

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Phase II SPDES General Permit for

Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), GP-02-02

MUNICIPAL COMPLIANCE CERTIFICATION (MCC) FORM

Regulated MS4: Town of Kent SPDES Permit Number: **NYR20A346**

See information packet for information to help complete this form.

MCC Form for year ending: March 9, ____ 2006 (Year 3) ☒ 2007 (Year 4) ____ 2008 (Year 5)**Section A. MS4 Owner/Operator and Contact Person Information** (contact persons explained in instructions)**Owner/Operator** Is information below new or changed? ____ Yes ☒ NoName: **Arne Nordstrom**Title: **Supervisor**

Department:

Mailing
Address:

Street or P.O. Box:

25 Sybil's Crossing

City:

Kent LakesCounty: **Putnam**State: **NY**Zip Code: **10512**

Phone:

(845) – 225 – 3943

E-mail Address:

N/A**Local Stormwater Public Contact** (Required by Minimum Measure 2)Is information below: 1) new or changed? ____ Yes ☒ No

2) same as: ____ Owner/Operator

Name: **Kathy Doherty**Title: **Councilwoman**

Department:

Mailing
Address:

Street or P.O. Box:

25 Sybil's Crossing

City:

Kent LakesCounty: **Putnam**State: **NY**Zip Code: **10512**

Phone:

(845) – 225 – 3943

E-mail Address:

N/A**Stormwater Management Program (SWMP) Coordinator** (Responsible for implementation/coordination of SWMP)Is information below: 1) new or changed? ____ Yes ☒ No2) same as: ____ Owner/Operator ☒ Local Stormwater Public Contact

Name:

Title:

Department:

Mailing
Address:

Street or P.O. Box:

City:

County:

State:

Zip Code:

Phone:

()

E-mail Address:

Annual Report PreparerIs information below: 1) new or changed? ____ Yes ☒ No

2) same as: ____ Owner/Operator ____ Local Stormwater Public Contact ____ SWMP Coordinator

Name:

Insite Engineering

Title:

Consultant

Department:

N/AMailing
Address:

Street or P.O. Box:

3 Garrett Place

City:

CarmelCounty: **Putnam**State: **NY**Zip Code: **10512**

Phone:

(845) – 225 – 9690E-mail Address: **jcontelmo@insite-eng.com**

IMPORTANT NOTE: Rows can be added to the tables in the following sections by going to the rightmost cell in the bottom row of the table and hitting tab. Hitting return in a given row will make the row wider, creating more room to type or write.

Section B. Local Water Quality Information

Information to help complete this section can be found in the instructions.

1. Does the MS4 discharge to 303(d) listed waters or is it in a TMDL watershed?

☒ Yes (complete the table below) ☐ No ☐ Not Yet Determined

(Put an X in the 'Classification' cell to indicate if the MS4 discharges to a waterbody on the 303(d) list and / or if it is in a TMDL watershed.)

Impaired Waters Name (from 303 (d) list and/or TMDL)	Pollutant(s) of Concern (from 303 (d) list and/or TMDL)	Classification	
		303 (d)	TMDL
NYCDEP East of Hudson Reservoir Basin	Phosphorus		X
Lake Carmel	Phosphorus	X	

2. Have you received notification from the Department that you are subject to the special conditions in Part III.B. of the permit?

☒ Yes
☐ No

3. Have all necessary changes been made to the Stormwater Management Program (SWMP) to ensure compliance with Part III.B. of the MS4 permit for discharges to 303(d) or TMDL waters?

☐ Yes
☒ No (explain below)

Explanation:

The Town is awaiting the adoption of the East of Hudson MS4 Heightened Requirements and will then make necessary changes to the SWMP based on available funding.

Section C. Partnership Information

Information to help complete this section can be found in the instructions.

1. Does your MS4 work with partners? ☒ Yes (complete table below) ☐ No (Proceed to Section D)

List MS4 Partners with Legally Binding Agreements or Contracts in Place

Putnam County MS4 Coordinating Committee, including the Town of Carmel, Town of Patterson, Town of Putnam Valley, Town of Kent, Town of Southeast, Putnam County, and the Carmel Central School District.

List MS4 Partners with Planned Legally Binding Agreements or Contracts

N/A

List MS4 Partners with Other Agreements in Place

N/A

Section D. Geographic Areas Addressed by Stormwater Management Program (SWMP)

Information to help complete this section can be found in the instructions.

1. Does your SWMP cover all jurisdictional (automatic and additionally designated) areas within the MS4, as required by 40 CFR 122.32(a)? ☒ Yes ☐ No (Explain below)

Explain:

Section E. Funding and Resource Allocation

Information to help complete this section can be found in the instructions.

1. Are adequate resources (funding mechanism, equipment, staff, etc.) planned or in place to fully implement your SWMP no later than January 8, 2008? ____ Yes **X** No (explain below)

Explain: **The full program is considered cost prohibitive; future funding has not yet been determined.**

2. If the MS4 is receiving funding through the municipal budget, a grant, or other source, briefly explain below: what are the sources, estimated amounts, and frequency of funding for the MS4?

Explain: **The 2007 budgeted amount is \$25,000 specifically attributed to MS4 tasks. Many MS4 tasks are funded through existing programs and departments, although not specifically broken out in the Town's budget. Town obtained \$25,000 grants for MS4 planning.**

3. If the MS4 is not receiving funding, briefly explain below: plans the MS4 has for obtaining future funding?

Explain: **The Town will seek grant funds to implement program elements not funded through the Town budget.**

Section F. Compliance Certification

Compliance Assessment - For each of the minimum control measures, indicate below if your program has made steady progress toward full implementation **and** has achieved all measurable goals scheduled to be completed **during this reporting year**. Refer to the NOI and prior Annual Reports for information about measurable goals scheduled for this reporting year.

Permit Part	Minimum Control Measure	ANSWER BOTH COLUMNS FOR THIS REPORT YEAR <u>ONLY</u>	
		Steady Progress	Goals Achieved
IV.C.1.	Public Education and Outreach on Stormwater Impacts Explain 'no' / 'N/A' answer:	<u>X</u> Yes ____ No ____ N/A	<u>X</u> Yes ____ No ____ N/A
IV.C.2.	Public Involvement / Participation Explain 'no' / 'N/A' answer:	<u>X</u> Yes ____ No ____ N/A	<u>X</u> Yes ____ No ____ N/A
IV.C.3.	Illicit Discharge Detection and Elimination Explain 'no' / 'N/A' answer: Local ordinances need revisions, pending NYSDEC East of Hudson Heightened Requirements.	<u>X</u> Yes ____ No ____ N/A	____ Yes <u>X</u> No ____ N/A
IV.C.4.	Construction Site Stormwater Runoff Control Explain 'no' / 'N/A' answer: Local ordinances need revisions, pending NYSDEC East of Hudson Heightened Requirements.	<u>X</u> Yes ____ No ____ N/A	____ Yes <u>X</u> No ____ N/A
IV.C.5.	Post-Construction Stormwater Management Explain 'no' / 'N/A' answer: Local ordinances need revisions, pending NYSDEC East of Hudson Heightened Requirements.	<u>X</u> Yes ____ No ____ N/A	____ Yes <u>X</u> No ____ N/A
IV.C.6.	Pollution Prevention / Good Housekeeping for Municipal Operations Explain 'no' / 'N/A' answer: Some goals achieved, others planned for Year 5 based on available funding.	<u>X</u> Yes ____ No ____ N/A	____ Yes <u>X</u> No ____ N/A

Certification Statement

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print Name: Arne Nordstrom Title: Supervisor

Signature: _____ Date: _____

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in Part VI.I.2. of the permit. See instructions for more information about who can sign this form.

Send two completed **hard copies** (an original and a photocopy) of this form, the Annual Report Table and any attachments to the DEC Central Office (MS4 Permit Coordinator, 625 Broadway, Division of Water - 4th Floor, Albany, NY 12233-3505). **DO NOT SUBMIT REPORTS IN THREE-RING BINDERS.**



**Phase II SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s), GP-02-02
STORMWATER MANAGEMENT PROGRAM ANNUAL REPORT (SWMPAR) TABLE**

Regulated MS4: Town of Kent SPDES Permit Number: **NYR20A346**

Annual Report Table for year ending: March 9, ____ 2006 (Year 3) <u> X </u> 2007 (Year 4) ____ 2008 (Year 5)

Information about how to complete the follow tables is in the instruction section. Please complete the tables electronically, if possible. Send two completed **hard copies** (an original and a photocopy) of this Annual Report Table, the MCC form and any attachments to the DEC Central Office (MS4 Permit Coordinator, 625 Broadway, Division of Water - 4th Floor, Albany, NY 12233-3505). **DO NOT SUBMIT REPORTS IN THREE-RING BINDERS.**

Minimum Control Measure 1. Public Education and Outreach

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.1.a, b: Plan and conduct an ongoing public education and outreach program to ensure the reduction of all pollutants of concern in stormwater discharges to the maximum extent practicable (MEP). <ul style="list-style-type: none"> <i>Explain the program, including activities and materials used</i> <i>Identify the personnel or outside organization conducting the activity.</i> <i>Indicate activities planned for next year.</i> 	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Expand the stormwater section of the Town webpage to include stormwater management publications targeting selected management practices.	The website was expanded to provide links to <u>Westchestergov.com - Water Quality, Town of, Patterson Stormwater Management, Environmental Protection Agency, After-the-Storm</u> , and <u>New York Public Interest Research Group -Stormwater Runoff</u> . Work on the webpage will be on an ongoing basis for next year.
Print two brochures on a specific stormwater management practice. Make the brochures available at Town Hall, Highway Department, Police Department, Fire Departments, Library, and Community Center.	Brochures titled <i>Preventing Stormwater Pollution; There Are Few More Important Things Than Our Family and Our Water; and New Requirements for Small Construction</i> are currently available at Town Hall. Brochures will continue to be made available at key meeting places within the town on an ongoing basis for next year.
Update, weed and maintain the library of materials.	The library of materials has been maintained in the Town Clerk's office and will continue on an ongoing basis for next year.
Schedule and conduct yearly public educational meetings, concentrating on different management practice targeted to pollutants of concern.	Fall 2006 meeting in Lake Carmel Community Center dealt with topics such as water quality, eradication of invasive species and stream monitoring.
Seek formal agreements with adjacent MS4s where coordinated or delegated efforts provide a more effective SWMP.	The Town is currently part of the Putnam County MS4 Coordinating Committee.

Additional Techniques	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:	

Minimum Control Measure 2. Public Involvement/Participation

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.2.c.iii.: Design and conduct a public involvement / participation program. <ul style="list-style-type: none"> Describe activities that the MS4 has/will undertake to provide program access to interested individuals and to gather needed input. Indicate activities planned for next year. 	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Provide public notice by way of announcements at televised Town Board meetings and the Town of Kent webpage, for key events and upcoming Stormwater Committee meetings.	Public hearing notices will continue to be placed in the official Town newspaper. Televised town board meetings will continue to include notice of upcoming events.
Provide public notice for all Town SWMP related public hearings by posting notice in official Town newspaper, webpage and post notice at Town Hall.	This is an ongoing task, and will continue into next year.
Provide full access to the public to review and request copies of all information collected and developed as part of the Town SWMP.	This is an ongoing task, and will continue into next year. In year 4 the town posted the Annual Reports, Municipal Compliance Certifications , and the Stormwater Management Program on the website.
Hold public hearing on 3 rd Annual Report.	Public hearing held on May 15, 2006.
Organize and conduct two yearly local Town waterbody cleanup events utilizing volunteers. Lake Carmel and Palmer Lake were scheduled for cleanup in Year 4.	Lake Carmel clean up took place on April 22, 2006, and Palmer Lake clean-ups took place on May 6, 2006 and October 21, 2006. White Pond clean up took place in April 2006. Clean-ups will be scheduled throughout the town on an ongoing basis for the next year.
Utilize the Stormwater Committee monthly meetings as a public forum to facilitate the Town SWMP.	The Stormwater Committee monthly meetings are used as a public forum, each meeting date is posted on the town website. The meeting date will continue to be posted on the website and meeting will continue to serve as a public forum on an ongoing basis for the next year.
Continue to develop a mailing list of key contact people from each in Town Lake Committee for distribution of Town SWMP information.	This is an ongoing task, and will continue into next year.
Hold public hearing on 4 th Annual Report.	Held on May 21, 2007
Permit Reference IV.C.2.a, f: Develop procedures to provide public notice about and access to documents and information in a manner that complies with state and local public notice requirements. <i>Describe procedures below and state the methods used to publicize the AR public presentation.</i>	

Public notice about the Year 4 Annual Report public presentation was accomplished with a notice on the town website and a notice in the local paper. The critical stormwater documents pertinent to the town, including the NOI and past years Annual Reports will be posted on the town's website.	Continue to notify the public about the Annual Report presentation, and expand the town website to include additional documents and information
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Permit Reference IV.C.2.e: Public presentation of; f: summary of comments received on; and g: intended response to comments on the SWMPAR.		
Summarize attendance at the public presentation of the Annual Report. Include number of attendees and who was represented:		
A total of 21 people attended the presentation of the Year 4 Annual Report, including 4 Town Board members, the Town’s MS4 consultant, the Town Engineer, and 15 Townspeople. The presentation will also be televised on the local cable channel.		
Comments on Annual Report Meeting ___ No public comments received on Annual Report. _X_ Comments received. Attach summary of comments and intended responses.	Date of Annual Report Meeting: May 21, 2007	Approximate Date of Meeting Next Year: May 15, 2008
Additional Techniques	Describe Measurable Goals and Results (when applicable) <i>Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities</i>	
Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:		

Minimum Control Measure 3. Illicit Discharge Detection and Elimination (IDDE)

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

<p>Permit Reference IV.C.3.a: Develop, implement and enforce a program to detect, identify and eliminate illicit discharges, including illegal dumping, into the MS4.</p> <ul style="list-style-type: none"> • <i>Explain the activities and procedures used to meet this requirement this year <u>and planned for next year</u>.</i> • <i>Revise as procedures are updated.</i> • <i>Identify personnel or outside organization conducting the activities</i> 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p> <ul style="list-style-type: none"> • <i>Example measurable goals: number of illicit discharges detected; number of illicit discharges eliminated.</i>
<p>The Town of Kent Highway Department has developed an ongoing reporting policy to the PCDOH for any illicit discharges found during their daily routines throughout the Town.</p>	<p>Continue to identify source and eliminate all illicit discharges identified. Three instances were identified in Year 4. These were reported to the Putnam County Department of Health for elimination.</p>
<p>Permit Reference IV.C.3.b: Develop and maintain a map showing the location of all outfalls and the names and location of all waters of the US that receive discharges from outfalls. <i>Explain activities performed this year <u>and planned for next year</u>, including work on the following IDDE guidance prerequisites:</i></p> <ul style="list-style-type: none"> • field verification of outfall locations; • mapping all inter-municipal subsurface conveyances; • delineating storm sewershed; and • developing and retaining MS4 mapping as needed to find the source and identify illicit discharges. <i>State if maps are in GIS.</i> 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p> <ul style="list-style-type: none"> • <i>Example measurable goals: percent of outfalls mapped</i>
<p>The Town of Kent Highway Department has begun some mapping of stormwater discharges within the automatically designated (NYCDEP watershed) and additional areas of the Town.</p>	<p>The preparation of the mapping is an on-going task.</p>

Minimum Control Measure 3. Illicit Discharge Detection and Elimination (IDDE) Regulatory Mechanism

Permit Reference IV.C.3.c: Prohibit, through an ordinance, local law or other regulatory mechanism, illicit discharges into the MS4. The MS4s have until year 5 to complete the local law work. **See the instructions for information about completing this section.**

Does the MS4 have the legal authority to enact ordinances, local laws or other regulatory mechanisms?	<input type="checkbox"/> No (go to ADDENDUM 1) <input checked="" type="checkbox"/> Yes (complete questions below)
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Assessment of Regulatory Mechanism (Local Code)

1) When was this assessment completed or planned to be completed?	Date completed: _____ <input checked="" type="checkbox"/> Not yet completed (proceed to next table) Plan to complete for reporting in year: ___4; <input checked="" type="checkbox"/> 5.
2) Is there an existing ordinance, local law or other regulatory mechanism?	<input type="checkbox"/> No (go to question 5) <input type="checkbox"/> Yes (Putnam County Department of Health regulations)
3) Does the existing regulatory mechanism prohibit illicit discharges as required by the MS4 Permit?	<input type="checkbox"/> No (amendments needed) <input type="checkbox"/> Yes
4) Does the existing regulatory mechanism include enforcement authorities and procedures as required by the MS4 Permit?	<input type="checkbox"/> No (amendments needed) <input type="checkbox"/> Yes

Development of Regulatory Mechanism (Local Codes)

5) When was this work completed or planned to be completed?	Date completed: _____ <input checked="" type="checkbox"/> Not yet completed (proceed to next table) Plan to complete work below for reporting in year: ___4; <input checked="" type="checkbox"/> 5.
6) If you answered 'No' to question 1, 2 or 3, what regulatory mechanism or amendments will be adopted to meet the MS4 permit requirements?	<input type="checkbox"/> NYS IDDE Model Law in its entirety <input type="checkbox"/> Selected NYS IDDE Model Law articles adopted as amendments to existing code(s) that are equivalent to the NYS IDDE Model Law <input type="checkbox"/> MS4 will write language equivalent to NYS IDDE Model Law
7) If you answered 'No' to question 1, 2 or 3, has a list of needed changes to local codes been developed for adoption of the regulatory mechanism?	<input type="checkbox"/> No <input type="checkbox"/> Yes, list the local code(s) that will be changed:
8) If the existing regulatory mechanism does not require amendments, what language is in the mechanism?	<input type="checkbox"/> NYS IDDE Model Law in its entirety <input type="checkbox"/> Selected NYS IDDE Model Law articles adopted as amendments to existing code(s) that are equivalent to the NYS IDDE Model Law <input type="checkbox"/> Language equivalent to NYS IDDE Model Law
9) What was the date or is the planned date of local law adoption?	Date:
10) Provide a web address if adopted local law can be found on a web site.	Web Address:

Minimum Control Measure 3. Illicit Discharge Detection and Elimination (IDDE)

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

<p>Permit Reference IV.C.3.e: Inform public employees, businesses and the general public of hazards associated with illegal discharges and improper disposal of waste.</p> <ul style="list-style-type: none"> • <i>Explain activities and materials used to meet this requirement this year <u>and</u> planned for next year</i> • <i>Identify personnel or outside organization conducting activities</i> 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>The town's highway department has informal training for both current and new employees.</p> <p>Formal training for the town employees and the interested general public is planned for the coming year, pending a grant and assistance from the Putnam County MS4 Coordinating Committee.</p>	<p>The town's highway department will continue to train its employees in-house in the coming year</p> <p>Formal training for public employees and the general public will be scheduled and completed by the end of Year 5.</p>
<p>Additional Techniques</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:</p>	

Minimum Control Measure 4 and 5. Construction Site and Post-Construction Stormwater Runoff Control Regulatory Mechanism

Permit Reference IV.C.4.b.i, 5.a.i: Require development and implementation of erosion and sedimentation controls through a local law or other regulatory mechanism. Report on assessment process used (*Stormwater Management Gap Analysis Workbook for Local Officials* or equivalent process). The MS4s have until year 5 to complete the local law work. **See the instructions for information about completing this section.**

Does the MS4 have the legal authority to enact land use ordinances, local laws or other regulatory mechanisms?	<input type="checkbox"/> No (go to ADDENDUM 2) <input checked="" type="checkbox"/> Yes (complete questions below)
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Preliminary Assessment of Regulatory Mechanism (Local Code)

1. When was the preliminary assessment of existing local codes completed or when will it be completed?	Date completed: _____ <input checked="" type="checkbox"/> Not yet completed (proceed to next table) Plan to complete for reporting in year: <input type="checkbox"/> 4; <input checked="" type="checkbox"/> 5. <input type="checkbox"/> Did not do preliminary assessment; proceeded directly to Gap Analysis Worksheets 1-4 or adopted <i>Sample Local Law for Stormwater Management and Erosion & Sediment Control</i> (Sample Local Law).
2. If preliminary assessment was completed, indicate the results.	<input type="checkbox"/> If none of Sample Local Law provisions appear in local code; consider adopting Sample Local Law or equivalent <input type="checkbox"/> If few Sample Local Law provisions appear in local code; major revisions needed or consider adopting Sample Local Law or equivalent <input type="checkbox"/> If most of the Sample Local Law provisions appear in local code; minor revisions needed

Assessment and Development of Regulatory Mechanism (Local Code) (continued on next page)

3. When was the Gap Analysis or equivalent process completed or when will it be completed?	Date completed: _____ <input checked="" type="checkbox"/> Not yet completed (proceed to next table) Plan to complete work below for reporting in year: <input type="checkbox"/> 4; <input checked="" type="checkbox"/> 5.
4. How was the local code adopted or how will it be adopted*? <i>*If MS4 has some existing local code equivalent to the Sample Local Law and adopted parts of the Sample Local Law as amendments to make a complete local code, check b and c.</i>	a. <input type="checkbox"/> The entire Sample Local Law adopted as amendments to existing code or as stand alone law. <ul style="list-style-type: none"> If no portions of the Sample Local Law were moved or deleted, all provisions would be exactly the same as the Sample Local Law. If ANY provisions of the Sample Local Law were moved or deleted, the moved or changed provisions must be reviewed (use the <i>Gap Analysis</i> or equivalent process) to ensure the intent of the law has not been changed. b. <input type="checkbox"/> Parts of NYS Sample Local Law adopted as amendments to existing code. c. <input type="checkbox"/> Language developed by municipality was demonstrated to be equivalent.

Minimum Control Measure 4 and 5. Construction Site and Post-Construction Stormwater Runoff Control Regulatory Mechanism

Permit Reference IV.C.4.b.i, 5.a.i (continued)

Assessment and Development of Regulatory Mechanism (Local Code) (continued)

5. Answer the following questions about the Gap Analysis or equivalent processes.

Clauses are defined as: All the Sample Local Law sections or subsections in the Gap Analysis Worksheets 1-4 that have a box in the “Equivalence” column, meaning that there is an associated “Equivalence” sheet (with the exception of Article 6, Section 4 which does not have an Equivalence sheet).

Total number of clauses in each worksheet: Sample Local Law Article 1 (Gap Analysis Worksheet 1) - 8 clauses; Sample Local Law Article 2 (Gap Analysis Worksheet 2) - 51 clauses; Sample Local Law Article 3, 4, 5 (Gap Analysis Worksheet 3) - 3 clauses; Sample Local Law Article 6 (Gap Analysis Worksheet 4) - 9 clauses.

MS4s that adopt the entire Sample Local Law as amendments to existing code or as stand alone law need to indicate the number of clauses being adopted that are exactly the same as the Sample Local Law, or equivalent, in the right-hand column below.

Sample Local Law Articles	NUMBER OF REQUIRED CLAUSES IN LOCAL LAW		
	Existing clauses exactly the same as the Sample Local Law language	Existing clauses equivalent to the Sample Local Law language (see Gap Analysis Workbook Equivalence Sheets for information to help determine equivalence)	Sample Local Law or equivalent language to be adopted , listed as legislative agenda items.
1	N/A – The Gap Analysis for the town’s MS4 has not yet been performed. After the release of the final East of Hudson Heightened Requirements the Gap Analysis will be completed. Upon completion of the Gap Analysis the town will work on the revisions to local laws as deemed necessary.		
2			
3, 4, 5			
6			
TOTAL			
6. Has a list of needed changes (legislative agenda) been developed for adoption of amendments to local codes (or for deletion of existing codes that are addressed by adoption of a stand alone law)?		<input type="checkbox"/> No <input type="checkbox"/> Yes, list the local codes that will be changed:	
7. What was the date or is planned date of local code adoption?		Date:	
8. Provide a web address if the adopted local law can be found on a web site.		Web Address:	

Minimum Control Measure 4. Construction Site Stormwater Runoff Control

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

<p>Permit Reference IV.C.4.b. v: Develop and implement procedures for site plan review by the MS4 that incorporate consideration of potential water quality impacts and review individual pre-construction site plans to ensure consistency with local sediment and erosion control requirements.</p> <ul style="list-style-type: none"> • <i>Describe the procedures below. <u>Revise as procedures are updated.</u></i> 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p> <ul style="list-style-type: none"> • <i>Example measurable goals: number of plans received; number of plans reviewed; percent of plans received that are reviewed.</i>
<p>The Town Planning Board and Town Engineer review site plans, subdivisions, and erosion control permits for consistency with the NYSDEC standards.</p>	<p>31 site plans received, 31 site plans reviewed by the Town Planning Board and/or Town Engineer, (100%).</p> <p>7 subdivisions received, 7 site plans reviewed by the Town Planning Board and/or Town Engineer, (100%).</p> <p>35 erosion control plans received, 35 erosion control plans reviewed by the Town Planning Board and/or Town Engineer, (100%).</p>
<p>Permit Reference IV.C.4.b. vi: Develop and implement procedures for the receipt and consideration of information submitted by the public.</p> <ul style="list-style-type: none"> • <i>Explain the procedures below. <u>Revise as procedures are updated.</u></i> • <i>Identify the responsible personnel or outside organizations.</i> 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>Public hearings are a provision of the site plan approval process</p>	<p>Public hearings will continue to be a part of the site plan approval process</p>
<p>Erosion control plans are reviewed in a public forum</p>	<p>Erosion control plans will continue to be reviewed in a public forum</p>

Minimum Control Measure 4. Construction Site Stormwater Runoff Control

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.4.b. iii, vii: Develop and implement procedures for site inspections, enforcement of control measures and sanctions to ensure compliance with GP-02-02. <ul style="list-style-type: none"> Describe each procedure below. <u>Revise as procedures are updated.</u> 	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities) <ul style="list-style-type: none"> Example measurable goals are number of: inspections; fines assessed; stop work orders; other sanctions.
Construction sites are currently reviewed by the town engineer or building inspector.	No fines were levied and 6 stop work orders were issued in the past year relative to Erosion Control compliance.
Permit Reference IV.C.4.b. viii: Educate and train construction site operators about requirements to develop and implement a SWPPP and any other requirements they must meet within the MS4s jurisdiction. <ul style="list-style-type: none"> Explain the activities and materials used to meet this requirement. Identify the personnel or outside organization conducting this activity. Indicate activities planned for next year. 	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
The Town will utilize available regional education opportunities to train construction site operators.	The Town will seek educational training opportunities in Year 5.
Additional Techniques	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:	

Minimum Control Measure 5. Post-Construction Stormwater Management

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.5.a, c. Develop and implement a post-construction stormwater management program that addresses stormwater runoff from new development and redevelopment and will reduce the discharge of pollutants to the MEP. Program requirements should include:	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
<ul style="list-style-type: none"> A combination of structural and/or non-structural management practices. <i>Identify and describe below procedures to ensure installation of post-construction management practices. <u>Revise as procedures are updated.</u></i> 	DO NOT ENTER INFORMATION IN THIS CELL
Post construction stormwater management is required for new site plans and subdivisions per the NYSDEC GP-02-01 requirements.	Site plans and subdivisions will continue to be required to comply with the post-construction requirements of GP-02-01.
<ul style="list-style-type: none"> Procedures for site plan and SWPPP review to ensure SWMPs meet state standards. <i>Describe procedures below. <u>Revise as procedures are updated.</u></i> 	<ul style="list-style-type: none"> <i>Example measurable goals include: number of plans received; number of plans reviewed; percent of plans received that are reviewed.</i>
The Town Planning Board and Engineer review the SWPPP's for compliance with state standards.	The Town Planning Board and Engineer review all projects requiring SWPPP's.

Minimum Control Measure 5. Post-Construction Stormwater Management

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.5.a, c. (continued): Develop and implement a post-construction stormwater management program that addresses stormwater runoff from new development and redevelopment and will reduce the discharge of pollutants to the MEP. Program requirements should include:	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
<ul style="list-style-type: none"> Procedures for inspection and maintenance of post-construction management practices. <i>Explain procedures below. <u>Revise as procedures are updated.</u></i> 	<ul style="list-style-type: none"> <i>Example measurable goals are number of: inspections maintenance activities performed.</i>
New stormwater infrastructure dedicated to the Town is reviewed regularly by the Highway Department. Stormwater infrastructure on private property is required to be maintained by the land owners.	The Highway Department monitors and maintains their stormwater system on a regular basis.
<ul style="list-style-type: none"> Procedures for enforcement and penalization of violators. <i>Explain procedures below. <u>Revise as procedures are updated.</u></i> 	<ul style="list-style-type: none"> <i>Example measurable goals: number enforcement activities performed.</i>
The code enforcement officer issues violations based on inspection and reports of non-compliance.	The building department assures compliance with erosion control plans by stopping work on non complying sites in most instances. There were 6 stop work orders issued during Year 4.

Municipality: **Town of Kent**Permit Number: **NYR40A346****Minimum Control Measure 5. Post-Construction Stormwater Management**

Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.5.a, c. (continued): Develop and implement a post-construction stormwater management program that addresses stormwater runoff from new development and redevelopment and will reduce the discharge of pollutants to the MEP. Program requirements should include:	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
<ul style="list-style-type: none"> Adequate resources for a program to inspect new and re-development sites and for enforcement and penalization of violators. <i>Describe resources below. Update annually.</i> 	DO NOT ENTER INFORMATION IN THIS CELL
Resources for inspection and enforcement need to be expanded, but funding is not yet available.	The Town Planning Board has retained a Wetland Consultant to assist in erosion control inspections. In Year 5 the Town will seek funding to expand inspection and enforcement activities.
Additional Techniques	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:	

Minimum Control Measure 6. Pollution Prevention/Good Housekeeping for Municipal Operations

OVERALL MUNICIPAL POLLUTION PREVENTION / GOOD HOUSEKEEPING PROGRAM INFORMATION

<ul style="list-style-type: none"> • This table is for MS4s to report on their OVERALL Municipal Pollution Prevention / Good Housekeeping Program. • A separate table follows that is for MS4s to report on management practices performed in identified municipal operations. • Refer to the Municipal Pollution Prevention / Good Housekeeping Assistance document for example best management practices, policies and procedures. • Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed. 	
Permit Reference IV.C.6.a: Develop and implement an operation and maintenance program to reduce and prevent pollutant discharges from municipal operations to the MEP.	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
<ul style="list-style-type: none"> • <i>List pollutants that will be addressed by the municipal pollution prevention program.</i> 	
Phosphorous / Sediment	
<ul style="list-style-type: none"> • <i>Set and describe pollution prevention priorities by geographic areas, municipal operation type, and facilities.</i> 	DO NOT ENTER INFORMATION IN THIS CELL
Priority geographic areas include areas adjacent to Lake Carmel and NYCDEP reservoirs and streams. Priority municipal operations include highways, parks, and recreation.	In Year 5 priority operations will be reviewed.
Permit Reference IV.C.6.a: Include a municipal pollution prevention training component for staff (where all staff are trained).	
<ul style="list-style-type: none"> • <i>Explain activities and materials used to meet this requirement.</i> • <i>Identify training needs and design training components</i> • <i>Determine the adequacy and appropriate frequency of staff training.</i> • <i>Identify personnel or outside organization conducting activities.</i> 	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Department heads provide informal training to employees.	Informal training is an ongoing task.
Formal training is planned based on funding availability.	A training video has been purchased and is planned to be viewed by employees in Year 5.
Yearly training would provide intended results. (Town is relying on the Putnam County MS4 Coordinating Committee grant for funding and resources for training activities)	The Putnam County MS4 Coordinating Committee grant is pending for formal training.
Additional Techniques	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)

Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:

Minimum Control Measure 6. Municipal Operations: ☒ Street and Bridge Maintenance; ☒ Winter Road Maintenance; ☒ Stormwater System Maintenance; ☒ Vehicle and Fleet Maintenance; ☒ Park and Open Space Maintenance; ☒ Municipal Building Maintenance; ☒ Solid Waste Management; ☐ Other: _____

- Copy this page and give it to each municipal office or department responsible for reporting.
- Put an 'X' in front of each municipal operation type addressed by the Municipal Pollution Prevention/Good Housekeeping Program in that office or department.
- Refer to the Municipal Pollution Prevention / Good Housekeeping Assistance document for example best management practices, policies and procedures.
- Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.6.a, c: Develop and implement an operation and maintenance program to reduce and prevent pollutant discharges from **the municipal operation(s) indicated above** to the MEP.

- *Describe how the bulleted items below focus on pollutants addressed by the municipal pollution prevention program and the pollution prevention priorities.*

- *Briefly describe or reference any existing policies and procedures*
- *Briefly describe or reference any policies and procedures being developed*

Describe Measurable Goals and Results (when applicable)

Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)

DO NOT ENTER INFORMATION IN THIS CELL

The Town wide drainage system is cleaned and maintained yearly, with selected structures and pipes being replaced yearly. Additionally new collection systems are added as needed.

All programs will be reviewed in Year 5.

Sand / Salt storage and application polices are currently in place.

The Highway Department owns 2 street sweepers / vac-alls. The sweepers run from the spring until the late fall throughout the entire town.

The Town plans to review operations of the Recreation Department, Parks District, and Sanitation District to identify BMP's to improve water quality.

<ul style="list-style-type: none"> <i>Briefly describe or reference any existing best management practices</i> <i>Briefly describe or reference any planned best management practices</i> 	DO NOT ENTER INFORMATION IN THIS CELL
Highway department trucks and equipment washed inside the facility.	All BMP's will be reviewed in Year 5.
Salt storage is contained in a covered enclosure.	
Catch basin cleaning is performed annually.	
Street sweeping and road clean up is performed throughout the year.	
Municipal composting takes place at the Town landfill site.	
<ul style="list-style-type: none"> <i>Identify and describe the equipment and staff that are in place</i> 	DO NOT ENTER INFORMATION IN THIS CELL
The town's highway department has 22 full time employees. The department also uses and maintains a number of pick-up trucks, dump trucks, 2 street sweepers / vac-alls, and some heavy equipment consisting of backhoes and tractors.	Staff and equipment are reviewed regularly and adjusted based on needs and available funding.
The Recreation Department has 3 employees, a dump truck, and several tractors.	
The Lake Carmel Park District has 3 employees, a dump truck, a tractor and a weed harvester.	
The Lake Tibet Park District has a weed harvester.	

Minimum Control Measure 6. Municipal Operations: X Street and Bridge Maintenance; X Winter Road Maintenance;
 X Stormwater System Maintenance; X Vehicle and Fleet Maintenance; X Park and Open Space Maintenance; X Municipal Building Maintenance;
 X Solid Waste Management; Other: _____

- Copy this page and give it to each municipal office or department responsible for reporting.
- Put an 'X' in front of each municipal operation type addressed by the Municipal Pollution Prevention/Good Housekeeping Program in that office or department.
- Refer to the Municipal Pollution Prevention / Good Housekeeping Assistance document for example best management practices, policies and procedures.
- Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.

Permit Reference IV.C.6.a, c (continued): Develop and implement an operation and maintenance program to reduce and prevent pollutant discharges from municipal operations to the MEP.

Describe Measurable Goals and Results (when applicable)
Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)

- *Assess if existing programs adequately reduce and/or prevent pollutant discharges*
- *Determine and list any operation type, location or facility that is in need of modification or updates.*

DO NOT ENTER INFORMATION IN THIS CELL

The Town plans to review operations of the Recreation Department, Parks District, and Sanitation District to identify BMP's to improve water quality.

Operations will be reviewed in Year 5.

Permit Reference IV.C.6.a: If there is a training component for staff specific to these municipal operations:

Describe Measurable Goals and Results (when applicable)
Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)

- *explain the activities and materials;*
- *identify the personnel or outside organization conducting the activities.*

Informal training is an ongoing task in all departments.

Training will continue in Year 5.

A training video has been purchased and is planned to be viewed by employees in Year 5.

The Putnam County MS4 Coordinating Committee grant is pending for formal training of all departments.

Additional Techniques	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Explain any changes or additions to the Permit Referenced Activities / Techniques, Measurable Goals and / or Scheduled Dates above and provide a reason(s) for the change:	

Did you include any of the following documents as appendices? Put a mark each appended document.
<input checked="" type="checkbox"/> Summary of public comments received on the annual report at the public presentation (Required) <input checked="" type="checkbox"/> Intended response to comments on the annual report (Required) <input type="checkbox"/> Results of information collected and analyzed, including monitoring data; evaluation of assessment (modeling) of pollutant discharges, including modeling results and pollutant transport trends. <input type="checkbox"/> Other _____

TOWN OF KENT
MS4 SPDES # NYR20A346
YEAR 4 ANNUAL REPORT PUBLIC HEARING SUMMARY

As noted in the Annual Report, a public hearing was held on May 21, 2007 for public review of the Town's MS4 Year 4 Annual Report. John M. Watson, P.E. (Insite Engineering) reviewed the entire Municipal Compliance Certification (MCC Form) and Year 4 Annual Report at the public meeting as the Town's MS4 consultant. The Board also requested that John Watson respond to questions raised by the public after the presentation. The following comments were raised by attendees of the public hearing.

Don Haney (Kent Library President)

Don asked when will the pending MS4 Heightened Requirements be available. John Watson noted that based on a email from the New York State Department of Environmental Conservation (NYSDEC) that our office was copied on last week, the NYSDEC is wrapping up the Heightened Requirements and will likely roll this into the next 5 Year permit cycle, but no definitive date was given. Don also asked if there was a known illicit discharge such as a dishwasher tied into a storm drain, then who should he report this to? John Watson responded that all illicit discharges should be reported to the Putnam County Department of Health (PCDOH).

Jim Baker (Town of Kent Planning Board Member)

Jim made several statements about development and wetlands, and ended with a question asking if one could build a pond in a wetland, and other apparently site specific questions that did not appear to be related to the MS4 program. After back and forth dialog with John Watson, Jim Baker stated that he had issues with the Kent Manor project (which is a large project currently being designed in the Town of Kent). John Watson stated that the Kent Manor project is a unique situation, especially based on the long history of the project and the fact that the project is in litigation with the Town. John Watson closed the subject by stating that this was not a good example of the intent of the MS4 program's objectives.

Neil Wilson (Town Planner)

Neil Wilson, who has been retained by the Town to begin work on preparing a Gap Analysis for the Town of Kent, stated that the NYSDEC's sample local laws and the Gap Analysis requirements is a moving target, and he is concerned with the NYSDEC's time frames. Neil stated that the Town currently has significant environmental laws that must be integrated into the proposed local laws. This work will have to be studied as part of the Gap Analysis. Neil stated that the NYSDEC requires that all new local laws be adopted prior to January 1, 2008. Neil stated that this will be extremely difficult if not impossible to achieve based on the NYSDEC only recently making available sample local laws. Neil asked John Watson for a rough estimate of the time to prepare the Gap Analysis. John Watson stated that he hadn't considered the amount of hours, but it could be estimated in the hundreds of hours, and is not a simple task. John Watson stated that the NYSDEC sample laws appear to be prepared for Town's that do not currently have any environmental regulations. In this case, the Town's could easily adopt these local laws in order to comply with their MS4 requirements, but it will be difficult to integrate these local laws into existing codes for Towns such as Kent.

Wilma Baker

Wilma recommended that there be more public education with respect to stormwater problems. She noted that there were recent stormwater problems along Horsepound Road with the recent large storms; the Town Board Members also noted that the recent storms were severe in magnitude and are not typical storm events. Wilma also recommended that the Town should take pictures of problem areas to show to the public, so the public is aware of what a problem area actually is.

Jim Baker (Town of Kent Planning Board Member)

Jim asked if there were any provisions in the MS4 program for soil types, since the Town of Kent has a wide variety of soils types. John Watson stated that the MS4 program is not a design program that deals with specific design criteria such as soil types.

Karl Rohde (Town of Kent Town Board Member)

Karl asked if dewatering operations from utility manholes would be considered in illicit discharge. John Watson stated that if the water in the manhole is clean groundwater that has entered the manhole through inflow or infiltration, that dewatering would not be considered illicit discharge, but if the water contained a high level pollutants, it should not be discharged through typical dewatering operations and should be removed and disposed of properly by a some type of vacuum truck. Mr. Rohde stated that utility manholes are commonly loaded with chemicals due to utility installation and operation, and that the Town of Kent should consider legislation regarding this issue.

Karl also asked what would happen if the Town of Kent did not meet all MS4 requirements. John Watson responded that based on the Town's ambitious intentions in 2003, that the Town of Kent probably would not meet all the requirements. Karl asked if John knew of any Town's locally that have not done any work to date, John replied that he did not know of any local Town's, but have heard through NYSDEC seminars that as of two years ago, that roughly 95% of the 400 MS4's did file their initial Notice of Intent (NOI). John stated that to his knowledge, the NYSDEC was currently focusing on municipalities in non-compliance with filing the NOI's. John also noted that the MS4 permit cycle is a five year cycle, and the Town's stormwater management program should be revisited in 2008 to assess what has and has not been done. The stormwater management program could then be revised, keeping in mind that the Town will still have to meet the NYSDEC minimum standards for compliance with their MS4 permit.