

Preliminary Stormwater Pollution Prevention Plan

Prepared for:

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716 Sports Complex

Town of Amherst, Erie County, New York

DATE: OCTOBER 2025

LAST REVISED: OCTOBER 2025

PROJECT NO. 2254561

PREPARER OF THE SWPPP

"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 gather and evaluate 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."

Name and Title¹: Robert Steehler, PE

Date: Issued: October 2025



¹ This is a signature of a New York State licensed Professional Engineer employed by LaBella Associates that is duly authorized to sign and seal Stormwater Pollution Prevention Plans (SWPPPs), NOIs, and NOTs prepared under their direct supervision. Refer to Appendix B for the SWPPP Preparer Certification Form, and Appendix I for the LaBella Certifying Professionals Letter.

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- A-4: Environmental Resource Map **(To be included in final submission)**
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- A-7: Pre-Development Watershed Delineation Map (Pocket) **(To be included in final submission)**
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Appendix B: Forms

- Notice of Intent (NOI) **(To be included in final submission)**
- MS4 SWPPP Acceptance Form **(To be included in final submission)**
- SWPPP Preparer Certification Form **(To be included in final submission)**
- Owner/Operator Certification Form **(To be included in final submission)**
- MS4 No Jurisdiction Form **(To be included in final submission)**
- Contractor and Subcontractor Certification Forms **(To be included in final submission)**
- Notice of Termination (NOT) **(To be included in final submission)**
- 5 Acre Waiver **(To be included in final submission)**

Appendix C: Project Evaluation and Design Calculations

Appendix D: Pre-Development Stormwater Modeling **(To be included in final submission)**

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Appendix F: SWPPP Inspection Report (Sample Form) **(To be included in final submission)**

Appendix G: Post-Construction Inspections and Maintenance **(To be included in final submission)**

Appendix H: NYSDEC “Deep-Ripping and Decompaction,” April 2008 **(To be included in final submission)**

Appendix I: LaBella Certifying Professionals Letter **(To be included in final submission)**

Appendix J: NYSDEC SPDES General Permit GP-0-25-001 **(To be included in final submission)**

1.0 EXECUTIVE SUMMARY

This Stormwater Pollution Prevention Plan (SWPPP) has been prepared for major activities associated with construction of a new sports complex including commercial/retail building and a hotel in the Town of Amherst. This SWPPP includes the elements necessary to comply with the national baseline general permit for construction activities enacted by the U.S. Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) program and all local governing agency requirements. This SWPPP must be executed, and permit coverage must be obtained prior to the commencement of construction activity.

This SWPPP has been developed in accordance with the “New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity,” Permit No. GP-0-25-001, effective January 29, 2025 through January 28, 2030. The SWPPP and accompanying plans identify and detail stormwater management, pollution prevention, and erosion and sediment control measures necessary during and following completion of construction.

This SWPPP and the accompanying plans entitled “716 Sports Complex” have been submitted as a set. These engineering drawings are considered an integral part of this SWPPP. Therefore, this SWPPP is not considered complete without them. References made herein to “the plans” or to a specific “sheet” refer to these drawings.

This report considers the impacts associated with the intended development with the purpose of:

1. Maintaining existing drainage patterns as much as possible while continuing the conveyance of upland watershed runoff;
2. Controlling increases in the rate of stormwater runoff resulting from the proposed development so as not to adversely alter downstream conditions; and
3. Mitigating potential stormwater quality impacts and preventing soil erosion and sedimentation resulting from stormwater runoff generated both during and after construction.

The analysis and design completed and documented in this report is intended to be part of the application made for a commercial development project completed on behalf of the Owner/Operator.

1.1 Project Description

ARC Building Partners is proposing development project, to include: two (2) indoor dome sports complexes, each 275 ft x 500 ft totaling 275,000 sf, a 2-story, 50,000 sf commercial/retail building and a 75,000 sf five (5) story hotel. Development includes associated parking, internal roadways, pedestrian walkways, lighting, landscaping, and utility infrastructure. The total project area of disturbance proposed is 19.0 acres. The project will disturb one (1) or more acres and as such, preparation of this SWPPP is required under GP-0-25-001. A Site Location Map has been provided in Appendix A, as Figure A-1.

This type of project is included in Table 2 of Appendix B of GP-0-25-001; and the project site is not located in one of the watersheds listed in Appendix C of GP-0-25-001. Therefore, this SWPPP includes post-construction stormwater management practices, as well as erosion and sediment controls.

This project is located within the Town Of Amherst regulated, traditional land use control Municipal Separate Stormwater Sewer System (MS4). Therefore, an MS4 SWPPP Acceptance Form is required to accompany NOIs submitted to the NYSDEC.

Runoff from the project site will discharge to the Ellicott Creek, Lower and tribs, which is included in the list of Section 303(d) water bodies included in Appendix D of GP-O-25-001.

Project construction activities will consist primarily of site grading, paving, building construction, and the installation of storm drainage, water supply, sanitary sewer, and public utility infrastructure necessary to support the proposed development project. Construction phase pollutant sources anticipated at the site are disturbed (exposed) soil, vehicle fuels and lubricants, chemicals associated with building construction, and building materials. Without adequate control there is the potential for each type of pollutant to be transported by stormwater.

1.2 Stormwater Pollution Controls

The stormwater pollution controls outlined herein have been designed and evaluated in accordance with the following standards and guidelines:

- New York State Stormwater Management Design Manual, dated July 31, 2024 (Design Manual).
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016 (SSESC).

Stormwater quality will be enhanced through the implementation of temporary and permanent erosion and sediment control measures, the proposed stormwater management practice(s), and other construction-phase pollution controls outlined herein.

The proposed stormwater management approach consisting of pipes, open drainage ways, and on-site stormwater management practices will adequately collect, treat, and convey the stormwater runoff.

Bioretentions and underground storm chambers will be used to manage and treat stormwater runoff generated by the proposed development project.

Pre- and post-development surface runoff rates will be evaluated for the 1-, 10-, 25- and 100-year 24-hour storm events. Stormwater runoff rates will be reduced for all storm events to at or below the pre-development runoff rates. Additionally, per the Town of Amherst requirements the 25-year 24-hour storm will be reduced to the pre-development 10-year storm rate through the implementation of underground stormwater detention chambers.

2.0 SITE CHARACTERISTICS

2.1 State Environmental Quality Review

The construction activity is subject to State Environmental Quality Review (SEQR). The project is considered a Type I action. As such, SEQR coordination has been initiated. A copy of the SEQR documentation, in accordance with Part I.A.5. of GP-O-25-001, will be provided in Appendix A, as Figure A-5 upon receipt.

2.2 Land Use and Topography

The project site is located within the General Business (GB) zoning district. Commercial recreation activities, indoor, hotel, and retail services are all permitted uses within this district.

The overall site is slightly sloping, with slopes ranging from 1 to 8 percent. Site elevations range from approximately 595 feet above mean sea level (MSL) to 600 feet MSL. A small portion of the site to the south is draining towards Maple Road. The remaining site drains to the north east towards and existing low point off site.

2.3 Soils and Groundwater

The US Department of Agriculture (USDA) Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/app/>) was used to obtain surficial soil conditions for the study area, as follows:

Table 1: USDA Soil Data

Map Symbol & Description	Hydrologic Soil Group	Permeability (inches/hour)	Erosion Factor K	Depth to Water Table (feet)	Depth to Bedrock (feet)
Od – Odessa silt loam	D	<0.2	0.49	>16	>5.0
SaA – Schoharie silt loam	D	<0.2	0.49	>16	>5.0

Upon review of the soil data presented in Table 1, the project site does not contain soils with a soil slope phase of D with a map unit name that inclusive of slopes greater than 25%, and does not contain soils with a soil slope phase of E or F.

The project site is composed of HSG D soils, as shown in the table below.

Table 2: Project Site HSG Data

HSG A	HSG B	HSG C	HSG D
0%	0%	0%	100%

The Soil Conservation Service defines the hydrologic soil groups as follows:

- **Type D Soils:** Soils having a very low infiltration rate and high runoff potential when thoroughly wet. These soils consist chiefly of clays that have high shrink-swell potential, soils that have a permanent high water table, soils that have a clay pan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very low rate of water transmission.

An on-site geotechnical investigation was performed by Barron & Associates, PC dated December 21, 2006. Refer to the Geotechnical report for detailed geotechnical information.

The soils map for the study area is presented in Appendix A, as Figure A-2.

2.4 Watershed Designation

The project site is not located in a restricted watershed identified in Appendix C of GP-0-25-001.

2.5 Receiving Water Bodies

The nearest natural classified water course into which runoff from the project site will discharge is the Ellicott Creek, Lower, and tribs. The Ellicott Creek, Lower, and tribs are classified by NYSDEC as a Class B water course, and is included in the Section 303(d) list of impaired waters found in Appendix D of GP-0-25-001.

2.6 Aquifer Designation

The project site is not located over a US EPA designated Sole Source aquifer; nor is it located over a Primary or Principal aquifer listed in the NYSDEC Technical and Operational Guidance Series (TOGS) 2.1.3 (1980).

2.7 Wetlands

Wetlands depicted on the accompanying plan set were delineated by LaBella wetland biologists on September 3, 2025. The wetland boundary was surveyed by LaBella Associates on September 3, 2025 and presented on a map entitled “Wetland and Stream Report” and dated September 2025. These wetlands are state regulated wetlands that encompass approximately 3.41 acres of the 21.3 acre property.

2.8 Flood Plains

According to the National Flood Insurance Program Flood Insurance Rate Map (FIRM), Town of Amherst, New York, Community Panel Number 36029C0207H, the project site lies within Flood Zone X, areas determined to be outside 500-year floodplain. The FEMA Flood Map has been provided in Appendix A, as Figure A-5.

2.9 Listed, Endangered, or Threatened Species

A search was performed on the NYSDEC Environmental Resource Mapper on September 30, 2025, and determined that the project site has no known occurrences of threatened or endangered species, or critical habitat. An Environmental Resource Map has been provided in Appendix A, as Figure A-4.

2.10 Historic Places

A search on the New York State Cultural Resource Information System (CRIS) database, performed on October 2, 2025, revealed that the construction activity is not within an archaeological buffer 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 50 feet

from a building, structure, or object that is more than 50 years, in accordance with Part I.A.4 of GP-0-25-001. A printout of the historic places screening map is presented in Appendix A, as Figure A-3.

2.11 Rainfall Data

Rainfall data utilized in the modeling and analysis was obtained from the Cornell University online Extreme Precipitation in New York & New England website (<http://precip.eas.cornell.edu/>). A local IDF file was imported, and specific mass curves were generated, in HydroCAD to evaluate the pre- and post-development stormwater runoff characteristics. Rainfall data specific to the portion of Erie County under consideration, for various 24-hour storm events, is presented in the following Table:

Table 3: Rainfall Data

Storm Event Return Period	24-Hour Rainfall (inches)
1-year	1.57
10-year	2.64
25-year	3.30
100-year	4.65

2.12 Pre-development Watershed Conditions

The pre-development project site is covered predominantly by short grass and trees. Analysis of pre-development conditions considered existing drainage patterns, soil types, ground cover, and topography. The Pre-Development Watershed Delineation Map has been provided in Appendix A, as Figure A-5.

2.13 Post-development Watershed Conditions

The post-development project site is covered predominantly by buildings and associated parking and pedestrian sidewalks and greenspace. The analysis of post-development conditions considered existing drainage patterns, soil types, ground cover to remain, planned site development, site grading, and stormwater management facilities proposed as part of site improvements. The Post-Development Watershed Delineation Map has been provided in Appendix A, as Figure A-6.

2.14 Description of Design Points

The study area consists of the 21.3 acre project site and 19.0 acre area of disturbance. The overall watershed was broken down into smaller watersheds, or subcatchments, to allow for analysis of runoff conditions at several locations throughout the study area. Each of these locations was defined as a Design Point (DP) in order to compare the effects resulting from stormwater management facilities proposed as part of the project. Descriptions of each of the selected Design Points are provided below.

- Design Point 1: Off-site discharge to low area located at the northeast corner of site.
- Design Point 2: Existing 18" RCP located along Maple Road which flows from East to West.

3.0 STORMWATER MANAGEMENT PLANNING

Chapter 3 of the Design Manual outlines a six-step planning process for site planning and selection of stormwater management practices that must be implemented for both new development and redevelopment projects. This process is intended to develop a design that maintains pre-construction hydrologic conditions through the application of environmentally sound development principles, as well as treatment and control of runoff discharges from the site. The following sections outline the step-by-step process and how it has been applied to this project.

The goals of this Stormwater Management Plan are to analyze the peak rate of runoff under pre- and post-development conditions, to maintain the pre-development rate of runoff in order to minimize impacts to adjacent or downstream properties, and to minimize the impact to the quality of runoff exiting the site.

The Design Manual provides both water quality and water quantity objectives to be met by projects requiring a “Full SWPPP”. These objectives will be met by applying stormwater control practices to limit peak runoff rates and improve the quality of runoff leaving the developed site.

3.1 STEP 1 – Site Planning

During the Site Planning process, the project site is evaluated for implementation of the green infrastructure planning measures identified in Table 3.1 of the Design Manual, in order to preserve natural resources and reduce impervious cover. Appendix C provides a description of each green infrastructure planning measure, along with a project specific evaluation.

3.2 STEP 2 – Calculate Water Quality Treatment Volume (WQv)

Stormwater runoff from impervious surfaces is recognized as a significant contributor of pollution that can adversely affect the quality of receiving water bodies. Therefore, treatment of stormwater runoff is important since most runoff related water quality contaminants are transported from land, particularly the impervious surfaces, during the initial stages of storm events.

3.2.1 NYSDEC Requirements for Water Quality Volume

The Design Manual requires that water quality treatment be provided for the initial flush of runoff from every storm. The NYSDEC refers to the amount of runoff to be treated as the “Water Quality Volume” (WQv). Section 4.2 of the Design Manual defines the Water Quality Volume as follows:

$$WQv = \frac{[(P)(R_v)(A)]}{12}$$

Where: P = 90% Rainfall Event Number
R_v = 0.05 + 0.009 (I)
I = Impervious Cover (Percent)
A = Contributing Area in Acres

This definition ensures that, all other things being equal, the Water Quality Volume will increase along with the impervious cover percentage.

3.2.2

3.2.2 Methodology for New Development

The Water Quality Volume equation has been applied to the drainage area tributary to each of the stormwater quality practices proposed for this project. The practices have been sized to accommodate the Water Quality Volume, as per the performance criteria presented in Chapter 5 and/or Chapter 6 of the Design Manual. Water quality volume calculations for each of the proposed practices are presented in Appendix C.

Table 4: Required WQv Summary

Required WQv	
53,397 cf	1.23 af

3.3 STEP 3 – Apply RR Techniques and Standard SMPs with RRv Capacity to Reduce Total WQv

Land use change and development in the watershed increases the volume of runoff. As such, reductions in the amount of runoff from new development, accomplished through the implementation of a stormwater management plan for the site, will play an important role in the success or failure of the watershed-wide stormwater management plan. Runoff reduction techniques can be applied to manage, reduce, and treat stormwater, while maintaining and restoring natural hydrology through infiltration, evapo-transpiration, and the capture and reuse of stormwater. Volume reduction techniques by themselves typically are not sufficient to provide adequate attenuation of stormwater runoff, but they can decrease the size of the peak runoff rate reduction facilities.

3.3.1 NYSDEC Requirements for New Development

The Design Manual states that runoff reduction shall be achieved through infiltration, groundwater recharge, reuse, recycle, and/or evaporation/evapotranspiration of 100-percent of the post-development water quality volume to replicate pre-development hydrology. Runoff control techniques provide treatment in a distributed manner before runoff reaches the collection system, by maintaining pre-construction infiltration, peak runoff flow, discharge volume, as well as minimizing concentrated flow. This can be accomplished by applying a combination of Runoff Reduction Techniques, standard Stormwater Management Practices (SMPs) with RRv capacity, and good operation and maintenance.

3.3.2 Methodology

In order to reduce the required WQv and meet the RRv criteria, a site specific evaluation must be performed to determine the most practical means of reducing runoff volume by application of a combination of RR techniques and standard SMPs with RRv capacity.

3.3.3 Application of Standard Stormwater Management Practices (SMPs) with RRv Capacity

The following Table demonstrates a summary of the standard SMP(s) with RRv capacity that have been incorporated into the stormwater management plan for this project. The standard SMP(s) with RRv capacity have been designed in accordance with Chapter 6 of the Design Manual. Refer to the contract drawings for practice dimensions, material specifications, and installation details. Practice specific calculations are presented in Appendix C.

Table 5: Summary of Standard SMPs with RRv Capacity being Applied

Standard SMP with RRv Capacity	Design Variant	Pretreatment Volume Required (% of WQv)	Pretreatment Volume Provided (CF)	RRv Capacity	WQv Required (CF)	WQv Reduced /RRv Provided (CF)	WQv Treated ¹ (CF)	Total WQv Provided ² (CF)
Filtration Bioretention	F-5	25	13,350	40%	53,397	21,360	32,038	53,397
Footnotes: ¹ WQv Treated = WQV Required - RRv Provided ² Total WQv Provided = WQV Treated + RRv Provided								

3.3.4 RRv Performance Summary

A summary of the RRv provided is presented in the following table:

Table 6: RRv Summary

WQv Required (CF)	RRv Provided WQv Reduced (CF)	% RRv Provided/ WQv Reduced
53,397	21,360	>100%

As indicated in the above table, the RRv provided is greater than the RRv required for the project site. As such, the RRv criteria has been met and the designer can proceed to Step 6.

3.4 STEP 4 – Calculate the Minimum RRv Required

As previously discussed, the RRv provided is greater than the RRv required for this project. As such, the runoff reduction volume criteria has been met, and minimum RRv is not applicable.

3.5 STEP 5 – Apply Standard SMPs to Address Remaining Water Quality Volume

As previously discussed, 100% of the required WQv is being provided and reduced through RRv practices. As such, the water quality and runoff reduction volume criteria have been met and no other standard SMPs are required.

3.5.1 Underground Stormwater Detention System

Underground stormwater detention systems store and detain stormwater runoff in order to meet water quantity control requirements. Stormwater is stored in subsurface vaults and/or a system of large diameter interconnected storage pipes. Stored water is then released at rates designed to reduce peak run-off flows during post-development storms. Underground stormwater storage provides minimal stormwater quality benefits, but can be an effective component of a development's overall stormwater management plan.

3.6

3.6 Climate Change Consideration

This report presents the consideration for future physical risks due to climate change, in accordance with Part III.A.2 of the permit. Overall site planning, control measures and practices, conveyance systems and detention systems were evaluated against the seven (7) physical risks identified by NYSDEC due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR 490, and associated guidance. Appendix C provides a description of each consideration, specific to the project.

4.0 CONSTRUCTION SEQUENCE

In order for construction to progress in a practical and efficient manner, soil disturbance in excess of five acres at any given time will be required. The General Permit allows for soil disturbance of greater than five acres upon written authorization from the the Town of Amherst. Therefore, once the site contractor is awarded the construction contract, a waiver will be requested to allow the disturbance of more than five acres at any one time. In accordance with Part I.E.6.b the written Request to Disturb Greater than Five Acres must include:

- The SPDES permit identification number (Permit ID); and
- Full technical justification demonstrating why alternative methods of construction that would result in five acres of soil disturbance or less at any one time are not feasible; and
- The phasing plan for the project and sequencing plans for all phases from the SWPPP in accordance with Part III.B.1.d.; and
- Plans with locations and details of erosion and sediment control practices such that the heightened concern for erosion when disturbing greater than five acres at one time has been addressed; and
- Acknowledgement that the Owner/Operator will comply with the requirements in Part IV.C.2.b.; and
- Acknowledgement that the Owner/Operator will comply with the requirements in Part II.B.1.b.

The Owner/Operator must be in receipt of an Authorization Letter to Disturb Greater than Five Acres, which will include when the authorization begins and ends and indicate a maximum area (acres) of soil disturbance allowed at any one time from the Town of Amherst. Should the request be denied, the contractor shall limit the area of disturbance to less than five acres of disturbance at any given time. The contractor shall prepare and submit to the Owner's/Operator's Engineer a sequencing plan that identifies the progression of construction through the site. This sequencing plan must be retained as part of the Site Log Book.

The "Erosion and Sediment Control Plan" and the "Erosion and Sediment Control Plan Prior to Construction" in the accompanying drawings and waiver request identifies the major construction activities that are the subject of this SWPPP. The order (or sequence) in which the major activities are expected to begin is presented on the accompanying drawings, though each activity will not necessarily be completed before the next begins. In addition, these activities could occur in a different order if necessary to maintain adequate erosion and sediment control. If this is the case, the contractor shall notify the Owner's/Operator's Engineer overseeing the implementation of the SWPPP.

The Contractor will be responsible for implementing the erosion and sediment control measures identified on the plans. The Contractor may designate these tasks to certain subcontractors as they see fit, but the ultimate responsibility for implementing these controls and ensuring their proper function remains with the Contractor.

In accordance with Part III.B.c.iv. a phasing plan for the project and sequencing plans for all phases have been provided. The plans address clearing and grubbing, excavation and grading, utility and infrastructure installation, final stabilization, and any other construction activity at the site that will result in soil disturbance. Refer to the plans for further information on the project phasing and sequencing.

5.0 CONSTRUCTION-PHASE POLLUTION CONTROL

The SWPPP and accompanying plans identify the temporary and permanent erosion and sediment control measures that have been incorporated into the design of this project. These measures will be implemented during construction, to minimize soil erosion and control sediment transport off-site, and after construction, to control the quality and quantity of stormwater runoff from the developed site.

Erosion control measures, designed to minimize soil loss, and sediment control measures, intended to retain eroded soil and prevent it from reaching water bodies or adjoining properties, have been developed in accordance with the following documents:

- NYSDEC SPDES General Permit for Stormwater Discharges From Construction Activity, Permit No. GP-O-25-001 (effective January 29, 2025 through January 28, 2030)
- New York State Standards and Specifications for Erosion and Sediment Control, NYSDEC (November 2016)

The SWPPP and accompanying plans outline the construction scheduling for implementing the erosion and sediment control measures. These documents include limitations on the duration of soil exposure, criteria and specifications for placement and installation of the erosion and sediment control measures, a maintenance schedule, and specifications for the implementation of erosion and sediment control practices and procedures.

Temporary and permanent erosion and sediment control measures that shall be applied during construction generally include:

1. Minimizing soil erosion and sedimentation by stabilization of disturbed areas and by removing sediment from construction site discharges.
2. Preservation of existing vegetation to the greatest extent practical. Following the completion of construction activities in any portion of the site, permanent vegetation shall be established on all exposed soils.
3. Site preparation activities to minimize the area and duration of soil disruption.
4. Establishment of permanent traffic corridors to ensure that “routes of convenience” are avoided.

5.1 Temporary Erosion and Sediment Control Measures

The temporary erosion and sediment control measures described in the following sections are included as part of the construction documents.

5.1.1 Stabilized Construction Access

Prior to construction, stabilized construction access(es) will be installed, per accompanying plans, to reduce the tracking of sediment onto public roadways.

Construction traffic must enter and exit the site at the stabilized construction access(es). The intent is to trap dust and mud that would otherwise be carried off-site by construction traffic.

The access(es) shall be maintained in a condition, which will control tracking of sediment onto public rights-of-way or streets. When necessary, additional aggregate will be placed atop the filter fabric to assure the minimum thickness is maintained. All sediment and/or soil spilled, dropped, or washed onto public rights-of-way must be removed immediately. Periodic inspection and needed maintenance shall be provided after each substantial rainfall event.

5.1.2 Dust Control

Water trucks shall be used as needed during construction to reduce dust generated on-site. Dust control must be provided by the Contractor(s) to a degree that is acceptable to the Owner, and in compliance with the applicable local and state dust control requirements.

5.1.3 Temporary Soil Stockpile

Materials, such as topsoil, will be temporarily stockpiled (if necessary) on the site during the construction process. Stockpiles shall be located in an area away from storm drainage, water bodies and/or courses, and will be properly protected from erosion by a surrounding silt fence barrier.

5.1.4 Silt Fencing

Prior to the initiation of and during construction activities, a geotextile filter fabric (or silt fence) will be established downgradient of all disturbed areas. These barriers may extend into non-impact areas to provide adequate protection of adjacent lands.

Clearing and grubbing will be performed only as necessary for the installation of the sediment control barrier. To facilitate effectiveness of the silt fencing, daily inspections and inspections immediately after significant storm events will be performed by the Contractor(s). Maintenance of the fence will be performed as needed.

5.1.5 Temporary Seeding

The project is authorized to disturb greater than five acres in accordance with Part I.E.5.a.viii. As such, temporary soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the soil disturbance activity has temporarily ceased.

5.1.6 Manufactured Insert Inlet Protection

Install insert inlet protection beneath the grate of all catch basins, to prevent sediment from entering the catch basins and storm sewer system. Remove sediment accumulation and repair or replace insert as necessary to ensure proper function.

5.1.7 Filter Fabric Drop Inlet Protection

Install filter fabric or silt fence with wooden stakes at the perimeter of existing or proposed catch basins located in lawn areas, to prevent sediment from entering the catch basins and storm sewer system. Remove sediment accumulation and repair or replace fabric as necessary to ensure proper function.

5.1.8 Stone Check Dams

Stone check dams will be installed within drainage ditches to reduce the velocity of stormwater runoff, promote settling of sediment, and reduce sediment transport off-site.

Sediment accumulated behind the stone check dam will be removed as needed to maintain flow through the stone check dam and prevent large flows from carrying sediment over or around the dam. Stones shall be replaced as needed to maintain the design cross section of the structures.

5.1.9 Temporary Sediment Trap

Temporary sediment traps shall be constructed to intercept sediment-laden runoff, reduce the amount of sediment leaving the disturbed areas, and protect drainage ways, properties, and rights-of-way.

Accumulated sediment shall be removed from the trap when it reaches no greater than 50 percent of the design capacity. Sediment shall not be placed downstream from the embankment, adjacent to a stream, or floodplain.

Temporary sediment traps depicted on the accompanying plans have been designed to provide 3,600 CF of storage per acre of tributary watershed.

5.1.10 Temporary Diversion Swales

Temporary diversion swales shall be used to divert off-site runoff around the construction site and divert runoff from stabilized areas around disturbed areas.

5.1.11 Dewatering Operations

Dewatering will be used to intercept sediment-laden stormwater or pumped groundwater and allow it to settle out of the pumped discharge prior to being discharged from the site. Water from dewatering operations shall be treated to eliminate the discharge of sediment and other pollutants. Water resulting from dewatering operations shall be directed to temporary sediment traps or dewatering devices. Temporary sediment traps and dewatering bags will be provided, installed, and maintained at downgradient locations to control sediment deposits to downstream surfaces.

5.1.12 Fiber Roll

Prior to the initiation of and during construction activities, fiber rolls (12" minimum diameter) will be established downgradient of all disturbed areas to reduce sheet flow on slopes. These rolls may extend into non-impact areas to provide adequate protection of adjacent lands. Spacing will conform to NYSDEC specification for straw bale dike.

Clearing and grubbing will be performed only as necessary for the installation of the fiber rolls. To facilitate effectiveness, daily inspections and inspections immediately after significant storm events will be performed by the Contractor(s) and maintenance will be performed as needed.

5.1.13 Compost Filter Sock

Prior to the initiation of and during construction activities, a compost filter sock (or silt sock) will be established downgradient of all disturbed areas. These filters may extend into non-impact areas to provide adequate protection of adjacent lands. The spacing of the compost filter sock, which will depend on the ground slope and diameter of the sock, shall be based upon New York State or EPA guidance.

Clearing and grubbing will be performed only as necessary for the installation of the sediment control filter; and unlike sediment control barriers, trenching is not required. The ends of the filter sock should be directed upslope, to prevent stormwater from running around the end of the sock. The preferred anchoring method is to drive stakes through the center of the sock at regular intervals; alternatively, stakes can be placed on the downstream side of the sock. To facilitate effectiveness of the compost filter sock, daily inspections and inspections immediately after significant storm events will be performed by the Contractor(s) to ensure that they are intact and the area behind the sock is not filled with sediment. Maintenance of the sock will be performed as needed.

5.2 Permanent Erosion and Sediment Control Measures

The permanent erosion and sediment control measures described in the following sections are included as part of the construction documents.

5.2.1 *Establishment of Permanent Vegetation*

Disturbed areas that will be vegetated must be seeded in accordance with the contract documents. The type of seed, mulch, and maintenance measures as described in the contract documents shall also be followed.

The project is authorized to disturb greater than five acres in accordance with Part I.E.5.a.viii. As such, permanent soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the soil disturbance activity has permanently ceased.

Final site stabilization is achieved when all soil-disturbing activities at the site have been completed and a uniform, perennial vegetative cover with a density of 80 percent has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed on all unpaved areas and areas not covered by permanent structures.

5.2.2 *Rock Outlet Protection*

Rock outlet protection shall be installed at the locations as indicated and detailed on the accompanying plans. The installation of rock outlet protection will reduce the velocity and energy of water, such that the flow will not erode downstream surfaces.

5.2.3 *Permanent Turf Reinforcement*

Permanent turf reinforcement mats (TRMs) provide long-term erosion protection and vegetation establishment assistance while permanently reinforcing vegetation. TRMs shall be installed on slopes/channels where specified. TRM's provide two key advantages. First, their unique fiber shape and 3-D pattern create a thick matrix of voids that trap seed, soil, and water in place for quicker, thicker vegetation growth. Secondly, they provide additional reinforcement that doubles the vegetation's natural erosion protection abilities by remaining a permanent part of the application and anchoring mature plants to the soil for superior, long-term erosion resistance.

5.3 Implementation Schedule for Erosion and Sediment Control Measures

Proper implementation of the outlined erosion and sediment control measures is critical to minimizing soil erosion and controlling off-site sediment transport during construction, as well as controlling the quality and quantity of stormwater runoff from the developed site after construction. The following table outlines the implementation schedule for initial placement of these measures, and the duration for which they should remain in place.

Table 7: Implementation Schedule for Erosion and Sediment Control Measures

Erosion and Sediment Control Measure	Initial Placement	Duration to Remain In-Place
Stabilized Construction Access	Upon mobilizing to site	Until construction is complete
Dust Control	As needed	As needed
Temporary Soil Stockpile	Upon delivery of materials to the site or excavation of on-site materials for reuse	Until materials have been placed or removed from the site
Silt Fencing	Prior to upgradient soil disturbance	Until upgradient area has achieved permanent stabilization
Temporary Seeding	Apply to any disturbed soil that will remain exposed for more than 14 days	Apply additional seed as needed for temporary stabilization
Manufactured Insert Inlet Protection	<i>Existing structures:</i> prior to upgradient soil disturbance <i>New structures:</i> upon installation of structure/grate	Until upgradient area has achieved permanent stabilization
Stone Check Dams	<i>Existing swales:</i> upon completion of swale reshaping <i>New swales:</i> upon completion of swale excavation	Permanent
Dewatering Operations	As needed during excavation	Until excavation/backfilling is complete
Compost Filter Sock	Prior to upgradient soil disturbance	Until upgradient area has achieved permanent stabilization
Establishment of Permanent Vegetation	As soon as possible after completion of final grading	Permanent, apply additional seed as needed to achieve 80% minimum uniform coverage
Rock Outlet Protection	During installation of tributary culverts/pipes	Permanent
Permanent Turf Reinforcement	Upon completion of slope grading operations	Permanent

5.4 Other Pollutant Controls

Part I.C.1 of GP-0-25-001 prohibits discharges from construction material wastewater, pollutants used in vehicle and equipment operation and maintenance, vehicle and equipment washing and toxic or hazardous substances.

The following table identifies materials and/or chemicals commonly used and/or stored on construction sites and should be addressed in the site-specific spill prevention and response plan:

Table 8: Common Construction Pollutants

Material/Chemical	Physical Description	Stormwater Pollutants	Location*
Pesticides (insecticides, fungicides, herbicides, rodenticides)	Various colored to colorless liquid, powder, pellets, or grains	Chlorinated hydrocarbons, organophosphates, carbamates, arsenic	Herbicides used for noxious weed control
Fertilizer	Liquid or solid grains	Nitrogen, phosphorous	Newly seeded areas
Cleaning solvents	Colorless, blue, or yellow-green liquid	Perchloroethylene, methylene chloride, trichloroethylene, petroleum distillates	No equipment cleaning allowed in project limits
Asphalt	Black solid	Oil, petroleum distillates	Streets and roofing
Concrete	White solid/grey liquid	Limestone, sand, pH, chromium	Curb and gutter, building construction
Curing compounds	Creamy white liquid	Naphtha	Curb and gutter
Hydraulic oil/fluids	Brown oily petroleum hydrocarbon	Mineral oil	Leaks or broken hoses from equipment
Gasoline	Colorless, pale brown or pink petroleum hydrocarbon	Benzene, ethyl benzene, toluene, xylene, MTBE	Secondary containment / staging area
Diesel Fuel	Clear, blue-green to yellow liquid	Petroleum distillate, oil & grease, naphthalene, xylenes	Secondary containment / staging area
Kerosene	Pale yellow liquid petroleum hydrocarbon	Coal oil, petroleum distillates	Secondary containment / staging area
Antifreeze/coolant	Clear green/yellow liquid	Ethylene glycol, propylene glycol, heavy metals (copper, lead, zinc)	Leaks or broken hoses from equipment
Sanitary toilets	Various colored liquid	Bacteria, parasites, and viruses	Staging area
Construction materials			
Granular fill	Various colored solids	Sediment	Stockpile / fill areas
Subbase course	Gray/brown solid	Sediment, dust	Stockpile
Topsoil	Brown solid	Sediment	Stockpile
Mulch	Various colored solid	Sediment, debris	Staging area
Seed	Brown/yellow solid	Nutrients, debris	Staging area
HDPE Storm Pipe	Black solid		Staging area
SDR-35, SDR-21 PVC Pipe	Various colored solid		Staging area
Metals Frames and Grates	Gray solid		Staging area
Joint Sealant	Light gray viscous solid	Polyurethane	Staging area

*(Area where material/chemical is used on-site)

5.5 Construction Housekeeping Practices

During the construction phase, the Contractor(s) will implement the following measures:

5.5.1 *Sediment Sweeping/Vacuuming*

Any sediment that is tracked by construction vehicles or erosion onto adjacent public or private impervious surfaces must be swept or vacuumed, utilizing self-propelled and/or walk-behind equipment, and removed on a daily basis. Kick brooms and sweeper attachments are not an acceptable means of sweeping. Sweeping or vacuuming should not take place while tracked sediment is wet. If tracked sediment is compacted, the sediment must be scraped loose prior to sweeping or vacuuming.

5.5.2 *Material Stockpiles*

Material resulting from clearing and grubbing operations that will be stockpiled on-site, must be adequately protected with downgradient erosion and sediment controls.

5.5.3 *Equipment Cleaning and Maintenance*

The Contractor(s) will designate areas for equipment cleaning, maintenance, and repair. The Contractor(s) and subcontractor(s) will utilize those areas. The areas will be protected by a temporary perimeter berm.

5.5.4 *Detergents*

The use of detergents for large-scale washing is prohibited (i.e., vehicles, buildings, pavement surfaces, etc.)

5.5.5 *Spill Prevention and Response*

A Spill Prevention and Response Plan shall be developed, for the pollutants identified in Section 5.3, for the site by the Contractor(s) that addresses the following:

1. Reducing chance of spills
2. Stopping the source of spills
3. Containing and cleaning up spills
4. Disposing of materials contaminated by spills
5. Training personnel responsible for spill prevention/response
6. Material handling procedures
7. Material storage requirements

The plan shall detail the steps required in the event of an accidental spill and shall identify contact names and phone numbers of people and agencies that must be notified.

The plan shall include Safety Data Sheets (SDS) for all materials to be stored on-site. All workers on-site will be required to be trained on safe handling and spill prevention procedures for all materials used during construction. Regular tailgate safety meetings shall be held and all workers that are expected on the site during the week shall be required to attend.

5.5.6 *Concrete Washout Areas*

A temporary concrete washout area shall be provided for every project where concrete will be poured or otherwise formed on-site and shall consist of an excavated or above-ground lined construction pit

where concrete trucks or equipment can be washed out after their loads have been discharged. Waste generated from concrete wash water that shall not be allowed to flow into drainage ways, inlets, receiving waters, highway right-of-way, or any location other than the designated concrete washout area(s). Proper signage shall be placed adjacent to the facility to designate the "Concrete Washout Area". Locate the facility a minimum of 100-feet from drainage swales, storm drain inlets, wetlands, streams, and other surface waters. Prevent surface water from entering the washout area.

The hardened residue from the concrete wash areas will be disposed of in the same manner as other non-hazardous construction waste materials. Maintenance of the washout area shall include removal of hardened material when 75% of the storage capacity is filled, and a minimum freeboard of 12 inches shall be maintained. The Contractor will be responsible for seeing that these procedures are followed. The project may require the use of multiple concrete washout areas based on the frequency of concrete pours.

5.5.7 Material Storage

Construction materials shall be stored in a dedicated staging area. The staging area shall be located in an area that prevents negative impacts of construction materials on stormwater quality.

Chemicals, paints, solvents, fertilizers, and other toxic material must be stored in waterproof containers. Except during application, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste or chemical disposal facility.

6.0 INSPECTIONS, MAINTENANCE, AND REPORTING

6.1 Inspection and Maintenance Requirements

6.1.1 Pre-Construction Inspection and Certification

Prior to the commencement of construction, the Qualified Inspector/Qualified Professional shall conduct an assessment of the site and certify that the appropriate erosion and sediment control measures have been adequately installed and implemented. The Contractor shall contact the Qualified Inspector/Qualified Professional once the erosion and sediment control measures have been installed.

6.1.2 Construction Phase Inspections and Maintenance

A Qualified Inspector/Qualified Professional, as defined in Appendix A of the General Permit GP-0-25-001, shall conduct regular site inspections between the time this SWPPP is implemented and final site stabilization. Because this project involves the disturbance of greater than five (5) acres of soil at any one time, site inspections shall occur at an interval of at least twice every seven (7) calendar days for as long as greater than five (5) acres of soil remain disturbed, with the inspections separated by a minimum of at least two (2) full calendar days.

The purpose of site inspections is to assess performance of pollutant controls. Based on these inspections, the Qualified Inspector/Qualified Professional will decide whether it is necessary to modify this SWPPP, add or relocate sediment barriers, or whatever else may be needed in order to prevent pollutants from leaving the site via stormwater runoff. The general contractor has the duty to cause pollutant control measures to be repaired, modified, maintained, supplemented, or whatever else is necessary in order to achieve effective pollutant control.

Examples of particular items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection the inspector must evaluate overall pollutant control system performance as well as particular details of individual system components. Additional factors should be considered as appropriate to the circumstances.

1. Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction access will be constructed where vehicles enter and exit. This access will be maintained or supplemented as necessary to prevent sediment from leaving the site on vehicles.
2. Sediment barriers must be inspected and, if necessary, they must be enlarged or cleaned in order to provide additional capacity. All material from behind sediment barriers will be stockpiled on the up slope side. Additional sediment barriers must be constructed as needed.
3. Inspections will evaluate disturbed areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system. If necessary, the materials must be covered or original covers must be repaired or supplemented. Also, protective berms must be constructed, if needed, in order to contain runoff from material storage areas.
4. Grassed areas will be inspected to confirm that a healthy stand of grass is maintained. The site has achieved final stabilization once all areas are covered with building foundation or pavement, or have a stand of grass with at least 80 percent density. The density of 80 percent or greater must be maintained to be considered as stabilized. Areas must be watered, fertilized, and reseeded as needed to achieve this goal.
5. All discharge points must be inspected to determine whether erosion control measures are effective in preventing significant impacts to receiving waters.

The inspection reports must be completed entirely and additional remarks should be included if needed to fully describe a situation. An important aspect of the inspection report is the description of additional measures that need to be taken to enhance plan effectiveness. The inspection report must identify whether the site was in compliance with the SWPPP at the time of inspection and specifically identify all incidents of non-compliance.

Within one (1) business day of the completion of an inspection, the *Qualified Inspector/Qualified Professional* shall notify the Owner/Operator and appropriate contractor or subcontractor of any corrective actions that need to be taken. For corrective actions not requiring engineering design, the contractor must begin implementing corrective actions within one business day and complete the corrective actions within five business days. For corrective actions requiring engineering design, the engineering design process must begin within five business days and the contractor must complete the corrective action in a reasonable time frame but no later than 60 calendar days.

In addition to the inspections performed by the *Qualified Inspector/Qualified Professional*, the Contractor shall perform routine inspections that include a visual check of all erosion and sediment control measures. All inspections and maintenance shall be performed in accordance with the inspection and maintenance schedule provided on the accompanying plans. Sediment removed from erosion and sediment control measures will be exported from the site, stockpiled for later use, or used immediately for general non-structural fill.

It is the responsibility of the general contractor to assure the adequacy of site pollutant discharge controls. Actual physical site conditions or contractor practices could make it necessary to install more structural controls than are shown on the accompanying plans. (For example, localized concentrations of runoff could make it necessary to install additional sediment barriers, sediment traps, etc.)

Assessing the need for additional controls and implementing them or adjusting existing controls will be a continuing aspect of this SWPPP until the site achieves final stabilization.

6.1.3 Temporary Suspension of Construction Activities

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 frequency of Qualified Inspector/Qualified Professional inspections can be reduced to once every 30 calendar days. Prior to reducing the frequency of inspections, the Owner/Operator shall notify the NYSDEC Region 9 stormwater contact person and the Town of Amherst in writing.

6.1.4 Partial Project Completion

For construction sites where soil disturbance activities have been shut down with partial project completion, 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 inspections by the Qualified Inspector/Qualified Professional can stop. Prior to the shutdown, the Owner/Operator shall notify the NYSDEC Region 9 stormwater contact person and the Town of Amherst in writing.

If soil disturbance activities have not resumed within two years from the date of shutdown, a Notice of Termination (NOT) shall be properly completed and submitted to the NYSDEC.

6.1.5 Post-Construction Inspections and Maintenance

Inspections and maintenance of final stabilization measures and post-construction stormwater management practices shall be performed in accordance with Appendix G, once all disturbed areas are stabilized and all stormwater management systems are in place and operable.

6.2 Reporting Requirements

6.2.1 Inspection Reports

Pursuant to Part IV.C of GP-0-25-001, inspection reports shall be prepared for the duration of construction, as outlined herein, and shall be signed by the *Qualified Inspector* or *Qualified Professional*. A sample inspection form is provided in Appendix F.

At a minimum, each inspection report shall record the following information:

1. Permit identification number; and
2. Date and time of inspection; and
3. Name and title of person(s) performing inspection; and
4. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection, including the temperature at the time of the inspection; and
5. A description of the condition of the runoff at all points of discharge from the construction site. This must 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; and

6. A description of the condition of all surface waters of the State located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This must include identification of any discharges of sediment to the surface waters of the State; and
7. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance; and
8. 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; and
9. Description and sketch (map) 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; and
10. Estimates, in square feet or acres, of the following areas:
 - a. Total area with active soil disturbance (not requiring either temporary stabilization or final stabilization); and
 - b. Total area with inactive soil disturbance (requiring either temporary stabilization or final stabilization); and
 - c. Total area that has achieved temporary stabilization; and
 - d. Total area that has achieved final stabilization; and
11. Current stage of construction of all SMPs and identification of all construction activity on site that is not in conformance with the SWPPP and technical standards; and
12. 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 SMP(s); and
13. Identification and status of all corrective actions that were required by previous inspection; and
14. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The qualified inspector must attach 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 must 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 must 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.

6.2.2 *Site Log Book*

Pursuant to Part I.E.3 of GP-0-25-001, the Owner/Operator shall retain a copy of the General Permit, NOI, NOI Acknowledgment Letter, MS4 SWPPP Acceptance Form (if applicable), inspection reports, contractor and subcontractor certification forms, and all documentation necessary to demonstrate eligibility under the permit, at the construction site from commencement of construction activity until the date that all areas of disturbance have achieved final stabilization and the Notice of Termination has been submitted to the NYSDEC.

The Site Log Book shall be maintained on-site in a secure location (i.e. job trailer, on-site construction office, or mailbox with lock) and must be accessible during normal business hours to an individual performing a compliance inspection.

6.2.3 Post Construction Records and Archiving

Following construction, the Owner/Operator shall retain copies of the SWPPP, the complete construction Site Log Book, and records of all data used to complete the NOI to be covered by this permit, for a period of at least five years from the date that the site is finally stabilized. This period may be extended by the NYSDEC, at its sole discretion, at any time upon written notification.

Records shall be maintained of all post construction inspections and maintenance work performed in accordance with the requirements outlined in Appendix G.

7.0 SWPPP IMPLEMENTATION RESPONSIBILITIES

A summary of the responsibilities and obligations of all parties involved with compliance with the NYSDEC SPDES General Permit GP-0-25-001 conditions is outlined in the subsequent sections. For a complete listing of the definitions, responsibilities, and obligations, refer to the SPDES General Permit GP-0-25-001 presented in Appendix J.

7.1 Owner's/Operator's Responsibilities

1. Ensure that control measures are selected, designed, installed, implemented and maintained to minimize the discharge of pollutants and prevent a violation of the water quality standards, meeting the non-numeric effluent limitations in Part II.B.1.(a)-(e) of the SPDES General Permit and in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
2. Ensure that practices are selected, designed, installed, and maintained to meet the performance criteria in the Design Manual. Practices must be designed to meet the applicable sizing criteria in Part II.C.2.a., b., c. or d. of GP-0-25-001.
3. Retain the services of a "Qualified Inspector" or "Qualified Professional" as defined under GP-0-25-001, to provide the services outlined in Section 7.5 "Qualified Inspector's/Qualified Professional's Responsibilities."
4. Retain the services of a "Qualified Professional," as defined under GP-0-25-001, to provide the services outlined in Section 2.3 "Owner's/Operator's Engineers Responsibilities."
5. Have an authorized corporate officer sign the Owner/Operator Certification Form to accompany the eNOI. A copy of the completed NOI is included in Appendix B.
6. Submit the electronic version of the NOI (eNOI) along with the MS4 SWPPP acceptance form using the NYSDEC's website (<http://www.dec.ny.gov/chemical/43133.html>).
7. Submit the electronic version of the NOI (eNOI) along with the MS4 No Jurisdiction Form using the NYSDEC's website (<http://www.dec.ny.gov/chemical/43133.html>).

8. Pay the required initial and annual fees upon receipt of invoices from NYSDEC. These invoices are generally issued in the fall of each year. The initial fee is calculated as \$110.00 per acre disturbed plus \$675.00 per acre of net increase in impervious cover, and the annual fee is \$110.00.
9. Prior to the commencement of construction activity, identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting, and maintaining the erosion control practices included in the SWPPP and the contractor(s) and subcontractor(s) that will be responsible for constructing the SMPs included in the SWPPP. Each of the contractors and subcontractors must identify at least one person from their company to be the trained contractor that will be responsible for implementation of the SWPPP. Ensure that at least one trained contractor is on site daily when soil disturbance activities are being performed.
10. Schedule a pre-construction meeting which shall include the Town of Amherst representative, Owner's/Operator's Engineer, Qualified Inspector, Contractor, and their sub-contractors to discuss responsibilities as they relate to the implementation of this SWPPP.
11. Retain the services of an independent certified materials testing and inspection firm operating under the direction of a licensed Professional Engineer to perform regular tests, inspections, and certifications of the construction materials used in the construction of all post-construction stormwater management practices.
12. Retain the services of a NYS licensed land surveyor to perform an as-built topographic survey of the completed post-construction stormwater management facilities.
13. Require the Contractor to fully implement the SWPPP prepared for the site by the Owner/Operator's Engineer to 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 NYSDEC.
14. The Owner/Operator is authorized to commence construction activity as of the authorization date indicated in the Letter of Authorization (LOA), which is sent by NYSDEC after a complete eNOI is submitted.
15. Within five (5) business days of receipt of the LOA, send an electronic copy of the LOA to the MS4 operator(s) with review authority.
16. Forward a copy of the LOA received from DEC to the Owner's/Operator's Engineer for project records, and to the Contractor for display at the construction site.
17. As of the date the LOA is received, the Owner/Operator must make the eNOI, SWPPP and LOA available for review and copying in accordance with the requirements in Part VII.H. of GP-0-25-001. When applicable, as of the date an updated LOA is received, the Owner/Operator must make the updated LOA available for review and copying in accordance with the requirements in Part VII.H.
18. The Owner/Operator must ensure compliance with all requirements of GP-0-25-001 and that the provisions of the SWPPP, including any changes made to the SWPPP in accordance with Part III.A.5., are properly implemented and maintained from the commencement of construction activity until all area of disturbance have achieved final stabilization; and the Owner/Operator's coverage under the permit is terminated in accordance with Part V.A.5.a.

19. As of the date of the commencement of construction activities until Part I.E.2.a. and b. have been met, the Owner/Operator must maintain at the construction site, a copy of all documentation necessary to demonstrate eligibility with GP-0-25-001, a copy of GP-0-25-001, the SWPPP, the signed SWPPP Preparer Certification Form, the signed MS4 SWPPP Acceptance Form, NYCDEP SWPPP Acceptance/Approval Form, MS4 No Jurisdiction Form, signed Owner/Operator Certification Form, eNOI, and LOA, and LOA transmittal to the MS4 Operator in accordance with Part I.D.3.c.
20. The Owner/Operator must maintain at the construction site, until Part I.E.2.a and b. have been met, as of the date the documents become final or are received, a copy of the responsible contractor's or subcontractor's certification statement(s) in accordance with Part III.A.7, and inspection reports in accordance with Part IV.C.4. and 6., and Request to Disturb Greater than Five Acres and the Authorization Letter to Disturb Greater than Five Acres in accordance with Part I.E.6, Request to Continue Coverage and the Letter of Continued Coverage (LOCC) in accordance with Part I.F.2. and 4., and the updated LOA(s) in accordance with Part I.E.9.
21. The Owner/Operator must maintain the documents 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. The documents must be paper documents unless electronic documents are accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be. If electronic documents are kept on site, the Owner/Operator must maintain functional equipment on site available to an inspector during normal hours of operation such that an inspector may view the electronic documents in a format that can be read in a similar manner as a paper record and in a legally dependable format with no less evidentiary value than their paper equivalent.
22. Upon finding a significant non-compliance with the practices described in the SWPPP or violation of GP-0-25-001, NYSDEC may order an immediate stop to all construction activity at the site until the non-compliance is remedied. The stop work order must be in writing, describe the non-compliance in detail, and be sent to the Owner/Operator. Forward a copy of any stop work order received immediately to the Owner's/Operator's Engineer and to the Contractor.
23. If any human remains or archaeological remains are encountered during excavation, the Owner/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.
24. To be authorized to implement modifications to the information previously submitted in the eNOI, the Owner/Operator must notify NYSDEC via email at Stormwater_info@dec.ny.gov requesting access to update the eNOI, update the eNOI to reflect the modifications and resubmit the eNOI in accordance with Part I.D., and receive an updated LOA.
25. The eNOI, SWPPP, LOA, updated LOAs, and inspection reports required by GP-0-25-001 are public documents that the Owner/Operator must make available for review and copying by any person within five (5) business days of the Owner/Operator receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.
26. The Owner/Operator must terminate coverage when the project reaches total project completion, has a planned shutdown with partial project completion, is changing Owner/Operator or has obtained coverage under an alternative general SPDES permit or an individual SPDES permit.

27. Have a qualified inspector perform a final site inspection prior to submitting the eNOT.
28. Have the MS4 sign the MS4 Acceptance statement on the eNOT in accordance with the requirements in Part VII.J.
29. Prior to submitting a Notice of Termination, ensure for SMP(s) that are privately owned, the Owner/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/Operator's deed of record.
30. Submit a complete Notice of Termination form electronically using the NYSDEC eNOT. Coverage is terminated as of the termination date indicated in the Letter of Termination (LOT), which is sent by NYSDEC after a complete eNOT is submitted.
31. Request and receive all SWPPP records from the Owner's/Operator's Engineer and archive those records, along with the LOT, for a period of at least five (5) years from the date that NYSDEC accepts a complete NOT submitted.
32. Implement the Post-Construction Inspections and Maintenance procedures outlined in Appendix G.
33. The Owner/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/Operator shall amend the SWPPP, including construction drawings:
 - a) Whenever the current provisions prove to be ineffective in minimizing pollutants in stormwater discharges from the project 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.
 - d) To document the final construction conditions.
34. 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, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department, in conformance with Part I.G.. For construction activities subject to the requirements of a regulated, traditional land use control MS4, the original owner or operator must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.

7.2 Owner's/Operator's Engineer's Responsibilities

1. Prepare the SWPPP using good engineering practices, best management practices, and in compliance with all federal, state, and local regulatory requirements.
2. Prepare the electronic Notice of Intent (eNOI) (see Appendix B) and sign the "SWPPP Preparer Certification Form." Forward the Owner/Operator Certification Form to the Owner/Operator for signature.

3. Provide copies of the SWPPP to the Town of Amherst once all signatures and attachments are complete.
4. Enter Contractor's information in Section 7.5 "SWPPP Participants" once a Contractor is selected by the Owner/Operator.
5. Participate in a pre-construction meeting which shall include the Town of Amherst representative, Owner/Operator, Qualified Inspector, Contractor, and all subcontractors to discuss responsibilities as they relate to the implementation of this SWPPP.
6. Update the SWPPP each time there is a significant modification to the pollution prevention measures or a change of the principal Contractor working on the project who may disturb site soil.

7.3 Contractor's Responsibilities

1. Sign the SWPPP Contractor's Certification Form contained within Appendix B and forward to the Owner's/Operator's Engineer for inclusion in the Site Log Book.
2. Identify at least one Trained Contractor that will be responsible for implementation of this SWPPP. Ensure that at least one Trained Contractor is on site on a daily basis when soil disturbance activities are being performed. The Trained Contractor shall 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 conditions at all times. For corrective actions not requiring engineering design, the contractor must begin implementing corrective actions within one business day and complete the corrective actions within five business days. For corrective actions requiring engineering design, the engineering design process must begin within five business days and the contractor must complete the corrective action in a reasonable time frame but no later than 60 calendar days.
3. Provide the names and addresses of all subcontractors working on the project site. Require all subcontractors who will be involved with construction activities that will result in soil disturbance to identify at least one Trained Contractor that will be on site on a daily basis when soil disturbance activities are being performed; and to sign a copy of the Subcontractor's Certification Form contained within Appendix B, then forward to the Owner's/Operator's Engineer for inclusion into the Site Log Book. This information must be retained as part of the Site Log Book.
4. Maintain a Spill Prevention and Response Plan in accordance with requirements outlined in Section 5 of this SWPPP. This plan shall be provided to the Owner's/Operator's Engineer for inclusion in the Site Log Book, prior to mobilization on-site.
5. Participate in a pre-construction meeting which shall include the Town of Amherst representative, Owner/Operator, Owner's/Operator's Engineer, Qualified Inspector, and all subcontractors to discuss responsibilities as they relate to the implementation of this SWPPP.
6. If Contractor plans on utilizing adjacent properties for material, waste, borrow, or equipment storage areas, or if Contractor plans to engage in industrial activity other than construction (such as operating asphalt and/or concrete plants) at the site, Contractor shall submit

appropriate documentation to the Owner's/Operator's Engineer so that the SWPPP can be modified accordingly.

7. Implement site stabilization, erosion and sediment control measures, and other requirements of the SWPPP.
8. In accordance with the requirements in the most current version of the NYS Standards and Specifications for Erosion and Sediment Control, conduct inspections of erosion and sediment control measures installed at the site to ensure that they remain in effective operating condition at all times. Prepare and retain written documentation of inspections as well as of all repairs/maintenance activities performed. This information must be retained as part of the Site Log Book.
9. Begin implementing corrective actions within one (1) business day of receipt of notification by the Qualified Inspector/Qualified Professional of any corrective actions. For corrective actions not requiring engineering design, the contractor must begin implementing corrective actions within one business day and complete the corrective actions within five business days. For corrective actions requiring engineering design, the engineering design process must begin within five business days and the contractor must complete the corrective action in a reasonable time frame but no later than 60 calendar days.
10. Maintain a record of the date(s) and location(s) that soil restoration is performed in accordance with the accompanying plans and NYSDEC Division of Water's publication "Deep-Ripping and Decompaction," dated April 2008. A copy of this publication is provided in Appendix H. The record that is to be maintained shall be a copy of the overall site grading plan delineating the area(s) and date(s) that the soil was restored.
11. Upon completion of all construction at the site, the contractor responsible for overall SWPPP Compliance shall sign the certification on their Contractor Certification Form indicating that:
a.) all temporary erosion and sediment control measures have been removed from the site, b.) the on-site soils disturbed by construction activity have been restored in accordance with the SWPPP and the NYSDEC Division of Water's publication "Deep-Ripping and Decompaction," and c.) all permanent stormwater management practices required by the SWPPP have been installed in accordance with the contract documents.

7.4 Qualified Inspector's/Qualified Professional's Responsibilities

1. Participate in a pre-construction meeting with the Town of Amherst representative, Owner/Operator, Owner/Operator's Engineer, Contractor, and their subcontractors to discuss responsibilities as they relate to the implementation of this SWPPP.
2. Conduct an initial assessment of the site prior to the commencement of construction and certify in an inspection report that the appropriate erosion and sediment control measures described within this SWPPP have been adequately installed and implemented to ensure overall preparedness of the site.
3. Provide on-site inspections to determine compliance with the SWPPP. Because this project involves the disturbance of greater than five (5) acres of soil at any one time, site inspections shall occur at an interval of at least twice every seven (7) calendar days for as long as greater than five (5) acres of soil remain disturbed, with the inspections separated by a minimum of at least two (2) full calendar days. A written inspection report shall be provided to the

Owner/Operator and general contractor within one business day of the completion of the inspection, with any deficiencies identified. A sample inspection form is provided in Appendix F.

4. Prepare an inspection report subsequent to each and every inspection that shall include/address the items listed in Part IV.C.4 of GP-0-25-001. Sign all inspection reports and maintain on site with the SWPPP.
5. Notify the owner/operator and appropriate contractor or subcontractor of any corrective actions that need to be taken.
6. Prepare a construction Site Log Book to be used as a record of all inspection reports generated throughout the duration of construction. Ensure that the construction Site Log Book is maintained and kept up-to-date throughout the duration of construction.
7. Review the Contractor's SWPPP records on a periodic basis to ensure compliance with the requirements for daily reports, soil restoration, inspections, and maintenance logs.
8. Based on the as-built survey and material testing certifications performed by others, the Qualified Professional shall perform evaluations of the completed stormwater management practices to determine whether they were constructed in accordance with this SWPPP.
9. The Qualified Professional shall conduct a final site assessment and prepare a certification letter to the Owner/Operator indicating that, upon review of the material testing and inspection reports prepared by the firm retained by the Owner/Operator, review of the completed topographic survey, and evaluation of the completed stormwater management facilities, the stormwater management facilities have been constructed substantially in accordance with the contract documents and should function as designed.
10. Prepare the Notice of Termination (NOT). The Qualified Professional shall sign the NOT Certifications VI (Final Stabilization) and VII (Post-construction Stormwater Management Practices) and forward the NOT to the Owner/Operator for signature on Certification VIII (Owner/Operator Certification).
11. The owner's or operator's coverage is terminated as of the termination date indicated in the Letter of Termination (LOT), which is sent by NYSDEC after a complete eNOT is submitted.
12. Transfer the SWPPP documents, along with all NOI's, LOA, permit certificates, NOT's, LOT, construction Site Log Book, and written records required by the General Permit to the Owner/Operator for archiving.

7.5 SWPPP Participants

1. Owner's/Operator's Engineer ³: Robert Steehler, PE
LaBella Associates, DPC
300 State Street, Suite 201
Rochester, NY 14614
Phone: (585) 454-6110

2. Owner/Operator ⁴: Frank Ciminelli II, President & CEO
Arc Building Partners
100 South Elmwood Ave, Suite 100,
Buffalo, NY 14202
Phone: 716-427-6100

3. Contractor^{5,6}:
Name and Title: _____
Company Name: _____
Mailing Address: _____

Phone: _____
Fax: _____

³ Refer to Appendix B for the SWPPP Preparer Certification Form.

⁴ Refer to Appendix B for the Owner/Operator Certification Form.

⁵ Refer to Appendix B for Contractor and Subcontractor Certification Form.

⁶ Contractor's information to be entered once the Contractor has been selected.



APPENDIX C: PROJECT EVALUATION AND DESIGN CALCULATIONS

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Step 2 - Calculate Water Quality Volume

Is this project subject to Section 4.3 of the NYS Design Manual for Enhanced Phosphorus Removal?						No
What is the nature of this construction project?						New Construction
Design Point:	1					
P=	1.00	inches	Enter 90% Rainfall Event as P			
Calculate Required WQv						
Drainage Area Number	Contributing Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (cf)	SMP Description
1	4.40	3.30	75	0.73	11,580	
2	5.00	4.40	88	0.84	15,282	
3	5.00	4.30	86	0.82	14,956	
4	4.40	3.30	75	0.73	11,580	
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
Total	18.80	15.30	81	0.78	53397	Required WQv

Filtration Bioretention (F-5)

Design Point:	1						
Enter Site Data For Drainage Area to be Treated by Practice							
Drainage Area Number	Contributing Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (cf)	Precipitation (in)	Description
1	4.40	3.30	75	0.73	11,580	1.00	0
Design Criteria							
Enter underlying soil infiltration rate (based on geotechnical testing, refer to Appendix D)			0	Underdrains required			
Is the contributing area to the practice a stormwater hotspot?			No				
Is the practice the first in series for treatment of a Level 1 (Infiltration Restricted) hotspot?			No				
Is contributing area greater than max. contributing area?			No				
Enter depth to seasonal high water table (ft)			6				
Enter depth to bedrock (ft)			6				
Is pretreatment provided, in conformance with Section 6.4.3.1			Yes				
Enter average height of ponding (ft)			0.5				
Enter depth of surface layer (inches)			3				
Enter depth of filter media (ft)			2.5				
Enter depth of drainage layer (inches)			10				
Enter slope of maintenance access (%)			1				
Enter width of maintenance access (ft)			12				
Sizing Criteria							
				Value	Units	Notes	
Permeability Flow Rate			k	1	ft/day		
Filter Time			tf	2	days		
Required Filter Area			Af	4825	sf		
Enter Provided Filter Area			Af	4825	sf		
Recalculated Water Quality Volume (based on provided filter area)			WQv calc	11580	cf		
Calculate Runoff Reduction							
RRv Provided		4,632	cf				
WQv Treated		6948	cf	This is the portion of the WQv that is not reduced in the practice.			

Filtration Bioretention (F-5)

Design Point:	1						
Enter Site Data For Drainage Area to be Treated by Practice							
Drainage Area Number	Contributing Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (cf)	Precipitation (in)	Description
2	5.00	4.40	88	0.84	15,282	1.00	0
Design Criteria							
Enter underlying soil infiltration rate (based on geotechnical testing, refer to Appendix D)			0	Underdrains required			
Is the contributing area to the practice a stormwater hotspot?			No				
Is the practice the first in series for treatment of a Level 1 (Infiltration Restricted) hotspot?			No				
Is contributing area greater than max. contributing area?			No				
Enter depth to seasonal high water table (ft)			6				
Enter depth to bedrock (ft)			6				
Is pretreatment provided, in conformance with Section 6.4.3.1			Yes				
Enter average height of ponding (ft)			0.5				
Enter depth of surface layer (inches)			3				
Enter depth of filter media (ft)			2.5				
Enter depth of drainage layer (inches)			10				
Enter slope of maintenance access (%)			1				
Enter width of maintenance access (ft)			12				
Sizing Criteria							
				Value	Units	Notes	
Permeability Flow Rate			k	1	ft/day		
Filter Time			tf	2	days		
Required Filter Area			Af	6368	sf		
Enter Provided Filter Area			Af	6368	sf		
Recalculated Water Quality Volume (based on provided filter area)			WQv calc	15283.2	cf		
Calculate Runoff Reduction							
RRv Provided		6,113	cf				
WQv Treated		9169	cf	This is the portion of the WQv that is not reduced in the practice.			

Filtration Bioretention (F-5)

Design Point:	1						
Enter Site Data For Drainage Area to be Treated by Practice							
Drainage Area Number	Contributing Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (cf)	Precipitation (in)	Description
3	5.00	4.30	86	0.82	14,956	1.00	0
Design Criteria							
Enter underlying soil infiltration rate (based on geotechnical testing, refer to Appendix D)			0	Underdrains required			
Is the contributing area to the practice a stormwater hotspot?			No				
Is the practice the first in series for treatment of a Level 1 (Infiltration Restricted) hotspot?			No				
Is contributing area greater than max. contributing area?			No				
Enter depth to seasonal high water table (ft)			6				
Enter depth to bedrock (ft)			6				
Is pretreatment provided, in conformance with Section 6.4.3.1			Yes				
Enter average height of ponding (ft)			0.5				
Enter depth of surface layer (inches)			3				
Enter depth of filter media (ft)			2.5				
Enter depth of drainage layer (inches)			10				
Enter slope of maintenance access (%)			1				
Enter width of maintenance access (ft)			12				
Sizing Criteria							
				Value	Units	Notes	
Permeability Flow Rate			k	1	ft/day		
Filter Time			tf	2	days		
Required Filter Area			Af	6232	sf		
Enter Provided Filter Area			Af	6232	sf		
Recalculated Water Quality Volume (based on provided filter area)			WQv calc	14956.8	cf		
Calculate Runoff Reduction							
RRv Provided		5,983	cf				
WQv Treated		8973	cf	This is the portion of the WQv that is not reduced in the practice.			

Filtration Bioretention (F-5)

Design Point:	1						
Enter Site Data For Drainage Area to be Treated by Practice							
Drainage Area Number	Contributing Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (cf)	Precipitation (in)	Description
4	4.40	3.30	75	0.73	11,580	1.00	0
Design Criteria							
Enter underlying soil infiltration rate (based on geotechnical testing, refer to Appendix D)			0	Underdrains required			
Is the contributing area to the practice a stormwater hotspot?			No				
Is the practice the first in series for treatment of a Level 1 (Infiltration Restricted) hotspot?			No				
Is contributing area greater than max. contributing area?			No				
Enter depth to seasonal high water table (ft)			6				
Enter depth to bedrock (ft)			6				
Is pretreatment provided, in conformance with Section 6.4.3.1			Yes				
Enter average height of ponding (ft)			0.5				
Enter depth of surface layer (inches)			3				
Enter depth of filter media (ft)			2.5				
Enter depth of drainage layer (inches)			10				
Enter slope of maintenance access (%)			1				
Enter width of maintenance access (ft)			12				
Sizing Criteria							
				Value	Units	Notes	
Permeability Flow Rate			k	1	ft/day		
Filter Time			tf	2	days		
Required Filter Area			Af	4825	sf		
Enter Provided Filter Area			Af	4825	sf		
Recalculated Water Quality Volume (based on provided filter area)			WQv calc	11580	cf		
Calculate Runoff Reduction							
RRv Provided		4,632	cf				
WQv Treated		6948	cf	This is the portion of the WQv that is not reduced in the practice.			

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