



## **FACT SHEET**

**on**

### **Requests for Disturbance of 5 acres or more**

In order to disturb greater than 5 acres at one time a landowner must receive written authorization from New York State Department of Environmental Conservation (NYSDEC). This request cannot be submitted until the landowner has coverage under the State Pollution Discharge Elimination System General Permit for Stormwater Discharges from Construction Activity GP-0-10-001. Once landowner has coverage under the SPDES General Permit they may submit a request in writing to the Region 8 NYSDEC.

Regional Water Engineer  
NYS Department of Environmental Conservation-Region 8  
6274 E. Avon-Lima Road  
Avon, NY 14414

**If** your project is located in a Regulated MS4 community (Big Flats, Southport, Elmira Heights, Elmira (C,T), Horseheads (V, T), Veteran, Ashland or Wellsburg) you may submit your request to the Stormwater Management Officer for that municipality instead of the NYS DEC.

The letters should state:

1. The reason that > 5 acres of disturbance is needed and maximum number of acres requested to be open before soil stabilization measures are applied.
2. From Part II.C.3 of the GP-that additional erosion control measures required at this project will be implemented:
  - a. The *owner or operator* shall have a *qualified inspector* conduct at least two (2) site inspections in accordance with the Permit every seven (7) calendar days for so long as greater than five (5) acres of soil remain disturbed and allow two (2) calendar days between inspections.
  - b. In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within seven (7) days from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the *New York State Standards and Specifications for Erosion and Sediment Control*.
  - c. The *owner or operator* shall prepare a phasing plan that defines the maximum disturbed area per phase and shows required cuts and fills.
  - d. The *owner or operator* shall install any additional measures needed to protect water quality.
  - e. The *owner or operator* includes the requirement above in their SWPPP (may be incorporated by inclusion of this document in site log book).
3. Establish SWPPP communication track to be followed among permittee, inspector, contractor, municipality, and this office to secure prompt (within 48 hours) corrections to site deficiencies identified by each inspection.
4. The project must have permit coverage-provide the permit # in the letter with the project start date.
5. What additional measures will be implemented at the site that exceed the standards to prevent soil losses.
6. Submit a copy of the NOI.