



**Notice of Intent ("NOI")**  
**New York State Department of Environmental Conservation**  
 Division of Water  
 625 Broadway, 4th Floor  
 Albany, New York 12233-3505

**NOTICE OF INTENT for Stormwater Discharges Associated with  
 Construction Activity UNDER SPDES GENERAL PERMIT #GP-02-01**  
 NYR \_\_\_\_\_

(for DEC use only)

**IMPORTANT:** All sections must be completed unless otherwise noted. Failure to complete all items may result in this form being returned to you, thereby delaying your coverage under this general permit. Applicants must read and understand the conditions of the permit and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to completing and submitting this NOI. Applicants are responsible for identifying and obtaining other DEC permits that may be required.

**SECTION 1: PROJECT IDENTIFICATION**

1. Owner/Operator Name:			
2a. Mailing Address:	2b. City	2c. State	2d. Zip
3. Contact Person: 3a. First Name: 3b. Last Name:	3c. Phone:	3d. E-mail:	
4a. Site/Project Name:		4b. Existing use of the site:	
5a. Street Address:	5b. City:	State: NY	5c. Zip
6. County:	7. Site Location: 7a. X Coordinates: _____ 7b. Y coordinates: _____		

**SECTION 2: SITE CHARACTERISTICS**

8. Future use of the site:	9. Duration of disturbance activity: from 9a. ___/___/___ to 9b. ___/___/___
10. Total site acreage: (acres)	11. Total amount of disturbed area of overall plan of development or sale: (acres)
12. Soil (Hydrologic Soil Group):	13. What is the maximum slope of disturbed area: %
14. What is the percentage of impervious area of the site? 14a. <u>before</u> commencement of the project % 14b. <u>after</u> completion of the project %	
15. Will there be permanent stormwater management practices? <input type="checkbox"/> yes <input type="checkbox"/> no	16. Is this a phased project? <input type="checkbox"/> yes <input type="checkbox"/> no

**SECTION 3: STORMWATER CONTROL**

17. Does any part of the project lie within a regulated 100-year flood plain?  yes  no

18. Does the site/activity lie within the boundaries of the New York City watershed?  yes  no

19. Does runoff from site enter a storm sewer or ditch maintained by a local, Federal or State governmental unit (MS4)?  yes  no  
 If the answer to 19 is no, skip to question 20.

19a. Provide the name of the government owning the storm sewer system: \_\_\_\_\_

19b. Is the MS4 a "regulated MS4" as defined under 40 CFR Section 122.32?  yes  no  don't know

19c. Does the MS4 have a SPDES permit for their storm sewer system?  yes  no  don't know

19d. Is the runoff from the site tributary to a Combined Sewer Overflow (CSO)?  yes  no

20. What is the name of the nearest surface water body into which the runoff will enter?: \_\_\_\_\_

21. Does the runoff discharge to a receiving water identified as 303(d) listed segment , or "TMDL" water , or neither ?

**SECTION 4: STORMWATER POLLUTION PREVENTION PLAN**

22. What components are required for the SWPPP? (Consult the SWPPP and Stormwater Permit Process flow chart and check all that apply):

22a.  Erosion and Sediment Control Plan      22b.  Water Quality and Quantity Controls

23. Is the Construction Sequence Schedule for the planned management practices prepared?  yes  no

Will the Stormwater Pollution Prevention Plan be in conformance with:  
 24a. local government requirements?  yes  no      24b. NYSDEC requirements?  yes  no  
 If the answer to 24b. is yes, skip to Section VI.

**Section V: Supplemental Information**

25. Before submitting this NOI, you must have your SWPPP certified by a licensed Professional. This certification must state that the SWPPP has been developed in a manner which will ensure compliance with water quality standards and with the substantive intent of this permit (see general permit for additional information).

- Is your plan certified by a licensed Professional?  yes  no
- Do not submit your SWPPP to DEC unless requested.
  - A copy of your SWPPP must be submitted to the local jurisdiction(s) as required under Part III, subsection B.2 (also see question #29 below).
  - State each deviation from the Department's Technical Standards, reasons supporting each deviation request and an analysis of the water quality impacts in your SWPPP.
  - Use Section VII below to summarize the justification statement in one paragraph.
  - Allow sixty (60) days from the receipt of your completed application for permit coverage to provide DEC an opportunity to review the application and supporting information.

**Section VI: Review and Approval**

Has your SWPPP been reviewed by: 26a.  local Soil and Water Conservation District 26b.  Professional Engineer  
 26c.  Certified Professional Erosion Control Specialist 26d.  Licensed Landscape Architect 26e.  None

27. Are there other DEC permits required or already obtained for this project?  yes  no  
 28. If the answer to 27 is no, skip to question 29.  
 28a. If this NOI is submitted for the purpose of continuing previous coverage under the general permit for stormwater runoff from construction activities (GP-93-06), please indicate the SPDES reference number assigned under GP-93-06: NYR1 \_\_\_\_\_  
 28b. If there is another SPDES permit, please indicate the permit number: NY \_\_\_\_\_  
 28c. If there are other DEC permits, please provide one of the permit numbers: \_\_\_\_\_

29. Has a copy of your SWPPP been submitted to the governing jurisdiction as required by the permit?  yes  no

**Section VII: Details**

*(This section is currently blank in the image)*

**Section VIII: Certification**

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I also certify under penalty of law that this document and the corresponding documents were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person(s) 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. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

30a. Printed Name:	30b. Title/Position:	30c. Phone:
Signature:	30d. E-mail:	30e. Date:

## Notice of Intent Instructions

### Who Must File A Notice of Intent Form?

The operator of a stormwater discharge which qualifies for coverage under the SPDES General Permit for construction must submit a NOI form in order to obtain permit coverage. Consult the general permit for any possible restrictions on eligibility of coverage. In order to cancel your coverage under the SPDES General Permit, you must submit a Notice of Termination (NOT) form.

### Where to File the NOI

Once completed, the NOI should be completed and sent to:

NYS DEC "Notice of Intent" Bureau of Water Permits 625 Broadway, Albany, NY 12233-3505
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### Completing the NOI:

There are several options for completing NOI:

- Submit it on-line through an electronic form. Electronic filing of the NOI minimizes errors in providing information, which reduces application processing time. Electronic NOI (E-NOI) is available at Stormwater Toolbox.
- Download or print out the on-line PDF file and mail it in.
- Obtain a CD or a paper copy. To order contact DEC at 518-402-8109.

Either print legibly or type all information. After sending the completed and signed NOI, an acknowledgment will be returned to the sender. <b>Please note: The <u>NOI</u> form may not be submitted before a SWPPP is prepared.</b>
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All applicants are encouraged to file their NOI electronically. This method of filing is preferred because it will provide DEC with more accurate location information, which results in faster processing of the application. For electronic filing of your NOI, visit DEC's Stormwater Toolbox.

## Section 1 - Applicant/Activity Info (Items 1-7)

1. Give the legal name of the person, firm, public organization, or any other entity that is responsible for the operation of the facility or site described in Section II. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation rather than the plant or site manager. Do not use a colloquial name.

2.
  - a. Enter the **Mailing Address** of the owner or operator.
  - b. Enter the **City** of the owner or operator.
  - c. Enter the **State** of the owner or operator.
  - d. Enter the **ZIP code** of the owner or operator.

3. Enter the contact person information:
  - a. Enter the **First Name** of the contact person.
  - b. Enter the **Last Name** of the contact person.
  - c. Enter the **Phone Number** of the contact person.
  - d. Enter the **Email Address** of the contact person.

4. State the site or project information:

- a. Enter the **Site or Project's Official or Legal Name**. If there is not a specific name for the site (e.g. a single family home), enter "Property of" followed with the owner's name.
- b. Enter the **Existing Use** of the site. Select from the Land Use Types list. The existing use identifies the predominant type of the property or use of the site.

<b>Land Use</b>	<b>Abbreviation</b>
Forest	FOR
Pasture	PAS
Open Land	OPL
Low Density Residential	LDR
Medium Density Residential	MDR
High Density Residential	HDR
Town home Residential	THR
Multifamily Residential	MFR
Institutional	INS
Industrial	IND
Commercial	COM
Highway/Road	ROD

5. Enter the complete address of the site. This is the address where the site is physically located and cannot be a post office box.

- a. Enter **Street Address** of the site.
- b. Enter the **City** (municipality such as town, city or village) where the site is physically located. This is not necessarily the city name used for the mailing address.  
The **State** code is automatically entered as NY. This permit is only issued for the sites located in the State of NY.
- c. Enter the **ZIP code** of the area in which the project/site is located.

6. Enter name of the County where the project is located.

7. Provide the geographic coordinates of the site. Applicants may obtain this information from various sources; however data must be entered on the form either in New York Transverse Mercator (NYTM as easting/northing) or Geographic Coordinate (longitude/latitude) format. Please note NYTM is defined as UTM, Zone 18, meters, extended east & west to cover all of NYS. Applicants may choose to look up this information from:

i. The Stormwater Interactive Map on DEC's web site. This map provides a tool for locating the coordinate of the site, which returns the data in NYTM format. The data provided in NYTM format must be entered in 6 digits for X (easting) and 7 digits for Y (northing) (example 586130, 4884956).

ii. The USGS 7.5 minutes quad sheets. Data must be entered in six digit format by identifying degree, minute, second for X (longitude) and Y (latitude) (example 73 55 25 west, 44 06 46 north).

iii. A global positioning system (GPS) or a Geographic Information System software. Enter the X & Y coordinate data in the format explained above.

iv. Electronic NOI. Applications that are filed electronically are provided a mapping tool to identify the location of the site. The X & Y coordinates are entered on the form automatically.

## **Section II - Disturbance Activity/Discharge Characteristics (Items 8-16)**

"Disturbed Area" means all areas where vegetation is removed and soil is exposed due to clearing, grading or excavation during the construction activities. When calculating the "total amount of disturbed area" on a contiguous site where multiple, separate and distinct construction activities are occurring, the applicant must take a total of the disturbed area from each of the distinct activities. For projects where the construction activity will be phased, the applicant must consider the land area that will be ultimately disturbed when calculating the "amount of disturbed area."

8. Enter the **Future Use** of the site. Select from the Land Use Type list. This information identifies the predominant type of the property or use of the site.

9. Enter the **Duration of Construction Activity** (inclusive of planned winter shutdowns). This information must be entered in an 8- digit format (MM/DD/YYYY).

a. Enter the date when the project **Starts**.

b. Enter the date when the project **Ends**.

10. Enter the **Total Acreage** of the planned development or sale of the site. Unit of the area is in acres.

11. **Total Amount of the Area that will be Disturbed** during construction in acres. The total amount must include the area of overall plan of development or sale.

12. Enter the **Hydrologic Soil Group** of the site. This information can be obtained from the County soil survey (contact your local Soil and Water Conservation District). The soil may be identified as in the A, B, C or D group. If the soil within the site varies, the predominant soil group should be used. This information appears in your completed SWPPP.

13. Enter the **Maximum Slope** of the disturbed area in percentage. The percentage is calculated by dividing rise by run for a maximum run of 20 feet. This information appears on your completed SWPPP.

14. Provide the **percentage of impervious area**. This percentage is calculated by dividing the acreage of paved areas and rooftops by the total acreage of the site. This information appears on your completed SWPPP.

a. Enter the percentage of the **Existing Impervious** areas before construction begins. This information appears on your completed SWPP.

b. Enter the percentage of the **Future Impervious** areas that are planned to remain on the site after completion of construction. This information appears on your completed SWPP.

15. Verify whether a **Permanent Stormwater Management Practice** will remain on the site after construction is finalized. This information appears on your completed SWPPP. Check either Yes or No.

16. Verify whether this is a **Phased Project**. A phased project is a project that is to be conducted over a long period of time where multiple construction activities may occur on a contiguous area, or where multiple coverage may be sought for the same site. The disturbance threshold does not apply only to a "snapshot" of disturbance at a given time but to the long term plan of development where construction may stop and restart under a new permit coverage.

### **Section III - Receiving Systems (Items 17-21)**

17. Verify whether the site is in a **regulated 100-year flood plain**. Encroachment into the special flood hazard area should be allowed only in compliance with local restrictions adopted for community participation in the **National Flood Insurance Program (NFIP)**. This information appears on your completed SWPPP.

18. Verify whether the site is located within the **New York City (NYC) Watershed**. This watershed consists of land areas that drain to the NYC water supply reservoirs. This information appears on your completed SWPPP. To answer this question, consult the [Stormwater Interactive Map](#).

19. Verify whether runoff from the site enters a storm sewer or ditch maintained by a local (town, city, village, county), or Federal or State government unit (Municipal Separate Storm Sewer system, or MS4). If the answer to this question is "no," skip to question 20. If the answer to this question is "yes:"

- a. Identify the government unit owning the storm sewer (e.g., Town of Guilderland, State DOT, etc.) In most cases this is the name of the government unit where the project is located and where a building permit is issued for the construction. Because drainage systems do not necessarily follow political boundaries, you may want to verify this information by consulting the government unit that operates the storm sewer system.
- b. Verify whether the MS4 is a **Regulated MS4** as defined under 40 CFR Section 122.32. To obtain this information, applicants may contact DEC or the government unit where the site is located or they may look up the name of the government unit of the area where the project is located by visiting Stormwater Interactive Map. If you don't know the answer to this question, answer "don't know."
- c. Verify whether the MS4 has a **SPDES permit** for the storm sewer system. To answer this question, contact the MS4 in which the project is located or the DEC Regional Offices. If you do not know the answer to this question, check "don't know."
- d. Verify whether the runoff from the site is tributary to a **Combined Sewer Overflow**. Areas served by Combined Sewer Overflow are areas where sewage and stormwater are transported in a single system of pipes. If the stormwater is discharged to a body of water or collected by a **municipal separate storm sewer system**, that area may not be tributary to a CSO. To identify the type of collection system, applicants should contact their municipalities.

20. Identify the nearest surface waterbody into which the runoff flows. The applicant is required, as a part of the SWPPP, to identify if there are any surface waters into which construction site may drain. If the runoff from the site, totally or in part, does not drain to a municipally operated ditch or storm sewer system, it may drain directly or indirectly by overland flow, to a surface waterbody. Provide the name of the permanent or intermittent waterbody (according to the definition of the Waters of the State or Waters of the United States in the SPDES General Permit for Stormwater, GP-02-01) into which the stormwater will be discharged. Any stream crossing or the alteration of a protected stream, including installation of stormwater conveyance systems, will require an **Article 15, Protection of Water Permit**, and may require an **Article 24, Freshwater Wetlands Permit**. If this body of water does not have a name, the applicant may state "unidentified." Do not leave blank.

21. Verify whether the runoff discharges to receiving water identified as a **303(d)** listed segment or **TMDL** water. The 303(d) list and reports on the TMDL program areas are published by DEC. DEC Regional Offices may be contacted for a copy of these reports. Information on these segments and program areas may be found at The New York State 2002 Section 303(d) List and Total Maximum Daily Loads. To identify the segments that meet these conditions, consult the Stormwater Interactive Map. See the list of 303(d) segments and reports on TMDL waters, as well as corresponding maps, in this Instruction Manual.

#### **Section IV - Stormwater Pollution Prevention Plan (Item 22-24)**

The SWPPP must be prepared prior to filling out this section.

22. Identify the required components of SWPPP by following the SWPPP Component and Permit Process flow chart in **Figure 1** of this Instruction Manual.

a. Operators of all sites with greater than 1 acre of disturbance are required to prepare and implement an **Erosion and Sediment Control Plan**. The plan components must be identified prior to SWPPP development.

b. All sites meeting the conditions listed below and as defined in the GP-02-01 must have **Water Quality and Quantity Control Plan** components in addition to Erosion and Sediment Control Plan:

- All sites located in the land areas tributary to Total Maximum Daily Load (TMDL) areas.
- All sites discharging to any waterbody segment listed on the 303(d) list.
- All sites that disturb more than five acres.
- Small construction activity, disturbing between one and five acres of land, exclusive of the construction of single-family residences and construction activities at agricultural properties. Some examples of construction activities that will need all components of the SWPPP include:

- Town Houses and Apartment Complexes
- Institutional (places of worship, schools, hospitals, government offices, police and fire stations)
- Industrial Development
- Commercial Development
- Highway/Road

23. Verify whether a Construction Sequence Schedule has been prepared. The Construction Sequence Schedule lists all the management, structural or non-structural and temporary or permanent practices planned for construction and post construction. This schedule shows the timing of installation of all the management practices identified in each component of the SWPPP.

24. Verify whether your plan conforms to NYSDEC and local government requirements. Both questions 24a and 24b must be answered.

a. If the project is within the jurisdiction of a local government, the SWPPP also needs to conform to their requirements. Answer yes or no, then go to 24b.

If the local government does not have stormwater management control requirements answer 'yes', then go to 24b.

b. If your plan does not conform to NYSDEC requirements, then you must provide the supplemental information required in Section V in your SWPPP. If your SWPPP conforms to the Department's technical standards, answer yes and go to Section VI of the NOI.

If the answer to 24b is NO, go to Section V of the NOI.



## **Section V - Supplemental Information (Item 25)**

25. Verify whether your SWPPP is certified by a certified/ licensed professional. A “licensed/certified professional” is a professional engineer or a landscape architect licensed to practice in New York State, or is a Certified Professional in Erosion and Sediment Control (CPESC). The certification must verify that the SWPPP has been developed in a manner that will assure compliance with water quality standards and with the substantive intent of the Construction Permit GP 02-01.

Your SWPPP must include a section justifying any non-conformance to the State’s technical standards. This justification must include the following:

- i. State each deviation from State requirements.
- ii. State the reasons for each deviation and supporting adopted alternatives.
- iii. Include an analysis of the water quality impacts.

A summary of the above statements (not exceeding 600 characters) must be provided in the

Do not send the SWPPP to DEC, unless DEC requests it. The professional certification must be dated and be made available upon DEC’s request. Allow 60 business days from the receipt of your completed application for permit processing. This time period provides DEC an opportunity to review the application and supporting information. Applicants will receive an NOI acknowledgment letter containing a permit identification number and an authorization date. If additional information is needed from you after the submittal of your NOI, you will be notified by appropriate DEC Regional Office. Applicant may proceed with construction after 60 business days, unless otherwise notified via mail.

NOTE: This section is not intended to provide a relief mechanism to local MS4 requirements.  
**Go to Section VI**

## **Section VI - Reviews and Approvals (Items 26 – 29)**

26. Verify if a third party has reviewed the plan. Operators are encouraged to have their SWPPPs reviewed for adequacy and completeness by the local soil and water conservation district (SWCD) and/or other professionals qualified in erosion and sediment control practices and stormwater management.

Many of the SWCD offices have staff who are knowledgeable not only in the field of pollution prevention but about specific local water quality concerns in their counties. Answering “none” to this question is not acceptable if certification is required due to discharge to sensitive waters or deviation from DEC’s technical standards.

27. Verify whether other DEC permits are required for this construction project or if other DEC permits are already issued for this project (e.g. GP-93-06, non-stormwater SPDES permit, SEQR). If the answer to 27 is no, skip to question 29.

28. Providing accurate information to these questions, helps accelerates permit processing time.

- a. If this NOI is submitted to continue previously issued coverage under the general permit for stormwater runoff from construction activities (GP-93-06), indicate the SPDES reference number assigned under GP-93-06, starting with NYR1.
- b. If SPDES permits other than GP-93-06, are issued for this site, indicate the permit number. If multiple SPDES permits are issued for this site, providing only one of the permit numbers is sufficient for this purpose.
- c. Under any of the conditions described in Figure 1 of the Instruction Manual, other environmental permits may be required. DEC may require permits for disturbances less than 1 acre on a case-by-case basis. Visit the DEC website at [http://www.dec.state.ny.us/website/dcs/upa/upa\\_permits.html](http://www.dec.state.ny.us/website/dcs/upa/upa_permits.html) or contact your DEC Regional office to find out whether you need to obtain other permits. If there are other DEC permits issued for this site, provide one of those permit numbers.

Applicants are responsible for identifying other DEC-required SPDES or UPA permits and fulfilling their requirements. The municipality(s) involved must consider the environmental impacts of construction projects before granting approval(s). Caution: SEQRA review and/or municipal approvals may be required in addition to SPDES permitting.

29. Verify whether a copy of your SWPPP has been submitted to the governing jurisdictions. Applicants are responsible for identifying other locally required permits and fulfilling their requirements.

New York City has enacted various land use controls that affect certain construction projects in areas tributary to their drinking water reservoirs. Similarly, the Lake George Park Commission and the Adirondack Park Agency have enacted regulations, which impact construction activity. Other municipalities and agencies of New York State may have adopted similar legislation. It is the responsibility of the operator to comply with any and all such regulations. Filing a NOI does not supercede or negate the necessity of complying with other local laws that affect stormwater management. It is important that operators inform local governments about their project and obtain necessary local approvals before starting work.

## Section VI – Details:

Use this area to supply any explanations or additional information you feel is necessary concerning this NOI. Those who answer “no” to question 24b must use this space to provide a summary of their deviation justification. State each deviation from the State’s recommended Technical Standards, the reasons supporting the deviations and alternative practices, and an analysis of the water quality impacts. This summary must be typed and may not exceed 600 characters.