. **111**.

§ 150-1. Purpose.

[Amended 3-23-2004 by L.L. No. 11-2004; 2-28-2006 by L.L. No. 15-2006]

A. The Town of Southampton finds that the running at large and other uncontrolled behavior of dogs and other domestic animals have caused physical harm to persons and damage to property and created nuisances within the Town. The purpose of this chapter is to protect the health, safety and well-being of persons and property by imposing restrictions and regulations upon the keeping or running at large of dogs and the seizure thereof within the Town. The Town of Southampton also finds it necessary to enact policies pertaining to dogs and other domestic animals on Town-owned beach recreation facilities, park recreation facilities, parks, trails, cemeteries, community centers, recreation centers, and the Bay Beach Area and Ocean Beach Area in proximity to access roads (both Town and Trustee) which have been designated as "parking by permit only areas" under Chapter **312**, Vehicles and Traffic, of the Town Code.

B. Furthermore, the purpose of this chapter is to provide for the licensing and identification of dogs, in an effort to control and protect the dog population within the Town.
[Added 11-30-2010 by L.L. No. 37-2010]

C. Additionally, the purpose of this chapter is to prohibit the feeding of geese on public properties to reduce the incidents of pathogen exposure and nutrient loading of public properties, especially surface water bodies, associated with geese congregation due to feeding.
[Added 6-26-2012 by L.L. No. 8-2012]

§ 150-2. Legislative authority.

[Amended 3-23-2004 by L.L. No. 11-2004; 11-30-2010 by L.L. No. 37-2010]
This chapter is enacted pursuant to the provisions of § 122 of Article 7 of the Agriculture and Markets Law.

§ 150-3. Title.

[Amended 3-23-2004 by L.L. No. 11-2004]
The title of this chapter shall be "Dogs and Other Animals."

§ 150-4. Definitions.

[Amended 6-12-2001 by L.L. No. 23-2001; 3-23-2004 by L.L. No. 11-2004; 5-10-2005 by L.L. No. 18-2005; 2-28-2006 by L.L. No. 15-2006]
As used in this chapter, the following terms shall have the meanings indicated:

ACCESS ROAD, TOWN

A Town-owned public right-of-way open for passage of vehicles, people and animals to a body of water, beach, park or recreational area.

ACCESS ROAD, TRUSTEE

A Town Trustee-owned right-of-way open for passage of vehicles, people and animals to a body of water, beach, park or recreational area.

AT LARGE

Any animal that is unleashed and on property open to the public or is on private property not owned or leased by the owner of the animal, unless permission for such presence has been obtained. No animal shall be deemed to be at large if it is accompanied by and under the immediate supervision and control of the owner or other responsible person, or is a police work dog in use for police work, or is accompanied by its owner or other responsible person and is actively engaged in showing, hunting or training for hunting on unposted land or on posted land with the permission of the owner of the land.
[Amended 11-30-2010 by L.L. No. 37-2010]

BAY BEACH AREA

As defined in § **111-31**, Article **VII**, of Chapter **111**, Beaches, Parks and Waterways.

BEACH RECREATION FACILITY

As defined in § **111-1** of the Town Code, active public parkland within the bounds of the Bay Beach Area and Ocean Beach Area that is owned by the Town of Southampton and specifically designated for use by Town residents and visitors for recreational purposes. Some beach recreational facilities are "bathing beaches" while others are "unprotected waterfronts" and may be referred to as "beach access areas."

BRIDLE PATH

A path or trail designated by the Town for horseback riding.

CEMETERIES, TOWN-OWNED OR ABANDONED

As outlined in § 291 of the Town Law.

CIRCUS

Any institution featuring exhibits for the purpose of entertainment and includes, but is not limited to, exhibitions and performances by clowns, acrobats and/or animals, provided that nothing in this chapter shall be construed as authorizing any display of wild or exotic animals otherwise prohibited by the Code of the Town of Southampton.

COMMERCIAL ANIMAL ESTABLISHMENT

Any pet shop, grooming shop, auction, riding school or stable, zoological park, circus, performing animal exhibition or kennel.

DISPLAY

To undertake the display of any animal(s) in an act, circus, public show, trade show, photographic opportunity, carnival, ride, parade, petting zoo, race, performance or similar undertaking in which animals are set out to be viewed and/or are required to perform tricks, fight or participate in

performances for amusement or entertainment. "Display" shall not include educational exhibitions by institutions that are accredited by the American Zoo and Aquarium Association or the Association of Sanctuaries or operated by any agency of the state, county or local government. "Displayed" means to be the subject thereof.
[Amended 4-24-2012 by L.L. No. 4-2012]

DOG

Any domesticated canine, except guide dogs or service dogs, duly licensed and trained to assist the impaired, visually or otherwise.

DOG WALKING TRAIL

A trail designated by the Town for the walking of dogs by the owner or other responsible person.

DOMESTIC ANIMAL

Any domesticated cat, sheep, horse, cattle, llama, goat, swine, fowl, duck, goose, swan, turkey or rabbit.

DUNE AREA

A naturally occurring accumulation of sand in wind-formed ridges or mounds landward of the beach, often characterized by the natural growth of beach grass (Ammophila breviligulata). Included in this definition are deposits of fill placed for the purpose of dune construction.

EDUCATIONAL EXHIBITION

For the purposes of this chapter, an animal use or exhibition in which the entirety of the use or exhibition is devoted to imparting knowledge or information about the exhibited animal's behavior, habitat, life cycle, migratory patterns, feeding habits or similar pedagogical information and is conducted by an individual or individuals who is/are accredited or similarly qualified to impart such information. At no time during an educational exhibition will any animal be made to perform any behavior that is not intrinsically natural to the animal.
[Amended 4-24-2012 by L.L. No. 4-2012]

GROOMING SHOP

A commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

GUIDE DOG

A canine duly licensed and trained to assist the visually impaired.

HARBOR

To provide food or shelter to any animal.

IDENTIFICATION TAG

A tag issued by the Town Clerk of the Town of Southampton which sets forth the identification number together with the name of the Town and state, the relevant Town telephone number, and any other information deemed necessary by the Town Clerk.
[Added 11-30-2010 by L.L. No. 37-2010]

KENNEL

Any premises wherein any person engaged in the business of boarding, buying, letting for hire, training for a fee or selling dogs or cats. Any premises wherein any person is harboring more than four unspayed or unneutered dogs or cats shall be considered a kennel for the purposes of this chapter.

NATURE PRESERVE

As defined in § **231-3**.

OCEAN BEACH AREA

As defined in § **111-31**, Article **VII**, of Chapter **111**, Beaches, Parks and Waterways.

OWNER

Any person who harbors or keeps any animal. "Owner" may also mean that the person who has last obtained the issuance of a license for a dog pursuant to the provisions of this chapter shall be presumed to be the owner of such dog. In the event that any animal found in violation of this chapter shall be owned by a person less than 18 years of age, the owner shall be deemed to be the parent or guardian of such person (or head of the household in which said person resides). [Amended 11-30-2010 by L.L. No. 37-2010]

OWNER OF RECORD

The person in whose name a dog was last licensed pursuant to this chapter. [Added 11-30-2010 by L.L. No. 37-2010]

PARK

As defined in § **330-5**, active and passive public land designated for park purposes by the Town of Southampton.

PARKING-BY-PERMIT-ONLY AREA

As defined in § **111-1**, parking areas of a beach recreation facility, park recreation facility, recreation center designated pursuant to § **111-2** and posted pursuant to § **111-4A**, or an access road (both Town and Trustee) regulated pursuant to Chapter **312**, Vehicles and Traffic, that is restricted to vehicles displaying a resident or nonresident permit.

PARK RECREATION FACILITY

As defined in § **111-1**, active public parkland outside the bounds of the Bay Beach Area and Ocean Beach Area that is owned by the Town of Southampton and specifically designated for use by Town residents and visitors for recreational purposes and managed by the Town Department of Parks and Recreation.

PERFORMING ANIMAL EXHIBITION

Any spectacle, display, act or event other than circuses, in which performing animals are used.

PERSON

Includes an individual, any combination of individuals or a corporation.

PET SHOP

Any person, partnership or corporation, whether operated separately or in connection with another business enterprise, except for a licensed kennel, that buys, sells or boards any species of animal.

RECREATION CENTER

As defined in § **111-1**, land, buildings, improvements and equipment for use by Town residents and visitors for recreational purposes.

RESIDENT

An individual who maintains a residence within the Town of Southampton. [Added 11-30-2010 by L.L. No. 37-2010]

SERVICE DOG

A canine certified to assist those who are physically impaired other than visually.

TRAIL

As defined in § **295-2**.

WILD OR EXOTIC ANIMAL

Any or all of the following animals, whether bred in the wild or in captivity, and also any or all of their hybrids with domestic species. The words in parentheses are intended to act as examples only and are not to be construed as being an exhaustive list or to otherwise limit the generality of each group of animals. Domestic animals as specified under New York State Agriculture and Markets Law § 108(7) are specifically exempted from this list and are not to be considered wild or exotic for the purposes of this chapter.

A. Nonhuman primates and prosimians (such as chimpanzees, monkeys);

B. Felidae, except domesticated cats;

C. Canidae, including wolf hybrids and except domesticated dogs;

D. Ursidae (bears);

E. Elephants;

F. Marine mammals (such as seals and sea lions);

G. Crocodilians (such as alligators and crocodiles);

H. Marsupials (such as kangaroos and opossums);

I. Ungulates (such as hippopotamus, rhinoceros, giraffe, zebra, deer);

J. Hyenas;

K. Mustelidae (such as skunks, weasels, otters and badgers);

L. Procyonae (such as raccoons and coatis);

M. Endentates (such as anteaters, sloth and armadillos);

N. Viverridae (such as civets and genets);

O. Cetaceans (such as whales and dolphins).

P. Poisonous reptiles (such as rattlesnakes, cobras, and Gila monsters).

§ 150-5. Prohibited acts.

[Amended 3-23-2004 by L.L. No. 11-2004; 2-28-2006 by L.L. No. 15-2006]
It shall be unlawful for any owner of any dog or other domestic animal to permit or allow such dog or other domestic animal, in the Town of Southampton, to:

A. Be at large.

B. Disturb the comfort, peace or repose of any persons in the vicinity by long or frequent noise or odor.

C. Cause damage or destruction to property or commit a nuisance by defecating or urinating upon the premises of a person other than the owner of such dog or domestic animal.

D. Chase or otherwise harass any person in such a manner as reasonable to cause intimidation or to put such person in reasonable apprehension of bodily harm.

E.

Defecate on a Town-owned beach recreation facility, park recreation facility, park, recreation center, or the Ocean Beach Area and Bay Beach Area or within 150 feet in proximity to an access road (both Town and Trustee) that has been regulated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic, without the owner or other responsible person cleaning up such waste.

F. Enter the dune area other than upon a designated walkway (if a walkway is designated and posted) or enter areas restricted and posted for protection of piping plovers and other endangered species.

G. Enter a restricted area that has been duly promulgated as a rule or regulation and posted pursuant to Chapter **111**, Beaches, Parks and Waterways, by the Superintendent of the Department of Parks and Recreation.

§ 150-5.1. Dogs or domestic animals at beaches, parks, trails and recreation centers.

[Added 6-12-2001 by L.L. No. 23-2001; amended 3-23-2004 by L.L. No. 11-2004; 2-28-2006 by L.L. No. 15-2006]

A. Beach recreation facilities. Except as provided in § **150-5.1A(1)** below, dogs and domestic animals will be allowed on all Town-owned beach recreation facilities only from October 1 through March 30, provided that said dog or domestic animal is under the immediate supervision and control of the owner or other responsible person and provided further that any animal waste is removed. However, in any case, no dog or domestic animal shall be allowed within 50 feet of any symbolic fencing or areas posted for protection of piping plovers and other endangered species. The Superintendent of Parks and Recreation shall ensure installation of signage at beach recreation facilities to notify persons of these prohibitions, any additional rules and regulations promulgated pursuant to Chapter **111**, Beaches, Parks and Waterways, and applicability of penalties for offenses.

(1) The Parks Superintendent may in his/her discretion promulgate a rule permitting dogs and other animals to be allowed on the parking area of the following beach recreational facilities:

(a) Foster Memorial Beach Recreation Facility ("Long Beach," Noyac);

(b) Sand Bar Beach Access Area (Hampton Bays).

B. Access roads (Town and Trustee). Dogs and domestic animals are prohibited on-access roads regulated as parking-by-permit-only areas pursuant to Chapter **312**, Vehicles and Traffic, from July 1 through Labor Day between the times of 9:00 a.m. and 6:00 p.m. at the following locations and subject to the provisions listed below:

(1) Location: on the Ocean Beach Area and Bay Beach Area within 150 feet in proximity to an access road (both Town and Trustee) and on the parking areas, travel lanes, and within the rights-of-way of said access road. The area of 150 feet is defined as follows:

(a) Beginning from the apex of the road and measuring 75 feet to the left and 75 feet to the right and then encompassing a quadrangle area down to the low-water mark.

(2) Dogs and domestic animals are permitted at the above locations at all other times.

(3) Standards of conduct and further restrictions. Any dog or domestic animal shall be under the immediate supervision and control of the owner or other responsible person, and all solid animal waste shall be promptly removed.
[Amended 11-30-2010 by L.L. No. 37-2010]

(4) These restrictions on dogs and domestic animals shall be further subject to any terms of any applicable management agreement with the Southampton Town Trustees.

(5) Further restrictions may be imposed from time to time as conditions may warrant with regard to areas posted for protection of piping plovers and other endangered species, and lands of the County of Suffolk, Town of Southampton, the Nature Conservancy, or if posed as a special management concern area. Further restrictions may also be promulgated from time to time by the Southampton Town Trustees or the Superintendent of Parks and Recreation consistent with the recommendations of the U.S. Fish and Wildlife Services' Atlantic Coast Piping Plover Revised Recovery Plan, including potential requirements for pets to be leashed and under the control of their owner or other responsible person at all times, particularly, between the months of April 1 through August 31. However, in any case, no dog or domestic animal shall be allowed within 50 feet of any symbolic fencing or areas posted for protection of piping plovers and other endangered species.

(6) The Superintendent of Parks and Recreation shall ensure installation of signage at all access roads (both Town and Trustee) which have been designated as a parking-by-permit-only area under Chapter **312**, Vehicles and Traffic, to notify persons of these prohibitions, and additional rules and regulations promulgated pursuant to Chapter **111**, Beaches, Parks and Waterways, or in accordance with the terms of any management agreement with the Town Trustees, as the case may be, and applicability of penalties for offenses.

C. Upland parks; leash law in effect. It shall be unlawful for any person to allow a dog or domestic animal to be in any of the following locations unless said dog or domestic animal is leashed and/or tethered and is under the immediate supervision and control of the owner or other responsible person and any animal waste is promptly removed at the following locations and subject to the provisions listed below:

(1) Locations:

(a) Park recreation facilities and parks, and subject to any additional rules promulgated by the Superintendent of Parks and Recreation pursuant to Chapter **111**, Beaches Parks and Waterways.

(b) Areas designated as a nature preserve pursuant to Chapter **231**, except for horses on established bridle paths in nature preserves.

(c) Cemeteries, Town-owned and abandoned, as outlined in § 291 of the Town Law.

(2) The Superintendent of Parks and Recreation shall ensure installation of signage at all park recreation facilities and parks where rules and regulations have been promulgated pursuant to Chapter **111**, Beaches, Parks and Waterways, including designated dog walking trails, bridle paths, and restricted areas, to notify persons of these prohibitions, additional requirements and applicability of penalties for offenses.

D. Trails. It shall be unlawful for any person to allow a dog or domestic animal to be on any Southampton Town-owned trail, unless said dog or domestic animal is leashed and/or tethered or is under the immediate supervision and control of the owner or other responsible person, and provided further that any animal waste is removed. All dogs or domestic animals are prohibited in those areas designated as a nature preserve pursuant to Chapter **231**, except for horses on established bridle paths in nature preserves. On Town-owned trails that originate at a Town-owned park recreation facility, the Superintendent of Parks and Recreation shall ensure installation of signage at all parks where rules have been promulgated pursuant to Chapter **111**, Beaches, Parks and Waterways, to notify persons of these prohibitions, requirements and applicability of penalties for offenses.

E. Recreation center and community centers. Except for guide dogs or service dogs, it shall be unlawful to allow a dog or domestic animal to be within a Town-owned recreation center or community center. Notwithstanding this general prohibition within recreation centers and community centers, the Superintendent of Parks and Recreation or the Commissioner of General Services may authorize a waiver of this restriction as a condition of a facility use permit or, in his or her discretion, for recreational programming.

F. A violation of a rule or regulation promulgated by the Superintendent of Parks and Recreation and posted pursuant to Chapter **111**, Beaches, Parks and Waterways, as such rule or regulation pertaining to dogs or other domestic animals shall also be deemed to be a violation of this chapter.

G. A violation of a rule or regulation posted by the Superintendent of Parks and Recreation pursuant to Chapter **111**, Beaches, Parks and Waterways, in accordance with any applicable annual management agreement with the Southampton Town Trustees as such rule or regulation pertaining to dogs or other domestic animals shall also be deemed to be a violation of this chapter.

§ 150-6. Confinement of female dogs.

Every female dog in heat shall be confined in a building or secure enclosure in such a manner that such female dog cannot come into contact with another animal except for planned breeding.

§ 150-7. Animal care.

[Amended 7-12-1994 by L.L. No. 32-1994; 11-30-2010 by L.L. No. 37-2010]
The Town of Southampton Animal Control Officer shall, if authorized by the Town Board, act as an agent or officer of the Suffolk County Society for the Prevention of Cruelty to Animals for the purpose of enforcing Article 26 of the Agriculture and Markets Law, relating to the humane treatment of animals.

§ 150-8. Performing animal exhibitions.

[Amended 5-10-2005 by L.L. No. 18-2005]

A. Display of exotic animals. It shall be a violation of this section to exhibit or display any live, wild or exotic animal as defined in § **150-4** of this chapter within the Town of Southampton.

B. In the event that nonwild or nonexotic animals are displayed or exhibited, the use of electric prods or shocking devices, flank or bucking straps, wire tie-downs, sharpened spurs, bull hooks and bullwhips, or any mechanical, electrical or manual device which will cause or is likely to cause physical injury, pain or suffering are specifically prohibited. No animal shall be made to perform any act which is inherently dangerous or unnatural or that is likely to result in injury to the animal.

C. All nonwild or nonexotic animals brought into Southampton for display or performance must have proof of required vaccinations or a valid certificate of health from a licensed veterinarian dated within one year of the date of display or exhibit. Animals must be free of any outward signs of injury, illness and disease and must be maintained in such condition for the term of the display or exhibit and must be able to meet all other requirements as set forth in § **150-9**.

D. The provisions of this chapter shall not apply to the displaying, raising, breeding, boarding, training, or showing of horses, the display of wild or exotic animals by American Zoo and Aquarium Association (AZA) accredited institutions, the Association of Sanctuaries or educational exhibitions as defined in § **150-4** of this chapter, and provided that a commercial enterprise permit has been

granted pursuant to § **150-9** of this chapter and, if appropriate, New York State and federal licenses have been obtained.
[Amended 4-24-2012 by L.L. No. 4-2012]

§ 150-9. Permits for commercial enterprises.

[Amended 5-10-2005 by L.L. No. 18-2005]

A. No person, partnership or corporation shall operate a commercial animal establishment without first obtaining a permit in compliance with this section.

B. Upon a showing by an applicant for a permit that he/she is willing and able to comply with the regulations promulgated by the Animal Shelter Supervisor, a permit shall be issued upon a satisfactory inspection and payment of the applicable fee as established by resolution of the Town Board.
[Amended 11-30-2010 by L.L. No. 37-2010]

C. The permit period shall begin with the fiscal year and shall run for one year. Renewal applications for permits shall be made 30 days prior to and up to 60 days after the start of the fiscal year. Application for a permit to establish a new commercial animal establishment under the provisions of this article may be made at any time.

D. If there is a change in ownership of a commercial animal establishment, the new owner may have the current permit transferred to his/her name upon a satisfactory re-inspection and payment of a transfer fee as noted in the fee schedule.

E. Annual permits must be in compliance with the policies set forth by the Animal Shelter Supervisor for the Town of Southampton. A copy of the policy shall be made available in the Town Clerk's office. Annual permits shall be issued upon payment of fees as noted on the fee schedule for:
[Amended 11-30-2010 by L.L. No. 37-2010]

   (1) Each circus.

   (2) Each performing animal exhibition, except for those involving dogs and cats as set forth in § **150-8D** of this chapter.

F. Each business located on separate tax map parcel shall be considered a separate enterprise for the purposes of § **150-9** of this chapter and as such shall require an individual permit.

G. Government-operated zoological parks shall be exempt from the provisions of this section.

H. Veterinary hospitals and clinics owned and operated by veterinarians licensed to practice in New York State are exempt from the provisions of this section.

§ 150-10. Issuance and revocation of permits.

[Amended 5-10-2005 by L.L. No. 18-2005]

A. The Animal Shelter Supervisor may revoke any permit if the person holding the permit refuses or fails to comply with this chapter, the regulations promulgated by the Animal Shelter Supervisor or any law governing the protection and keeping of animals. Upon a violation of this article, on the recommendation of the Animal Shelter Supervisor, the commercial enterprise permit shall be suspended upon notice and hearing before the Public Safety Commission.
[Amended 11-30-2010 by L.L. No. 37-2010]

B. If the Animal Shelter Supervisor refuses to issue or revokes a permit, the permittee may apply to the Public Safety Commission upon payment of the applicable fee. After a public hearing, the Public Safety Commission may grant or refuse said permit by resolution.
[Amended 11-30-2010 by L.L. No. 37-2010]

C. Any business whose permit is revoked shall, within 10 days thereafter, humanely dispose of all animals owned, kept or harbored.

D. It shall be a condition of any permit issued under § **150-9** that a representative of the Town Animal Control Department shall be permitted to inspect all animals and all facilities associated with animals, including their housing and care.
[Amended 11-30-2010 by L.L. No. 37-2010]

E. No person who has been convicted of cruelty to animals shall be issued a permit to operate a commercial animal establishment.

F. Should any business fail to operate for the term on the permit, whether for voluntary or involuntary reasons, no portion of the permit fee shall be refunded.

§ 150-11. License requirements.

[Added 11-30-2010 by L.L. No. 37-2010]

A. License required. Any person owning, possessing or harboring a dog four months of age or over in the Town of Southampton shall obtain a current license for said dog and shall place and keep on such dog a collar to which shall be securely attached a valid identification tag for that dog, in accordance with the requirements of this chapter. The owner of each dog required to be licensed shall obtain, complete, and return to the Town Clerk a dog license application, together with the license application fee, any applicable license surcharges and such additional fees as may be established by the Town Clerk.

B. Exemptions from license requirement.

(1) No license is required for any dog under the age of four months and which is not at-large, or residing in a pound or shelter maintained by or under contract by the Town of Southampton, Suffolk County, or State of New York, or a duly incorporated society for the prevention of cruelty to animals, or a duly incorporated humane society or duly incorporated dog protective services.

(2) Any dog harbored within the Town of Southampton which is owned by a resident of New York City or licensed by the City of New York, or which is owned by a nonresident of New York State and licensed by a jurisdiction outside the State of New York, shall for a period of 30 days be exempt from the licensing and identification provisions of this chapter.

(3) No license is required of a dog confined to a public or private hospital devoted solely to the treatment of sick animals, or confined for the purpose of research by any college or other educational or research institution.

C. Application for a license.

(1) Applications for a license or a renewal thereof shall be accompanied by a nonrefundable processing fee as established by resolution of the Town Board. An application for a license or renewal shall be in the form prescribed by the Southampton Town Clerk and shall provide for the following minimum information:

(a) The name, residence address and telephone number of each owner; and

(b) The name, sex, approximate age, breed, color, markings and other identifying details of the dog; and

(c) State whether the dog has been spayed or neutered; and

(d) Such other information or documentation deemed necessary by the Town Clerk to effectuate the purpose of this chapter.

(2) Excepted from payment of the license fees are applications submitted for a dog license for any guide, hearing, service, war, working search, detection, police, and therapy dogs.

D. Rabies certification. The application for a license or renewal shall be accompanied by a statement certified by a licensed veterinarian showing that the dog has a current rabies vaccination history, or, in lieu thereof, a statement certified by a licensed veterinarian that, because of the dog's age or other reason, the life of the dog would be endangered by the administration of the vaccine.

E. In the case of an altered dog, every application shall be accompanied by a certificate signed by a licensed veterinarian or a sworn affidavit signed by the owner in the form acceptable to the Town Clerk showing that the dog has been spayed or neutered, except that such certificate or affidavit is not required if same is already on file with the Town Clerk. In lieu of the spay or neuter certificate an owner may present a statement certified by a licensed veterinarian stating that he or she has examined the dog and found that, because of old age or other reason, the life of the dog would be endangered by spaying or neutering. In such case, the license fee for the dog shall be the same as for an altered dog.

F. No individual under the age of 18 years shall be deemed an owner of record and be issued a dog license.

G. Issuance of license.

(1) Upon validation by the Town Clerk or authorized Animal Control Officer, a dog license shall be issued and a record of its issuance retained in the office of the Town Clerk. Such record shall be made available upon request to the State Commissioner of Agriculture and Markets, or successor thereof.

(2) No license shall be transferable. Upon the transfer of ownership of any dog, the new owner shall immediately apply for a new license for the dog. A license cannot be transferred to another dog.

H. Identification tag.

(1) The Town Clerk shall assign an identification number to a dog when it is first licensed. Such identification number shall be carried by the dog on an identification tag which shall be affixed to the collar of the dog at all times, except that the tag is not required to be worn while the dog is participating in a dog show.

(2) No tag carrying an identification number shall be affixed to the collar of any dog other than the one to which the number has been assigned.

(3) Any person wishing to replace a tag previously issued shall pay a fee, as determined by resolution of the Town Board, to the Town Clerk for a replacement tag.

I. Term of license and renewals. All licenses issued pursuant to this article, and any renewal thereof, shall expire on the last day of the last month of the period for which they are issued, except that no license or renewal shall be issued for a period expiring after the day of the 11th month following the expiration date of the current rabies certificate for the dog being licensed. In the event an applicant for a license or renewal presents a statement certified by a licensed veterinarian, in lieu

of a rabies certificate, then the license or renewal shall be issued for one year from the date of the statement.

J. Change of ownership; lost or stolen dog; death.

(1) Change in owner or address. In the event of a change in ownership of any dog which has been licensed pursuant to this chapter or change of address of the owner of record of any dog, the owner of record shall, within 10 days of the change, file with the Town Clerk a written notification of such change. Such owner of record shall be liable for any violation of this chapter until such filing is made or until the dog is licensed in the name of the new owner.

(2) Lost or stolen dog. If any dog which has been licensed is lost or stolen, the owner of record shall, within 10 days of discovery of such loss or theft, file with the Town Clerk a written notification of such event. In the case of loss or theft, the owner of record shall not be liable for any violation of this chapter committed after such notification has been made.

(3) Death of dog. In case of the death of a licensed dog, the owner of record shall notify the Town Clerk of the dog's death either before or upon receipt of a renewal notice from the Town Clerk.

K. Violations. It shall be a violation, punishable as provided for in § **150-15**, for:

(1) Any owner to fail to license any dog; or

(2) Any owner to fail to have any dog identified as required by § **150-11**; or

(3) Any person to knowingly affix to any dog any false or improper identification tag.

[1] *Editor's Note: Former § 150-11, Enforcement, was repealed 3-23-2004 by L.L. No. 11-2004. See now § **150-14**.*

§ 150-12. Seizure; fees.

[Amended 4-14-1992 by L.L. No. 13-1992; 7-12-1994 by L.L. No. 32-1994; 6-12-2001 by L.L. No. 23-2001; 3-23-2004 by L.L. No. 11-2004; 5-10-2005 by L.L. No. 18-2005; 11-30-2010 by L.L. No. 37-2010]

A. Any dog found in violation of the provisions of §§ **150-5**, **150-6**, and 150-11 of this chapter may be seized pursuant to the provisions of § 117 of the Agriculture and Markets Law.

B. Every animal seized shall be properly cared for, sheltered, fed and watered for not less than the redemption periods set forth in § 117 of the Agriculture and Markets Law.

C. Seized dogs may be redeemed by producing proof of licensing and identification pursuant to this chapter and by paying impoundment fees set forth by the Town of Southampton or the organization that the Town contracts with to provide shelter services.

D. If the owner of any unredeemed dog is known, such owner shall be required to pay the impoundment fees whether or not such owner chooses to redeem his or her dog.

E. If the owner of an unredeemed, injured animal is known, such owner shall be required to pay the impoundment fees, license fee and any fee for veterinary services before the animal is released from an animal hospital, whether or not such owner chooses to redeem his or her animal.

F. Any animal which is unredeemed at the end of the redemption period shall be made available for adoption or euthanized pursuant to §§ 117 and 118 of the Agriculture and Markets Law.

G.

Voluntary surrender shall give authority to the Town of Southampton, or the organization that the Town contracts with to provide shelter services, or any of its agents and officers to accept and dispose of unwanted, owned animals if the following conditions are met:

(1) The authority to dispense with the usual redemption provisions in those cases where an owner surrenders an unwanted animal.

(2) Requirement that the owner execute a consent and/or affidavit in a form prescribed by the municipality agreeing to the disposition of said animal. The adoption or destruction of said animal shall be in accordance with the euthanasia policy as adopted by Town Board resolution or as adopted by the organization that the Town contracts with to provide shelter services, absolving the Town of Southampton, its agents and officers, and the Southampton Town Animal Shelter of all liability.

(3) The authority for the Animal Shelter Supervisor or the organization that the Town contracts with to provide shelter services to discontinue the service at such times when accepting animals would create a condition whereby seized animals could not be properly sheltered and cared for.

(4) Surrender fee. The fee for the surrender of an animal to the Animal Shelter shall be set by the Town of Southampton or the organization that the Town contracts with to provide shelter services.

H. Statutory license fees shall be in accordance with this chapter.

I. The Animal Shelter Supervisor, the organization that the Town contracts with to provide shelter services, or their designee shall have the authority to waive adoption, redemption, boarding and surrender fees at his/her discretion when appropriate.

§ 150-13. Filing of complaint.

[Amended 7-12-1994 by L.L. No. 32-1994; 3-23-2004 by L.L. No. 11-2004; 11-29-2011 by L.L. No. 41-2011]
Any person who observes a dog or other domestic animal in violation of this chapter may file a complaint under oath with a Justice of the Town of Southampton specifying the nature of the violation, the date thereof, a description of the dog or other domestic animal and the name and residence, if known, of the owner of such dog or such other domestic animal. Such complaint may serve as the basis for enforcing the provisions of this chapter or for referring the matter to other appropriate state, county or local agencies for possible action.

§ 150-14. Enforcement; appearance tickets.

[Amended 3-23-2004 by L.L. No. 11-2004; 11-30-2010 by L.L. No. 37-2010]
Any park ranger, bay constable, code enforcement officer, animal control officer, peace officer, when acting pursuant to his or her special duties, or police officer in the employ of or under contract to the Town of Southampton observing a violation of this chapter in his or her presence shall issue and serve an appearance ticket for such violation. All of the enforcement personnel indicated above are authorized to enforce the provisions of this chapter.

§ 150-14.1. Feeding geese prohibited.

[Added 6-26-2012 by L.L. No. 8-2012]

A. It shall be unlawful for any person to place, deposit, scatter, spread, distribute or otherwise disseminate on public property any type of foodstuff, including but not limited to corn, wheat or other grains, bread, crackers, popcorn, scraps, or any other substance or foodstuff, as to make it available to be eaten by a goose or geese.

B. Notwithstanding the provisions of Subsection **A** immediately above, nothing contained within this section shall make it unlawful to place, deposit, scatter, spread, distribute or otherwise disseminate corn, wheat or other grains, plants and/or seeds on public property in conjunction with lawful and legitimate agricultural, fishing or hunting activities.

§ 150-15. Penalties for offenses.

[Amended 3-23-2004 by L.L. No. 11-2004; 5-10-2005 by L.L. No. 18-2005]
Any person convicted of a violation of this chapter shall be liable to a civil penalty up to $250 but not less than $50 for a first violation, not less than $100 for a second violation and not less than $150 for each subsequent violation. Notwithstanding the aforementioned, any person convicted of a violation of § **150-8** shall be liable for a civil penalty of up to $1,000 for a first violation; not less than $5,000 for a second violation and not less than $10,000 for a third and subsequent violations.

Town of Southampton, NY
Thursday, June 4, 2015

Chapter 330. Zoning

Article IX. Coastal Erosion Hazard Adjacent Areas

§ 330-46.3. Native vegetation and natural vegetation protection standards.

Native vegetation is unique and extremely important to preservation of the coastline. Beach grass and other native plants protect and stabilize beaches and dunes. These maritime dune communities are sheltered on the back side by a mosaic of maritime shrubland and wetland communities, which together provide essential shelter, nesting habitat, and a rich food resource for resident and migratory wildlife, including rare, threatened or endangered species. Maintenance and enhancement of the continued ecological integrity of the beach, dune, shrubland, heathland and wetland vegetation is essential to the preservation of the essential character and natural and scenic values of the coastline. Therefore, all regulated activities and development in the erosion hazard area and the erosion hazard adjacent area (collectively and severally, "erosion areas") shall comply with the following conditions:

A. For residential lots and tracts, the total area of clearing or other disturbance of natural vegetation or natural grades ("site disturbance") shall not exceed the greater of the area preexisting the 2003 amendments; or the greater of the following area in square feet or percentages of total lot size:

Lot Size (square feet)	Maximum Disturbance Greater of:
1 to 15,000	50% of lot
15,001 to 30,000	7,500 square feet or 40% of lot
30,001 to 60,000	12,000 square feet or 35% of lot
60,001 to 90,000	21,000 square feet or 25% of lot
90,001 to 140,000	22,500 square feet or 20% of lot
140,001 to 200,000	28,000 square feet or 15% of lot
200,001 or greater	30,000 square feet or 10% of lot

B. Landscaping within the approved site disturbance area shall be at the discretion of the owner or occupant and not subject to regulation under this chapter. At the request of the Administrator, the owner shall deliver a survey by a licensed surveyor identifying the limits of site disturbance and the amount and percentage of the lot cleared or disturbed.

C. For purposes of these clearing limitations, the terms "lot," "tract" and "lot size" mean that portion of a lot or tract (which may be the entire lot or tract) located within the erosion hazard area and adjacent area.

D. Where two residential parcels are merged in the same name and title after the effective date of the original enactment of this chapter (December 1989) and contain only one single-family residence, the maximum allowable site disturbance shall not exceed 1 1/2 times the amount set forth in § **330-46.3A** above.

E. For nonresidential lots or tracts proposed for development, the amount of site disturbance shall not exceed 50% of the area of the lot or tract.

F. Structural pedestrian walkways or accessways over dunes or bluffs and permeable driveways located landward of the applicable dune setback line shall be excluded from site disturbance calculations.

G. Any and all applications for a coastal erosion management permit or building permit within the erosion hazard area or the adjacent area shall include native revegetation and restoration measures sufficient to meet the standards set forth below:

(1) The limits of site disturbance shall be identified.

(2) The applicant for a permit shall have the proposed building and/or structure and the areas to be disturbed staked by a licensed surveyor in accordance with the survey. In addition, stakes shall be installed marking the perimeter of the area to be disturbed.

(3) Each application for development shall include a revegetation and restoration plan, which utilizes native vegetation and which revegetates and restores areas that are temporarily cleared or disturbed beyond the limits set forth in § **330-46.3A** during development activities, or are required to be revegetated pursuant to Town Code § **138-17D** in connection with a permitted expansion of a lawfully preexisting nonconforming principal residence.

(4) Revegetation and restoration shall, to the maximum extent possible, result in the reestablishment of the native vegetation association which existed prior to site disturbance.

(5) Native vegetation authorized and approved by the Chief Environmental Analyst shall be used for revegetation and restoration purposes.

H. The provisions of this section do not apply where the natural vegetation on a lot or tract has been substantially disturbed as a result of agricultural land uses prior to the effective date of the 2003 amendments; provided that such previously disturbed lands (or any portions thereof) that are left to revert to natural vegetation for a period of five years shall be subject to the provisions of this section.

Town of Southampton, NY
Thursday, June 4, 2015

Chapter 111. Beaches, Parks and Waterways

Article II. Use of Waterways

§ 111-12. Sanitation.

A. Discharging of toilets is prohibited in the waters of the Town of Southampton.

B. Dumping or discharging petroleum products, refuse, garbage or waste, either liquid or solid, or emptying swimming pools in the waters and wetlands of the Town of Southampton is prohibited. [Amended 5-24-1994 by L.L. No. 22-1994]

C. Discharge into waters and wetlands.
[Added 11-10-1992 by L.L. No. 45-1992; amended 5-11-1993 by L.L. No. 12-1993]

(1) The installation, construction or maintenance of any discharge device, discharge system or gravity-dependent outflow pipe that is determined to be a permanent ancillary component of any area, use or structure which effects the discharge of swimming pool effluent, stormwater runoff or any other liquid effluent into the surface waters or wetlands of the Town of Southampton by any property owner, swimming pool maintenance company, home improvement contractor (as defined in Chapter **143** of the Town Code of the Town of Southampton) or any other agent of a property owner shall be deemed a violation of this chapter.

(2) Any violation of this section by a home improvement contractor as defined in Chapter **143**, Contractors, of the Town Code of the Town of Southampton shall be referred to the Home Improvement Contractor Licensing Review Board to hear and determine whether said violation shall be the basis for the suspension or revocation of a home improvement license pursuant to § **143-11**.

(3) Nothing herein shall be construed to prohibit the temporary installation of dewatering equipment to permit water to be discharged into surface waters or wetlands of the Town of Southampton from a swimming pool or other structure or area during construction or structural repair thereof, or the use of circulating pumps or wells to cleanse shellfish in holding tanks, or tanks used to hold clams, lobsters or fish on a temporary basis prior to sale; provided, however, that prior to any such installation or use, a property owner shall obtain a Town Trustee permit therefor. Failure to obtain a permit in such circumstances shall be deemed a violation of this chapter.

APPENDIX M

PECONIC INTER-MUNICIPAL AGREEMENT

PECONIC ESTUARY PROTECTION COMMITTEE

INTER-MUNICIPAL AGREEMENT

BETWEEN THE
COUNTY OF SUFFOLK,
TOWN OF BROOKHAVEN,
TOWN OF EAST HAMPTON,
TOWN OF RIVERHEAD,
TOWN OF SHELTER ISLAND,
TOWN OF SOUTHAMPTON,
TOWN OF SOUTHOLD,
VILLAGE OF GREENPORT,
VILLAGE OF NORTH HAVEN,
AND VILLAGE OF SAG HARBOR

Agreement made and entered into this day of January 1, 2015, by and between: the COUNTY OF SUFFOLK, a municipal corporation having an address at 100 Veteran's Memorial Highway, Hauppauge, New York 11788; TOWN OF BROOKHAVEN, a municipal corporation having an address at One Independence Hill, Farmingville, NY 11738; TOWN OF EAST HAMPTON, a municipal corporation having an address at 159 Pantigo Road, East Hampton, New York 11937; TOWN OF RIVERHEAD, a municipal corporation having an address at 200 Howell Avenue, Riverhead, New York 11901; TOWN OF SHELTER ISLAND, a municipal corporation having an address at 38 North Ferry Road, Shelter Island, New York 11964; a municipal corporation having an address at TOWN OF SOUTHAMPTON, 116 Hampton Road, Southampton, New York 11968; TOWN OF SOUTHOLD, a municipal corporation having an address at 53095 Route 25, P.O. Box 1179, Southold, New York 11971; VILLAGE OF GREENPORT, a municipal corporation having an address at 236 Third Street, Greenport, New York 11944; VILLAGE OF NORTH HAVEN, a municipal corporation having an address at 335 Ferry Road, Sag Harbor, New York 11963;

and the VILLAGE OF SAG HARBOR, a municipal corporation having an address at 55 main Street, P.O. Box 660, Sag Harbor, New York 11963, with all parties hereinbefore mentioned hereinafter collectively known as the "MEMBERS", and shall be generally referred to individually as "MEMBER", unless otherwise specified.

WITNESSETH:

WHEREAS, the Peconic Estuary watershed ("Peconic Estuary") has been recognized as an estuary of "national significance" and the boundaries of its lands and surface waters are as set forth in section 57-0203 of the New York State Environmental Conservation Law and each MEMBER has an interest in lands located therein; and

WHEREAS, the MEMBERS recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the surrounding communities and as an "Estuary of National Significance" as designated by the U.S. Environmental Protection Agency ("EPA"); and the MEMBERS are deeply concerned with the existing degradation of the Peconic Estuary and the potential for further degradation due to a variety of pollutant sources, including but not limited to stormwater runoff, illegal dumping, floatable debris and boat waste; and

WHEREAS the MEMBERS recognize the waters, tributaries and wetlands of the Peconic Estuary comprise a precious resource worthy of protection and wish to protect, restore and enhance the Peconic Estuary so as to ensure a healthy and diverse marine ecosystem while balancing and maintaining recreational and commercial uses; and are in agreement that the future health and productivity of the Peconic Estuary requires a

coordinated effort dedicated to the protection and enhancement of the Peconic Estuary area; and

WHEREAS, the Peconic Estuary Program has developed a Comprehensive Conservation and Management Plan (CCMP), which was formally approved on November 15, 2001 by the EPA and the Governor, and which sets forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS the MEMBERS are required by the federal Clean Water Act's Phase II regulations and by New York State's Phase II stormwater regulations (SPDES General Permit No. GP-0-10-002) to develop and implement Stormwater Pollution Prevention Plans and issue Annual Compliance Reports; and

WHEREAS the federal and state governments encourage and support the formation of municipal partnerships like the COMMITTEE in order for municipalities to coordinate their respective stormwater management programs in order to achieve the most effective and cost efficient means to comply with the Phase II stormwater regulations; and

WHEREAS the MEMBERS desire to enter into an agreement so that they may work together as the COMMITTEE in order to carry out the goals and responsibilities set forth herein; and

WHEREAS the NYS General Municipal Law Section 119-o authorizes agreements for the performance of various functions, powers and duties between municipal corporations subject to the approval of the governing body of each participating municipal corporation; and

WHEREAS, the governing body of each MEMBER of this agreement, have authorized the entering into this agreement, and copy of each resolution is attached to this agreement in Exhibit A.

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants herein stated, it is agreed by and between the parties hereto as follows:

1. Each MEMBER shall appoint one official representative to the COMMITTEE. The official representative, or his/her designated representative, shall be responsible to participate in regular meetings of the COMMITTEE.

2. The goals of the COMMITTEE are as follows:

   i. To improve the water quality of the Peconic Estuary to help assure that all waters of the estuary consistently meet water quality standards for bathing, swimming and fishing;

   ii. Improve the water quality of the Peconic Estuary to help assure that areas currently closed to shellfishing once again be classified as an area suitable for the harvesting of shellfish for human consumption;

   iii. Help restore and enhance the surrounding tidal wetlands that serve to cleanse ecosystems; provide marine food production and wildlife habitat;

offer opportunities for education, research and recreation; provide flood and storm control; and offer open space and aesthetic appreciation;

iv. Help control and reduce point and nonpoint source pollution affecting the Peconic Estuary and its environs;

v. Assist in the achievement of compliance with federal and state statutes and regulations which affect the Peconic Estuary in a coordinated and cost effective manner; and

vi. Help coordinate local coastal regulations so as to maximize protection and enhancement efforts to improve the Peconic Estuary, its tributaries and wetlands.

3. The COMMITTEE shall select a Chairperson from among the member representatives and the Chairperson shall have the power to create subcommittees and appoint representatives to serve on such subcommittees as the need arises.

4. The COMMITTEE'S day-to-day activities and operations shall be coordinated by a COORDINATOR who shall serve the COMMITTEE as an independent contractor upon such terms and conditions as determined by the COMMITTEE.

5. The COMMITTEE shall be funded by annual contributions by each MEMBER (hereinafter referred to as "annual dues") which shall be determined annually by a majority of the members of the COMMITTEE, subject to the review and approval of each participating municipality. The proposed annual dues for each MEMBER for each calendar year of this Agreement shall be determined by the COMMITTEE prior to the first day of February of that year. Each member shall have sixty (60) days from the date that the proposed annual dues are determined to agree in writing to pay the proposed annual dues or give notice of its

withdrawal from the COMMITTEE, in accordance with Paragraph 11 of this Agreement. In the event one or more MEMBERS notify the COMMITTEE that they are withdrawing from the COMMITTEE, the COMMITTEE shall recalculate the proposed annual dues as needed. Each remaining MEMBER shall be given the opportunity to approve in writing any proposed recalculation of the proposed annual dues within sixty (60) days of such determination. In no event shall the finalization by the COMMITTEE of the annual dues extend beyond June 1st for that year for each year of this Agreement. Upon the finalization of the annual dues by the COMMITTEE, each MEMBER shall make payment of such annual dues no later than February 1st of the next succeeding calendar year. Payment shall be made and deposited into such account as determined by a majority of the COMMITTEE, and upon such terms and conditions as determined by the COMMITTEE. The calculation and payment of annual dues each year of this Agreement shall not require amendment to this Agreement, however, this provision is not intended to obviate the need for the approval of the governing body of each MEMBER as determined by such MEMBER.

6. It is the intent of the COMMITTEE to apportion annual dues by Member type in accordance with the following formula:

County: 25. % of total
Town: 10% of total
Village: 3 % of total

In the event the membership of the COMMITTEE is either increased or reduced, a majority of the existing members of the COMMITTEE shall determine the proportionate reapportionment of annual dues, with the goal of retaining the general makeup of the above percentages; meaning, with the County as the largest contributor of annual dues, and the Towns being the next largest contributors, and the Villages as contributing the lowest percentage.

Notwithstanding the foregoing, the maximum amount to be paid as dues for any calendar year under this Agreement is twenty-five thousand ($25,000) dollars for

County, ten thousand ($10,000) dollars for Town and three thousand ($3,000) for Village. For the first year of this Agreement (calendar year 2015), the dues will be: fifteen thousand ($15,000) dollars for the county, six thousand ($6,000) dollars for each Town, and eighteen hundred ($1,800) dollars for each Village.

7. No later than June 1st of each year of the Agreement, the COMMITTEE shall make a final determination of the annual budget for the COMMITTEE for the next succeeding calendar year. The annual budget shall cover the administrative costs of the COMMITTEE, including the COORDINATOR, and any other costs as agreed to by a majority vote of the membership of the COMMITTEE. The maximum annual budget of the COMMITTEE shall not exceed one hundred thousand dollars ($100,000) without the express written approval of each member of the COMMITTEE. Notwithstanding the following, the governing body of each MEMBER reserves the right to appropriate additional funds towards the purposes of this Agreement as determined by such MEMBER.

8. Upon the approval of the COMMITTEE, one or more MEMBERS (hereinafter referred to as a "SPONSOR" or "SPONSORS") may, at its election, apply for and receive grants to carry out the goals of the COMMITTEE. Such SPONSOR(S) may additionally retain environmental consultants or other contractors as it deems appropriate, subject to the approval and appropriation of funds of its respective governing body, to help carry out the purposes of such grants. This provision shall not prevent a MEMBER from seeking and obtaining grants outside of the parameters of this Agreement.

9. All monies received through grants, and other sources by a SPONSOR(S) or SPONSORS related to the goals and purposes, and made in connection with the COMMITTEE, shall be placed in a separate account by the respective SPONSOR(S), with periodic accountings provided to the COMMITTEE, or upon

such other terms and conditions as agreed to in writing by the SPONSOR(S) and the COMMITTEE.

10. Office space, a telephone, and internet hookup may be voluntarily provided by one or more of the MEMBERS, as agreed to in writing by such MEMBER(S) at no charge to the COMMITTEE for the use of the COORDINATOR.

11. Any member may withdraw from the COMMITTEE upon written notice of no less than thirty (30) days to the Chair of the COMMITTEE, who shall promptly notify the remaining MEMBERS. In the event that a MEMBER elects to withdraw from the COMMITTEE prior to the establishment of annual dues for that calendar year, the member entity shall not be responsible for the payment of such annual dues and shall have no further obligation under this Agreement. In the event that a MEMBER elects to withdraw from the COMMITTEE after annual dues for that calendar year are established, the MEMBER shall be responsible for and pay a pro rata share of its annual dues.

12. If at any time following the execution of this Agreement, any municipality or other government entity that is not a currently represented on the COMMITTEE, wishes to join as a member of the COMMITTEE, the Agreement shall be deemed to be amended and the municipality or other government entity shall be deemed to be a full member of the COMMITTEE and subject to all of the Agreement's terms and conditions provided that the following procedures and criteria are followed:

i. a letter is sent to the Chair of the COMMITTEE on the letterhead of the municipality or other governmental entity requesting to become a member of the COMMITTEE;

ii. a copy of an official Resolution of the governing body of the municipality or appropriate instrument for other governmental entity authorizing the municipality or other governmental entity to join the COMMITTEE is submitted to the Chair of the COMMITTEE; and

iii. the COMMITTEE affirmatively votes by majority vote to accept the membership.

If the new member is a County, Town, or Village, the amount of annual dues required for that calendar year shall be at the same rate as that charged for other like entities (i.e. a Village would be charged at the same rate as other Villages for that year).

In the event that the new member joins during the first six months of the calendar year, the full annual dues shall be charged. In the event that the new member joins during the second six months of the calendar year, half the annual dues shall be charged.

If the new member is a governmental entity other than a County, Town, Village or New York State Department of Transportation, the amount of dues shall be determined by the COMMITTEE.

13. The term of this Agreement shall be in effect upon execution by all of the MEMBERS and shall continue in effect as long as at least two MEMBERS desire to see the COMMITTEE continue.

14. Compliance with Laws: This Agreement is subject to the provisions of Article 18 of the General Municipal Law of the State of New York. In addition, the parties hereto shall comply with any and all applicable Federal, State and local Laws, including, but not limited to, those relating to conflicts of interest, discrimination, living wage, disclosure of information, and vendor registration, in connection with their performance under this Agreement. As used in this Agreement the word "Law" includes any and all statutes, local laws, ordinances, rules, regulations,

applicable orders, and/or decrees, as the same may be amended from time to time, enacted, or adopted.

15. The MEMBERS each agree that this Agreement may be amended in writing to accept the NEW YORK STATE DEPARTMENT OF TRANSPORTATION on behalf of the State of New York ("NYSDOT") as a MEMBER of the COMMITTEE at the request of the NYSDOT. In the event the NYSDOT becomes a MEMBER of the COMMITTEE, annual dues shall be apportioned to the NYSDOT in the amount similar to that apportioned to a Village for each year of the Agreement that the NYSDOT is a participating member.

16. The MEMBERS of the COMMITTEE shall upon execution of this Agreement, adopt by-laws to establish and such other rules, which includes, among other things, the voting rights of MEMBERS and holdings of meetings. The meetings of the COMMITTEE shall be conducted in accordance with the New York State Open Meetings Law.

17. The parties hereto have duly executed this Agreement in counterparts, any one of which may be considered an original.

COUNTY OF SUFFOLK

By:_____
Dennis M. Cohen
Chief Deputy County Executive Date

APPROVED AS TO FORM:

Dennis M. Brown
County Attorney

By:_____

Assistant County Attorney Date

TOWN OF BROOKHAVEN

By: _____

Name/Title Date

TOWN OF EAST HAMPTON

By:_____

Name/Title Date

TOWN OF SOUTHOLD

By:

_____

Name/Title Date

TOWN OF RIVERHEAD

By:

_____

Name/Title Date

INC. VILLAGE OF GREENPORT

By:

_____

Name/Title Date

TOWN OF SHELTER ISLAND

By:

_____

Name/Title Date

INC. VILLAGE OF NORTH HAVEN

By

_____

Name/Title Date

TOWN OF SOUTHAMPTON

By:

_____

Anna Throne-Holst, Supervisor

Name/Title Date

1/22/15

INC. VILLAGE OF SAG HARBOR

By:

_____

Name/Title Date

Exhibit A
Resolutions

Intro. Res. No. 1311-2014 Laid on Table 3/18/2014
Introduced by Presiding Officer, on request of the County Executive and Legislators Krupski, Schneiderman

RESOLUTION NO. 440 -2014, AUTHORIZING SUFFOLK COUNTY TO ENTER INTO AN INTERMUNICIPAL AGREEMENT THEREBY CREATING THE PECONIC ESTUARY PROTECTION COMMITTEE

WHEREAS, the Suffolk County Water Quality Review Committee at the December 12, 2013 meeting, pursuant to Article XII of the SUFFOLK COUNTY CHARTER, has recommended funding this program as an appropriate use of Suffolk County Water Quality Protection and Restoration Program and Land Stewardship funds; and

WHEREAS, the Suffolk County Department of Economic Development and Planning and the Suffolk County Department of Health Services have requested funding to allow the County of Suffolk to enter into an intermunicipal agreement (the "IMA") with the Towns of Brookhaven, East Hampton, Riverhead, Shelter Island, Southampton, and Southold and Villages of Dering Harbor, Greenport, North Haven, and Sag Harbor (collectively "Members"), thereby creating the Peconic Estuary Protection Committee ("Committee"); and

WHEREAS, the Members will each appoint a representative to the Committee and Suffolk County will be represented by the County Executive or his/her duly appointed representative; and

WHEREAS, the Committee shall be funded by annual contributions ("Dues") which shall be determined annually by the Committee after the opportunity for review by each municipality; and

WHEREAS, the maximum aggregate amount of Dues shall not exceed $100,000 per calendar year; and

WHEREAS, the Dues to be apportioned to Suffolk County shall be 25% of the annual aggregate amount of Dues; and

WHEREAS, there are sufficient funds within the Fund 477 2014 Operating Budget to fund payment of the Dues; and

WHEREAS, subsequent to the execution of the IMA, the Members shall vote on the execution of a cooperative agreement with the New York State Department of Transportation ("NYS DOT"), which shall then become a Member; and

WHEREAS, the goals of the Committee shall be to increase efficiency and efficacy of stormwater management, pollution prevention, and water quality protection activities undertaken by the Members; consistent with the recommendations of the 2001 Comprehensive Conservation and Management Plan (CCMP) of the Peconic Estuary Program; now, therefore be it

1st **RESOLVED**, that this Legislature, being the lead agency under the State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Article 8, hereby finds and determines that this resolution constitutes a Type II action, pursuant to Section

617.5(c) (18), (20), (21) and (27) of Title 6 of the NYCRR and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as a promulgation of regulations, rules, policies, procedures, and Legislative decisions in connection with continuing agency administration, management and information collection, and the Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this resolution; and be it further

2nd **RESOLVED**, that the County Executive is hereby authorized to execute an intermunicipal agreement, in a form substantially similar to the Intermunicipal Agreement annexed hereto as Exhibit "A", with all or any combination of the following municipalities: the Towns of Brookhaven, East Hampton, Riverhead, Shelter Island, Southampton, and Southold and Villages of Dering Harbor, Greenport, North Haven, and Sag Harbor under Section 119-0 of the NEW YORK GENERAL MUNICIPAL LAW authorizing the creation of the Peconic Estuary Protection Committee, consisting of a representative of each Member municipality; and be it further

3rd **RESOLVED**, in the event that NYS DOT agrees to execute a cooperation agreement to become a Member of the Committee, the County Executive is hereby authorized to execute an agreement in a form substantially similar to the Agreement annexed hereto as Exhibit "B", with the Member municipalities of the Peconic Estuary Protection Committee and the New York State Department of Transportation, making the New York State Department of Transportation a Member of the Peconic Estuary Protection Committee; provided, however, that in the event such Cooperation Agreement is not executed by NYS DOT, the Intermunicipal Agreement shall remain in full force and effect.

DATED: June 3, 3014

APPROVED BY:

County Executive of Suffolk County

Date: 6/18/14

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY

This is to Certify That I, TIM LAUBE, Clerk of the County Legislature of the County of Suffolk, have compared the foregoing copy of resolution with the original resolution now on file in this office, and which was duly adopted by the County Legislature of said County on June 3, 2014 and that the same is a true and correct transcript of said resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the County Legislature of the County of Suffolk.

Tim Laube

Clerk of the Legislature

Intro. Res. 1311 Res. No. 440 June 3, 2014

Motion:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Co-Sponsors:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, ~~Calarco, Lindsay~~, Martinez, Cilmi, Barraga, Kennedy
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

Second:
Krupski, Schneiderman, Browning, Muratore, Hahn
Anker, Calarco, Lindsay, Martinez, Cilmi, Barraga, Kennedy
Trotta, McCaffrey, Gregory, Stern, D'Amaro, Spencer

LD	Legislator	Yes	No	Abs	NP	R
1	Albert J. KRUPSKI	✓				
3	Kate M. BROWNING	✓				
4	Thomas MURATORE	✓				
5	Kara HAHN	✓				
6	Sarah S. ANKER	✓				
7	Rob CALARCO	✓				
8	William J. LINDSAY, III	✓				
9	Monica R. MARTINEZ	✓				
10	Thomas CILMI	✓				
11	Thomas F. BARRAGA	✓				
12	John M. KENNEDY, JR.	✓				
13	Rob TROTTA	✓				
14	Kevin J. MCCAFFREY	✓				
16	Steven H. STERN	✓				
17	Lou D'AMARO	✓				
18	William SPENCER	✓				
2	Jay SCHNEIDERMAN, D.P.O	✓				
15	DuWayne GREGORY, P.O.	✓				
	Totals	18	0	0	0	0

MOTION

X Approve
___ Table: _____
___ Send To Committee
___ Table Subject To Call
___ Lay On The Table
___ Discharge
___ Take Out of Order
___ Reconsider
___ Waive Rule ___
___ Override Veto
___ Close
___ Recess

APPROVED X FAILED ___
No Motion ___ No Second ___

RESOLUTION DECLARED

X ADOPTED
___ NOT ADOPTED

Roll Call ___ Voice Vote X

Tim Laube
Tim Laube, Clerk of the Legislature

1311

(440)

PECONIC ESTUARY PROTECTION COMMITTEE

INTER-MUNICIPAL AGREEMENT

BETWEEN THE
COUNTY OF SUFFOLK,
TOWN OF BROOKHAVEN,
TOWN OF EAST HAMPTON,
TOWN OF RIVERHEAD,
TOWN OF SHELTER ISLAND,
TOWN OF SOUTHAMPTON,
TOWN OF SOUTHOLD,
VILLAGE OF DERING HARBOR,
VILLAGE OF GREENPORT,
VILLAGE OF NORTH HAVEN,
AND VILLAGE OF SAG HARBOR

Agreement made and entered into this day of _____, 2014, by and between: the COUNTY OF SUFFOLK, a municipal corporation having an address at 100 Veteran's Memorial Highway, Hauppauge, New York 11788; TOWN OF BROOKHAVEN, a municipal corporation having an address at One Independence Hill, Farmingville, NY 11738; TOWN OF EAST HAMPTON, a municipal corporation having an address at 159 Pantigo Road, East Hampton, New York 11937; TOWN OF RIVERHEAD, a municipal corporation having an address at 200 Howell Avenue, Riverhead, New York 11901; TOWN OF SHELTER ISLAND, a municipal corporation having an address at 38 North Ferry Road, Shelter Island, New York 11964; a municipal corporation having an address at TOWN OF SOUTHAMPTON, 116 Hampton Road, Southampton, New York 11968; TOWN OF SOUTHOLD, a municipal corporation having an address at 53095 Route 25, P.O. Box 1179, Southold, New York 11971; VILLAGE OF DERING HARBOR, a municipal corporation having an address at P.O. Box 3010, Shelter Island Heights, New York 11965; VILLAGE OF

GREENPORT, a municipal corporation having an address at 236 Third Street, Greenport, New York 11944; VILLAGE OF NORTH HAVEN, a municipal corporation having an address at 335 Ferry Road, Sag Harbor, New York 11963; and the VILLAGE OF SAG HARBOR, a municipal corporation having an address at 55 main Street, P.O. Box 660, Sag Harbor, New York 11963, with all parties hereinbefore mentioned hereinafter collectively known as the "MEMBERS", and shall be generally referred to individually as "MEMBER", unless otherwise specified.

WITNESSETH:

WHEREAS, the Peconic Estuary watershed ("Peconic Estuary") has been recognized as an estuary of "national significance" and the boundaries of its lands and surface waters are as set forth in section 57-0203 of the New York State Environmental Conservation Law and each MEMBER has an interest in lands located therein; and

WHEREAS, the MEMBERS recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the surrounding communities and as an "Estuary of National Significance" as designated by the U.S. Environmental Protection Agency ("EPA"); and the MEMBERS are deeply concerned with the existing degradation of the Peconic Estuary and the potential for further degradation due to a variety of pollutant sources, including but not limited to stormwater runoff, illegal dumping, floatable debris and boat waste; and

WHEREAS the MEMBERS recognize the waters, tributaries and wetlands of the Peconic Estuary comprise a precious resource worthy of protection and wish to protect,

restore and enhance the Peconic Estuary so as to ensure a healthy and diverse marine ecosystem while balancing and maintaining recreational and commercial uses; and are in agreement that the future health and productivity of the Peconic Estuary requires a coordinated effort dedicated to the protection and enhancement of the Peconic Estuary area; and

WHEREAS, the Peconic Estuary Program has developed a Comprehensive Conservation and Management Plan (CCMP), which was formally approved on November 15, 2001 by the EPA and the Governor, and which sets forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS the MEMBERS are required by the federal Clean Water Act's Phase II regulations and by New York State's Phase II stormwater regulations (SPDES General Permit No. GP-0-10-002) to develop and implement Stormwater Pollution Prevention Plans and issue Annual Compliance Reports; and

WHEREAS the federal and state governments encourage and support the formation of municipal partnerships like the COMMITTEE in order for municipalities to coordinate their respective stormwater management programs in order to achieve the most effective and cost efficient means to comply with the Phase II stormwater regulations; and

WHEREAS the MEMBERS desire to enter into an agreement so that they

may work together as the COMMITTEE in order to carry out the goals and responsibilities set forth herein; and

WHEREAS the NYS General Municipal Law Section 119-o authorizes agreements for the performance of various functions, powers and duties between municipal corporations subject to the approval of the governing body of each participating municipal corporation; and

WHEREAS, the governing body of each MEMBER of this agreement, have authorized the entering into this agreement, and copy of each resolution is attached to this agreement in Exhibit A.

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants herein stated, it is agreed by and between the parties hereto as follows:

1. Each MEMBER shall appoint one official representative to the COMMITTEE. The official representative, or his/her designated representative, shall be responsible to participate in regular meetings of the COMMITTEE.

2. The goals of the COMMITTEE are as follows:

   i. Improve the water quality of the Peconic Estuary to help assure that all waters of the estuary consistently meet water quality standards for bathing, swimming and fishing;

ii. Improve the water quality of the Peconic Estuary to help assure that areas currently closed to shellfishing once again be classified as an area suitable for the harvesting of shellfish for human consumption;

iii. Help restore and enhance the surrounding tidal wetlands that serve to cleanse ecosystems; provide marine food production and wildlife habitat; offer opportunities for education, research and recreation; provide flood and storm control; and offer open space and aesthetic appreciation;

iv. Help control and reduce point and nonpoint source pollution affecting the Peconic Estuary and its environs;

v. Assist in the achievement of compliance with federal and state statutes and regulations which affect the Peconic Estuary in a coordinated and cost effective manner; and

vi. Help coordinate local coastal regulations so as to maximize protection and enhancement efforts to improve the Peconic Estuary, its tributaries and wetlands.

3. The COMMITTEE shall select a Chairperson from among the member representatives and the Chairperson shall have the power to create subcommittees and appoint representatives to serve on such subcommittees as the need arises.

4. The COMMITTEE shall be funded by annual contributions by each MEMBER (hereinafter referred to as "annual dues") which shall be determined annually by a majority of the members of the COMMITTEE, subject to the review and approval of each participating municipality. The proposed annual dues for each MEMBER for each calendar year of this Agreement shall be determined by the COMMITTEE prior to the first day of February of that year. Each member shall have sixty (60) days from the date that the proposed annual dues are determined to agree in writing to pay the proposed annual dues or give notice of its

withdrawal from the COMMITTEE, in accordance with Paragraph 12 of this Agreement. In the event one or more MEMBERS notify the COMMITTEE that they are withdrawing from the COMMITTEE, the COMMITTEE shall recalculate the proposed annual dues as needed. Each remaining MEMBER shall be given the opportunity to approve in writing any proposed recalculation of the proposed annual dues within sixty (60) days of such determination. In no event shall the finalization by the COMMITTEE of the annual dues extend beyond June 1st for that year for each year of this Agreement. Upon the finalization of the annual dues by the COMMITTEE, each MEMBER shall make payment of such annual dues no later than August 1st of each year of this Agreement. Payment shall be made and deposited into such account as determined by a majority of the COMMITTEE, and upon such terms and conditions as determined by the COMMITTEE. The calculation and payment of annual dues each year of this Agreement shall not require amendment to this Agreement, however, this provision is not intended to obviate the need for the approval of the governing body of each participating municipal corporation as determined by such municipal corporation.

5. It is the intent of the COMMITTEE to apportion annual dues in accordance with the following formula:

County of Suffolk: 25.2727 % of total
Town of Brookhaven: 10.2727 % of total
Town of East Hampton: 10.2727% of total
Town of Riverhead: 10.2727% of total
Town of Shelter Island: 10.2727% of total
Town of Southampton: 10.2727% of total
Town of Southold: 10.2727% of total
Village of Dering Harbor: 3.2727% of total
Village of Greenport: 3.2727% of total
Village of North Haven: 3.2727% of total
Village of Sag Harbor: 3.2727% of total

In the event the membership of the COMMITTEE is either increased or reduced, a majority of the existing members of the COMMITTEE shall determine the reapportionment of annual dues, with the goal of retaining the general makeup of the above percentages, meaning, with the County as the largest contributor of annual dues, and the Towns being the next largest contributors, and the Villages as contributing the lowest percentage.

Notwithstanding the foregoing, the maximum amount to be paid as dues by the County in any calendar year under this Agreement is twenty-five thousand ($25,000) dollars.

6. No later than August 1st of each year of the Agreement, the COMMITTEE shall determine the annual budget for the COMMITTEE for that calendar year. The annual budget shall cover the administrative costs of the COMMITTEE, including an Executive Director, and any other costs as agreed to in writing by the entire membership of the COMMITTEE. The maximum annual budget of the COMMITTEE shall not exceed one hundred thousand ($100,000) without the express written approval of each member of the COMMITTEE. Notwithstanding the following, the governing body of each participating municipality reserves the right to appropriate additional funds towards the purposes of this Agreement as determined by such municipal corporation.

7. The COMMITTEE'S day-to-day activities and operations shall be coordinated by an Executive Director who shall serve the COMMITTEE as an independent contractor upon such terms and conditions as determined by the COMMITTEE.

8. Upon the approval of the COMMITTEE, one or more MEMBERS (hereinafter referred to as a "SPONSOR" or "SPONSORS") may, at its election, apply for and receive grants to carry out the goals of the COMMITTEE. Such SPONSOR(S) may additionally retain environmental consultants or other contractors as it deems appropriate, subject to the approval and appropriation of funds of its respective

governing body, to help carry out the purposes of such grants. This provision shall not prevent a MEMBER from seeking and obtaining grants outside of the parameters of this Agreement.

9. All monies received through grants, and other sources by a SPONSOR(S) or SPONSORS related to the goals and purposes, and made in connection with the COMMITTEE, shall be placed in a separate account by the respective SPONSOR(S), with periodic accountings provided to the COMMITTEE, or upon such other terms and conditions as agreed to in writing by the SPONSOR(S) and the COMMITTEE.

10. Office space, a telephone, and internet hookup may be voluntarily provided by one or more of the MEMBERS, as agreed to in writing by such MEMBER(S) at no charge to the COMMITTEE for the use of the Executive Director.

11. Any member may withdraw from the COMMITTEE upon written notice of no less than thirty (30) days to the Chair of the COMMITTEE, who shall promptly notify the remaining MEMBERS. In the event that a MEMBER elects to withdraw from the COMMITTEE prior to the establishment of annual dues for that calendar year, the member entity shall not be responsible for the payment of such annual dues and shall have no further obligation under this Agreement. In the event that a MEMBER elects to withdraw from the COMMITTEE after annual dues for that calendar year are established, the MEMBER shall be responsible for and pay a pro rata share of its annual dues.

12. If at any time following the execution of this Agreement, any municipality or other government entity that is not a currently represented on the COMMITTEE, wishes to join as a member of the COMMITTEE, the Agreement shall be deemed to be amended and the municipality or other government entity shall be deemed

to be a full member of the COMMITTEE and subject to all of the Agreement's terms and conditions provided that the following procedures and criteria are followed:

i. a letter is sent to the Chair of the COMMITTEE on the letterhead of the municipality or other governmental entity requesting to become a member of the COMMITTEE;

ii. a copy of an official Resolution of the governing body of the municipality or other governmental entity authorizing the municipality or other governmental entity to join the COMMITTEE is submitted to the Chair of the COMMITTEE; and

iii. the COMMITTEE affirmatively votes by majority vote to accept the membership.

If the new member is a County, Town, or Village, the amount of annual dues required for that calendar year shall be at the same rate as that charged for other like entities (i.e. a Village would be charged at the same rate as other Villages for that year).

In the event that the new member joins during the first six months of the calendar year, the full annual dues shall be charged. In the event that the new member joins during the second six months of the calendar year, half the annual dues shall be charged.

If the new member is a governmental entity other than a County, Town, or Village, the amount of dues shall be determined by the COMMITTEE.

13. The term of this Agreement shall begin upon signing and shall continue in effect as long as at least two members desire to see the COMMITTEE continue.

14. Compliance with Laws: This Agreement is subject to the provisions of Article 18 of the General Municipal Law of the State of New York. In addition, the parties

hereto shall comply with any and all applicable Federal, State and local Laws, including, but not limited to, those relating to conflicts of interest, discrimination, living wage, disclosure of information, and vendor registration, in connection with their performance under this Agreement. As used in this Agreement the word "Law" includes any and all statutes, local laws, ordinances, rules, regulations, applicable orders, and/or decrees, as the same may be amended from time to time, enacted, or adopted.

15. The MEMBERS each agree that this Agreement may be amended in writing to accept the NEW YORK STATE DEPARTMENT OF TRANSPORTATION ("NYSDOT") as a MEMBER of the COMMITTEE at the request of the NYSDOT. In the event the NYSDOT becomes a MEMBER of the COMMITTEE, annual dues shall be apportioned to the NYSDOT in the amount similar to that apportioned to a Village for each year of the Agreement that the NYSDOT is a participating member.

16. The MEMBERS of the COMMITTEE shall upon execution of this Agreement, adopt by-laws to establish and such other rules, that includes, among other things, the voting rights of MEMBERS and holdings of meetings. The meetings of the COMMITTEE shall be conducted in accordance with the New York State Open Meetings Law.

17. The parties hereto have duly executed this Agreement in counterparts, any one of which may be considered an original.

COUNTY OF SUFFOLK

By:_____
Dennis M. Cohen
Chief Deputy County Executive Date

By:_____

Assistant County Attorney

APPROVED AS TO FORM:
Dennis M. Brown
County Attorney

TOWN OF BROOKHAVEN

By:

Name/Title Date

TOWN OF EAST HAMPTON

By:

Name/Title Date

TOWN OF RIVERHEAD

By:

Name/Title Date

TOWN OF SHELTER ISLAND

By:

Name/Title Date

TOWN OF SOUTHAMPTON

By:

Name/Title Date

TOWN OF SOUTHOLD

By:

Name/Title Date

INC. VILLAGE DERING HARBOR

By:

Name/Title Date

INC. VILLAGE OF GREENPORT

By:

Name/Title Date

INC. VILLAGE OF NORTH HAVEN

By

Name/Title Date

INC. VILLAGE OF SAG HARBOR

By:

Name/Title Date

Exhibit A
Resolutions

RESOLUTION SUBMISSION

MEETING OF: APRIL 23, 2013 RESOLUTION NO. 2013-436

MOVED BY SUPERVISOR EDWARD P. ROMAINE

REVISION: April 23, 2013

SHORT TITLE: AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH NEIGHBORING MUNICIPALITIES TO FORM THE PECONIC ESTUARY PROTECTION COMMITTEE

DEPARTMENT: Planning, Environment and Land Management

REASON: To authorize the Town of Brookhaven to enter into an Intermunicipal Agreement to coordinate meeting NYSDEC Stormwater Management requirements for the Peconic Estuary.

PUBLIC HEARING REQUIRED: No

DEPARTMENT OF FINANCE APPROVAL: YES NO
DOLLARS INVOLVED: 10% of Total Dues not to exceed $10,000.00
A8090-4350 Environmental Protection, Membership Dues

SEQRA REQUIRED: No
DETERMINATION MADE: POSITIVE NEGATIVE
FEIS/FINDINGS FILED:

EXECUTION OF DOCUMENT REQUIRED:
AE:cah

Present	Absent		Motion	Aye	No	Abstain	Not Voting
		Councilmember Fiore-Rosenfeld					
		Councilmember Bonner	2				
		Councilmember Walsh					
		Councilmember Kepert					
		Councilmember Mazzei					
		Councilmember Panico					
		Supervisor Romaine					

ADOPTED

BY THE BROOKHAVEN TOWN BOARD

RESOLUTION NO. 2013-436
MEETING OF: APRIL 23, 2013

AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH NEIGHBORING MUNICIPALITIES TO FORM THE PECONIC ESTUARY PROTECTION COMMITTEE

WHEREAS, the County of Suffolk, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation (hereinafter the "Municipalities") recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the areas surrounding the Peconic Estuary; and

WHEREAS, the Peconic Estuary Protection Committee (hereinafter the "Committee") has developed a Comprehensive Conservation and Management Plan (hereinafter "CCMP") which sets forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by annual contributions (hereinafter "dues") to be paid by the municipalities to meet Committee goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands, controlling and reducing pollution, achieving compliance with federal and state regulations which affect the Peconic Estuary and coordinating local coastal regulations to maximize protection and improvement of the Peconic Estuary; and

WHEREAS, to save personnel, time and money and lead to a better level of coordination to meet NYSDEC Stormwater Management requirements, the Town of Brookhaven is desirous of entering into the IMA;

WHEREAS, New York State General Municipal Law Article 5-G, §119-o, authorizes municipalities to enter into agreements for the performance of various functions; and

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Brookhaven that that the Supervisor and/or Deputy Supervisor is hereby authorized execute an Inter-Municipal Agreement with the County of Suffolk, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of working together in order to facilitate efforts to improve the Peconic Estuary; and be it further

RESOLVED, that the terms and conditions of the IMA shall be reviewed and approved by the Town Attorney; and be it further

RESOLVED, that the Commissioner of Finance is hereby authorized and directed to disburse the necessary funding as applicable under the IMA.

RESOLUTION 2013-528

ADOPTED

DOC ID: 8944

THIS IS TO CERTIFY THAT THE FOLLOWING RESOLUTION NO. 2013-528 WAS ADOPTED AT THE REGULAR MEETING OF THE SOUTHOLD TOWN BOARD ON JULY 2, 2013:

RESOLVED that the Town Board of the Town of Southold hereby authorizes and directs Supervisor Scott A. Russell to execute an Inter-Municipal Agreement with the County of Suffolk, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Brookhaven, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of working together in order to facilitate efforts to improve the Peconic Estuary, subject to the approval of the Town Attorney and the Town Board's approval of any funding required.

Elizabeth A. Neville

Elizabeth A. Neville
Southold Town Clerk

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: James Dinizio Jr, Councilman
SECONDER: Jill Doherty, Councilwoman
AYES: Dinizio Jr, Ruland, Doherty, Talbot, Evans, Russell

East Hampton Town Board
159 Pantigo Road
East Hampton, NY 11937

ADOPTED

RESOLUTION 2013-829

Fred Overton
Town Clerk
(631) 324-4142
www.ehamptonny.gov

Meeting: 08/01/13 07:00 PM
DOC ID: 12620 A

Intermunicipal Agreement with the Peconic Estuary

WHEREAS, the County of Suffolk, the Town of Brookhaven, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation (hereinafter the "Municipalities") recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the areas surrounding the Peconic Estuary; and

WHEREAS, the Peconic Estuary Protection Committee (hereinafter the "Committee") has developed a Comprehensive Conservation and Management Plan (hereinafter "CCMP") which sets forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by annual contributions (hereinafter "dues") to be paid by the municipalities to meet Committee goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands, controlling and reducing pollution, achieving compliance with federal and state regulations which affect the Peconic Estuary and coordinating local coastal regulations to maximize protection and improvement of the Peconic Estuary; and

WHEREAS, to save personnel, time and money and lead to a better level of coordination to meet NYSDEC Stormwater Management requirements, the Town of East Hampton is desirous of entering into the Inter Municipal Agreement (IMA) ;and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipalities to enter into agreements for the performance of various functions; now, therefore be it

RESOLVED, by the Town Board of the Town of East Hampton that the Supervisor is hereby authorized execute an IMA with the County of Suffolk, the Town of Brookhaven, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of working together in order to facilitate efforts to improve the Peconic Estuary; and be it further

RESOLVED, that the terms and conditions of the IMA shall be reviewed and approved by the Town Attorney; and be it further

RESOLVED, that the Finance Department is hereby authorized and directed to disburse the necessary funding as applicable under the IMA.

RESULT:	**ADOPTED [3 TO 1]**
MOVER:	Peter Van Scoyoc, Councilman
SECONDER:	Sylvia Overby, Councilwoman
AYES:	Peter Van Scoyoc, Dominick J. Stanzione, Sylvia Overby
NAYS:	Theresa K. Quigley
ABSENT:	William J. Wilkinson

Southampton Town Board
116 Hampton Road
Southampton, NY 11968

ADOPTED

Meeting: 08/13/13 01:00 PM
Department: Town Attorney
Category: Agreements, Contracts, Leases
Prepared By: Carl Benincasa
Initiator: Tiffany Scarlato
Sponsors: Throne-Holst, Scalera, Fleming, Nuzzi, Malone
DOC ID: 18404

TOWN BOARD RESOLUTION 2013-783

Resolution Authorizing the Supervisor to Execute an Inter Municipal Agreement with Certain Neighboring Municipalities to Form the Peconic Estuary Protection Committee

WHEREAS, the County of Suffolk, the Town of Brookhaven, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor, and the New York State Department of Transportation (hereinafter "The Municipalities") recognize the importance of the Peconic Estuary as a vital ecosystem which serves important environmental and economic interest shared by the people living in the surrounding region; and

WHEREAS, the Peconic Estuary Protection Committee (hereinafter the "Committee") has undertaken great efforts to develop a Comprehensive Conservation and Management Plan which establishes long term goals for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by yearly contributions to be paid by the municipalities to achieve the discussed goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands , pollution control and reduction; and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipalities to enter into agreements for the performance of various functions: and

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Southampton that the Supervisor is hereby authorized to execute an Inter Municipal Agreement ("IMA") with the County of Suffolk, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor, and the New York State Department of Transportation for the purpose collectively working to improve the Peconic Estuary; and be it further

RESOLVED, that the terms and conditions of the IMA shall be reviewed and approved by the Town Attorney; and be it further

RESOLVED, the source of funding shall be Capital Project Stormwater Management in an amount not to exceed $10,000.00 and the Comptroller is hereby authorized and directed to disburse the necessary funding as applicable under the IMA.

Financial Impact

The source of funding shall be Capital Project Stormwater Management in an amount not to exceed $10,000.00

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Christine Preston Scalera, Councilwoman
SECONDER:	Chris Nuzzi, Councilman
AYES:	Throne-Holst, Malone, Scalera, Fleming, Nuzzi

RESOLUTION NO. 407 – 2013

Councilwoman Lewis offered the following resolution, which was seconded by Councilman Shepherd, to wit:

BE IT RESOLVED, That the Town Board of the Town of Shelter Island hereby authorizes and directs the Supervisor to execute an Inter-Municipal Agreement with the County of Suffolk, the Town of East Hampton, the Town of Riverhead, the Town of Southold, the Town of Southampton, the Town of Brookhaven, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of working together to facilitate efforts to improve the Peconic Estuary, subject to the approval of the Town Attorney and the Town Board's approval of funding meeting the proposed dues of 10% of the total annual budget as set forth in Section 5 of the draft agreement.

Vote: 5 in favor 0 opposed

The resolution was thereupon declared duly adopted.

This resolution was adopted on August 9, 2013.

08.20.13
130601

ADOPTED

TOWN OF RIVERHEAD

Resolution #601

AUTHORIZATION TO EXECUTE AN INTERMUNICIPAL AGREEMENT WITH NEIGHBORING MUNICIPALITIES TO FORM THE PECONIC ESTUARY PROTECTION COMMITTEE

Councilman Dunleavy offered the following resolution,

which was seconded by Councilman Wooten

WHEREAS, the County of Suffolk, the Town of Brookhaven, the Town of East Hampton, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor, and the New York State Department of Transportation recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the areas surrounding the Peconic Estuary; and

WHEREAS, Peconic Estuary Program participants developed a Comprehensive Conservation and Management Plan (CCMP) which set forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by annual contributions to be paid by the member municipalities to meet Committee goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands, controlling and reducing pollution, achieving compliance with federal and state regulations which affect the Peconic Estuary and coordinating local coastal regulations to maximize protection and improvement of the Peconic Estuary; and

WHEREAS, to maximize the efficiency of Town personnel, time and money and to lead to a higher level of coordination to meet NYSDEC Stormwater Management requirements, the Town of Riverhead is desirous of entering into an Inter-Municipal Agreement (IMA) ; and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-o, authorizes municipalities to enter into agreements with fellow municipalities for the performance of various endeavors.

NOW BE IT RESOLVED THAT, the Supervisor is hereby authorized to execute an IMA with the County of Suffolk, the Town of Brookhaven, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of North Haven, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of collaborating on efforts including but not limited to efforts to improve the water quality of the Peconic Estuary; and be it further

RESOLVED, that this authorization shall be subject to the review and approval of the IMA by the Town Attorney; and be it further

RESOLVED, that the Town's Financial Administrator is hereby authorized and directed, after Town Attorney review and approval of the IMA, to disburse funding in the amount of 10% of the total dues addressed in the IMA; however, not to exceed $7,500.00 (Seven Thousand Five Hundred Dollars) and solely limited to fiscal year 2014; and be it further

RESOLVED, that all Town Hall Departments may review and obtain a copy of this resolution from the electronic storage device and, if needed, a certified copy of same may be obtained from the Office of the Town Clerk.

THE VOTE

Giglio ☒Yes ☐No Gabrielsen ☒Yes ☐No
Wooten ☒Yes ☐No Dunleavy ☒Yes ☐No
Walter ☒Yes ☐No

The Resolution Was ☒ Was Not☐
Thereupon Duly Declared Adopted

VILLAGE OF GREENPORT
BOARD OF TRUSTEES
REGULAR MEETING
MONDAY, AUGUST 26, 2013 AT 6:00 PM
RESOLUTION OF THE BOARD OF TRUSTEES

At the Village of Greenport Board of Trustees Regular Meeting held on Monday, August 26, 2013; the Board adopted a

RESOLUTION adopting the attached Inter-Municipal Agreement forming the Peconic Estuary Protection Committee, at an annual cost to the Village of $ 3,000.00 to be expensed from line number A.8745.201 (Peconic Estuary Program), and further authorizing Treasurer Kagel to perform the following corresponding budget modification: $ 3,000.00 from line item A.8510.201 (Greenport Improvement Committee) to A.8745.201 (Peconic Estuary Program).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Bess Phillips, Trustee
SECONDER:	David Murray, Trustee
AYES:	Hubbard, Murray, Phillips, Robins, Nyce

STATE OF NEW YORK
COUNTY OF SUFFOLK ss:

THIS IS TO CERTIFY THAT I, Sylvia Pirillo, Village Clerk of the Village of Greenport of the County of Suffolk, have compared the foregoing copy of the resolution now on file in this office, which was adopted by the Village of Greenport Board of Trustees on August 26, 2013 and that the same is a true and correct transcript of said resolution of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Village of Greenport of the County of Suffolk.

Dated: August 26, 2013

Sylvia Pirillo
Sylvia Lazzari Pirillo, RMC
Village Clerk

RECEIVED
JAN 13 2014
Suffolk Co. Dept. of Health Services
Office of Director

RESOLUTION

Authorization to Execute an Inter-Municipal Agreement with Neighboring Municipalities to Form The Peconic Protection Committee

WHEREAS, the County of Suffolk, the Town of Brookhaven, the Town of East Hampton, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of Sag Harbor and the New York State Department of Transportation recognize the importance of the Peconic Estuary as a vital coastal ecosystem essential to the environmental and economic well-being of the people in the areas surrounding the Peconic Estuary; and

WHEREAS, Peconic Estuary Program participants developed a Comprehensive Conservation and Management Plan (CCMP) which set forth long range goals and plans for the use and improvement of the Peconic Estuary; and

WHEREAS, the Committee shall be funded by annual contributions to be paid by the member municipalities to meet Committee goals such as improving the water quality of the Peconic Estuary, restoring and enhancing the surrounding tidal wetlands, controlling and reducing pollution, achieving compliance with federal and state regulations which affect the Peconic Estuary and coordinating local coastal regulations to maximize protection and improvement of the Peconic Estuary; and

WHEREAS, to maximize the efficiency of personnel, time and money and to lead to a higher level of coordination to meet NYSDEC Stormwater Management requirements, the Village of North Haven is desirous of entering into an Inter-Municipal Agreement (IMA); and

WHEREAS, New York State General Municipal Law Article 5-G, Section 119-0, authorizes municipalities to enter into agreements with fellow municipalities for the performance of various endeavors.

NOW BE IT RESOLVED THAT, the Mayor is hereby authorized to execute an IMA with the County of Suffolk, the Town of Brookhaven, the Town of Riverhead, the Town of Shelter Island, the Town of Southampton, the Town of Southold, the Village of Dering Harbor, the Village of Greenport, the Village of Sag Harbor and the New York State Department of Transportation for the purpose of collaborating on efforts

including but not limited to efforts to improve the water quality of the Peconic Estuary; and be it further

RESOLVED, that this authorization shall be subject to the review and approval of the IMA by the Village Attorney; and be it further

RESOLVED, that the Village Treasurer is hereby authorized and directed, after Village Attorney review and approval of the IMA, to establish a line item (Peconic Estuary Program) by means of a transfer in the sum of $1,000.00 from the existing MS-4 budget line item, with the proviso said funding is solely limited to fiscal year 2014 and with the further proviso the expenditure of said funds shall be subject to compliance with Village Law § 5-524.

Dated: January 7, 2014

Village of Sag Harbor
New York

Action Item
3115

Adopted
Nov 12, 2013 6:00 PM

2 Peconic Estuary IMA

Lqirup dwlrq

Department: Ylodjh#Riilfh **Sponsors:**
Category: Dssurydo

P hhwlqj#K lvwru

Nov 12, 2013 6:00 PM **Mayor and Board of Trustees** **Regular Meeting** **Draft**

Djuhhg#wr#Frp p lwwr#Wl#Dp rxqwwr#eh#ghwhup lqhg

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Uree|#Vwhlq/#Wuxvwhh
SECONDER: Nhq#R*Grqqhq/#Wuxvwhh
AYES: Euldq#J keulgh/#Uree|#Vwhlq/#Nhylq#Sxfkhp lq/#Hgz dug#Gh|hup rqg/#Nhq#R*Grqqhq

Sxedlf#G lvfxvvlrq

Dgg#Frp p hqw

Srz hung#e|#**Accela**#O#Ohj lvdwlyh#P dqdjhp hqw#

Christine Fetten

From:	Branco, Alison [Alison.Branco@suffolkcountyny.gov]
Sent:	Tuesday, January 13, 2015 12:27 PM
To:	'Collins, Michael'; 'Edward P. Romaine'; 'Veronica King (vking@brookhaven.org)'; 'Kimberly Shaw'; 'Mark Abramson (MAbramson@EHamptonNY.Gov)'; Christine Fetten; 'David Nyce (d_nyce@greenportvillage.org)'; 'Dianne Skilbred (deedee3629@yahoo.com)'; 'mayor@northhavenvillage.org'; 'clerk-treasurer@northhavenvillage.org'; 'Robert Stein (rstein11@mac.com)'; 'Brian Gilbride (clerk@sagharborny.gov)'; 'Drew Dillingham (dillingham@townofriverheadny.gov)'; 'Jodi Giglio '; Bergey, Erik; Castelli, Frank; Jay, Elyse; 'Williams, Gregg (DOT) (Gregg.Williams@dot.ny.gov)'; 'Dan McCormick'; 'Paul Pallas'
Cc:	'Julie Nace'; 'ek72@cornell.edu'; 'Lorne Brousseau'; 'Carrie O'Farrell (cofarrell@nelsonpope.com)'
Subject:	RE: Peconic IMA - MEETING FRIDAY JAN 16
Attachments:	FINAL Peconic Estuary IMA 01-13-15 with Exhibits - McCormick Amendment.pdf
Importance:	High

Dear Peconic IMA member municipalities-

The Town of Riverhead has notified us that they will not pay their dues unless the sentence below is amended to the agreement. I am told that this amendment can be hand-written, if initialed, or others can sign a clean copy that includes the amendment. It is IMPAIRATIVE that all agreements match in order to fully execute the agreement. Therefore you all have 2 options:

1) Sign (or re-sign) the attached version which has the amendment incorporated.

2) Take back your signed copy and the SIGNER must hand write and initial the change. The following sentence should be added at the end of numbered section 6 about dues (begins on pg 6 continuing onto pg 7): "For the first year of this Agreement (calendar year 2015), the dues will be: fifteen thousand ($15,000) dollars for the county, six thousand ($6,000) dollars for each Town, and eighteen hundred ($1,800) dollars for each Village.

I will bring all signed copies that I have received and return them at Friday's meeting. I apologize for this inconvenience, but we all need Riverhead to pay dues and this appears to be the only possible way to make that happen. Please make the change so that we can get this show on the road. Looking forward to a productive meeting on Friday!

Sincerely,

Alison Branco, Ph.D.

Director, Peconic Estuary Program

Suffolk County Department of Health Services

Office of Ecology

360 Yaphank Ave., Suite 2B

Yaphank, NY 11980

(631) 852-5805

alison.branco@suffolkcountyny.gov

www.peconicestuary.org

Remember to check these links often for updates:

Funding Opportunities http://www.peconicestuary.org/links.php

Newsletter http://www.peconicestuary.org/news.php

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From: Branco, Alison
Sent: Monday, January 12, 2015 9:27 AM
To: 'Collins, Michael'; 'Edward P. Romaine'; 'Veronica King (vking@brookhaven.org)'; 'Kimberly Shaw'; 'Mark Abramson (MAbramson@EHamptonNY.Gov)'; 'Christine Fetten (cfetten@southamptontownny.gov)'; 'David Nyce (d_nyce@greenportvillage.org)'; 'Dianne Skilbred (deedee3629@yahoo.com)'; 'mayor@northhavenvillage.org'; 'clerk-treasurer@northhavenvillage.org'; 'Robert Stein (rstein11@mac.com)'; 'Brian Gilbride (clerk@sagharborny.gov)'; 'Drew Dillingham (dillingham@townofriverheadny.gov)'; 'Jodi Giglio '; Bergey, Erik; Castelli, Frank; Jay, Elyse; 'Williams, Gregg (DOT) (Gregg.Williams@dot.ny.gov)';

'Dan McCormick'; 'Paul Pallas'
Cc: 'Julie Nace'; 'ek72@cornell.edu'; 'Lorne Brousseau'; 'Carrie O'Farrell (cofarrell@nelsonpope.com)'
Subject: RE: Peconic IMA - MEETING FRIDAY JAN 16

Dear Peconic Estuary Protection Committee member municipalities-

The Peconic Estuary Protection Committee (created by the IMA) will meet this Friday, January 16 at 10:00 am in Riverhead, at the Cornell Cooperative Extension offices at 423 Griffing Avenue – 2nd Floor Conference Room. At this meeting, members will complete the Year 1 workplan, committee by-laws, and elect committee officers. Please make every effort to be there, and send an alternate if you cannot be there.

Sincerely,

Alison Branco, Ph.D.

Director, Peconic Estuary Program

Suffolk County Department of Health Services

Office of Ecology

360 Yaphank Ave., Suite 2B

Yaphank, NY 11980

(631) 852-5805

alison.branco@suffolkcountyny.gov

www.peconicestuary.org

Remember to check these links often for updates:

Funding Opportunities http://www.peconicestuary.org/links.php

Newsletter http://www.peconicestuary.org/news.php

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From: Collins, Michael [mailto:michael.collins@town.southold.ny.us]
Sent: Monday, January 12, 2015 8:23 AM
To: Branco, Alison; 'Edward P. Romaine'; 'Veronica King (vking@brookhaven.org)'; 'Kimberly Shaw'; 'Mark Abramson (MAbramson@EHamptonNY.Gov)'; 'L. Dowd (ldowd@shelterislandtown.us)'; 'Christine Fetten (cfetten@southamptontownny.gov)'; 'David Nyce (d_nyce@greenportvillage.org)'; 'Dianne Skilbred (deedee3629@yahoo.com)'; 'mayor@northhavenvillage.org'; 'clerk-treasurer@northhavenvillage.org'; 'Robert Stein (rstein11@mac.com)'; 'Brian Gilbride (clerk@sagharborny.gov)'; 'Drew Dillingham (dillingham@townofriverheadny.gov)'; 'Jodi Giglio '; Bergey, Erik; Castelli, Frank; Jay, Elyse; 'Williams, Gregg (DOT) (Gregg.Williams@dot.ny.gov)'; 'Dan McCormick'; 'Paul Pallas'
Cc: Schifano, Marisa; 'Julie Nace'; 'ek72@cornell.edu'; 'Lorne Brousseau'; 'Carrie O'Farrell (cofarrell@nelsonpope.com)'
Subject: RE: Peconic IMA

To all:

If we want this group to succeed, it is vitally important that we achieve tangible results in the first year, and the only way this will happen is for the entire group to get organized immediately and set our goals for the year. We need to agree on the workplan this month prior to interviewing for the coordinator position so that we can get the right person for the job and get them to work as soon as they are hired.

Please make every effort to insure that your municipality is represented at this meeting.

Michael Collins, P.E.

Town Engineer

Town of Southold

(631) 765-1560

http://www.southoldtownny.gov/index.aspx?nid=195

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