

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 BETHLEHEM **SPDES Permit Number:** NYR20A208
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 No

Name: Gregg Sagendorph Title: Superintendent of Highways Department: Highway Dept.

Mailing Address: Street or P.O. Box: 445 Delaware Avenue City: Delmar
County: Albany State: New York Zip Code: 12054

Phone: (518) 767-9618 E-mail Address: gsagendorph@townofbethlehem.org

Local Stormwater Public Contact (Required by Minimum Measure 2)

Is information below: 1) new or changed? Yes No
2) same as: Owner/Operator

Name: Title: Department:

Mailing Address: Street or P.O. Box: City:
County: State: Zip Code:

Phone: () E-mail Address:

Stormwater Management Program (SWMP) Coordinator (Responsible for implementation/coordination of SWMP)

Is information below: 1) new or changed? Yes No
2) same as: Owner/Operator Local Stormwater Public Contact

Name: Erik T. Deyoe, PE Title: Town Engineer Department: DPW - Engineering Division

Mailing Address: Street or P.O. Box: 445 Delaware Avenue City: Delmar
County: Albany State: New York Zip Code: 12054

Phone: (518) 439-4955 ext. 137 E-mail Address: edeyoe@townofbethlehem.org

Annual Report Preparer

Is information below: 1) new or changed? Yes No
2) same as: Owner/Operator Local Stormwater Public Contact SWMP Coordinator

Name: Title: Department:

Mailing Address: Street or P.O. Box: City:
County: State: Zip Code:

Phone: () E-mail Address:

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 ___X___ 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
Krumkill Creek (1311-0004)	Unknown Toxic from Urban Runoff/CSO	X	
<i>(limits, if any, within Town of Bethlehem need to be determined)</i>			

2. Have you received notification from the Department that you are subject to the special conditions in Part III.B. of the permit?
 ___ Yes
 ___X___ 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
 ___X___ No (explain below)

Explanation:
 The Town of Bethlehem was not aware of any 303(d) waters within the Town boundary until very recently. We are currently assessing our program to determine what changes or enhancements need to be implemented.

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

List MS4 Partners with Planned Legally Binding Agreements or Contracts

List MS4 Partners with Other Agreements in Place

The Town of Bethlehem is working cooperatively with Albany County and all other Albany County MS4s. We are actively involved with an ad-hoc intermunicipal committee of the Albany County MS4s to provide meaningful training and coordination in program development. Funding for the coordinator of this committee, the training programs, and some purchased materials is supported through a NYS DEC grant and in-kind contributions for the Town of Bethlehem and all other MS4 partners in this effort. The Town of Bethlehem has committed to continue our efforts in this regard by joining with the County for the pending grant application.

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: The Town's stormwater management program covers the limits within the regulated MS4 boundary, which is a smaller area than the Town boundary. We are evaluating all program elements for applicability outside of the regulated MS4 boundary. Where appropriate, some program elements are performed on a Town-wide basis.

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 Town of Bethlehem is currently exploring a variety of funding mechanisms to offset the program costs. The funding strategies may include: drainage district formation, fees, grants, inspection fees, fines, review fees, etc. The Town has established its first drainage district in the Milltowne Plaza Subdivision to fund the maintenance of stormwater treatment facilities within this subdivision. Other drainage districts will be created with future subdivision approvals.

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: Existing program development funding is provided in the budgets for the Highway Department and Department of Public Works, as well as a NYSDEC in conjunction with other Albany County MS4 communities. The annual cost to manage the Town's stormwater program, once fully established, has not been estimated.

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

Explain:

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 ONLY					
		Steady Progress			Goals Achieved		
IV.C.1.	Public Education and Outreach on Stormwater Impacts Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
IV.C.2.	Public Involvement / Participation Explain 'no' / 'N/A' answer: Stormwater stencil materials were ordered but not installed; Lists of interested groups not yet established.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
IV.C.3.	Illicit Discharge Detection and Elimination Explain 'no' / 'N/A' answer: Need to begin field work for outfall mapping, establish regulatory authority, and establish internal procedures for illicit discharge elimination	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A
IV.C.4.	Construction Site Stormwater Runoff Control Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
IV.C.5.	Post-Construction Stormwater Management Explain 'no' / 'N/A' answer:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
IV.C.6.	Pollution Prevention / Good Housekeeping for Municipal Operations Explain 'no' / 'N/A' answer: Need to obtain reference material and enhance standard maintenance operating procedures	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> 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: Gregg Sagendorph Title: Superintendent of Highways

Signature:  Date: 5/31/06

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 VII.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 BETHLEHEM **SPDES Permit Number:** NYR20A208

Annual Report Table for year ending: March 9, X 2006 (Year 3) 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).

- *Explain the program, including activities and materials used*
- *Identify the personnel or outside organization conducting the 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)

Flyer for Town of Bethlehem's household hazardous waste collection with section of "Controlling Stormwater Pollution - We Can All Help"

Presentation of 2005 Stormwater Annual Report at a public meeting of the Town Board with general background information.

Created dedicated stormwater information bulletin board in Town Hall with general information on stormwater pollution prevention

Use of stormwater pollution display from CDRPC at Town Board meetings and at Town pool facility

March 2006 (distributed approximately 15,000)

June 8, 2005 (will also be conducted in June 2006)

July 2005

June & July 2005

Additional Techniques

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

Year 4 Goal: Show EPA "After the Storm" educational video on public access television over an approximate one week period

Summer 2006

Year 4 Goal: Create dedicated stormwater webpage on Town of Bethlehem website

December 2006

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:

The Town's outreach program is and will continue to be primarily directed at stormwater pollution prevention. A series of informational bulletins and information on the Town website will be created to inform the public of any newly enacted legislation and required permitting.

Municipality: TOWN OF BETHLEHEM

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.	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"> 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. 	Ongoing
<p>Town of Bethlehem's NOI and acknowledgement documents along with all annual reports are available in the Town Clerk's office during business hours.</p> <p>Report to Town Board and public comments solicited</p> <p>Ordered stencils and curb markers with partners from Albany County MS4 Intermunicipal Committee</p>	<p>5/24/2006 Town Board meeting</p> <p>February 2006 (approx.)</p>
<p>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></p> <p>The annual report is presented at a normal meeting of the Town Board. The agenda for this meeting as well as all Town Board meetings are available on the Town website, public access TV, and in Town Hall prior to the meeting. For Years 4 and 5, the Town will publish a notice in the official paper also.</p>	
<p>Permit Reference IV.C.2.e: Public presentation of; f: summary of comments received on; and g: intended response to comments on the SWMPAR.</p> <p>Summarize attendance at the public presentation of the Annual Report. Include number of attendees and who was represented:</p> <p>Total number of attendees at Town Board meeting of 24 May 2006 was approximately 100</p>	
<p>Comments on Annual Report Meeting</p> <p>x_ No public comments received on Annual Report.</p> <p>___ Comments received. Attach summary of comments and intended responses.</p>	<p>Date of Annual Report Meeting: May 24, 2006 (with detailed summary of Town program at June 14, 2006 meeting)</p> <p>Approximate Date of Meeting Next Year: May 23, 2007</p>
<p>Additional Techniques</p>	<p>Describe Measurable Goals and Results (when applicable)</p> <p>Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>Year 4 Goal: Solicit and utilize volunteers from environmental and volunteer organizations for assistance with stenciling and information distribution</p>	<p>Late Summer 2006. Actual goal for number volunteers unknown. Town will solicit numerous organizations for assistance.</p>
<p>Year 5 Goal: Create a section on Town website for the public complaints of stormwater pollution & illicit discharges. Create tracking & response systems.</p>	<p>After Town laws are established – target June 2007.</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> <p>N/A</p>	

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>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>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 and planned for next year.</i> • <i>Revise as procedures are updated.</i> • <i>Identify personnel or outside organization conducting the activities</i> 	<p>March 9, 2006 On going July 2005</p>
<p>Training program by NYS DEC on IDDE</p>	<p>February 15, 2006 (approx. 90 Town employees in attendance)</p>
<p>Continued development of Town GIS system including stream networks, drainage basins, terrain modeling, regulated MS4 boundary location, etc.</p> <p>Information regarding septic system maintenance and illicit discharge on Town stormwater bulletin board</p> <p>Training program on illicit discharge detection and elimination and good housekeeping for DPW, Highway Dept, and Parks Dept. staff</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 and planned for next year, including work on the following IDDE guidance prerequisites:</i></p> <ul style="list-style-type: none"> • <i>field verification of outfall locations;</i> • <i>mapping all inter-municipal subsurface conveyances;</i> • <i>delineating storm sewershed; and</i> • <i>developing and retaining MS4 mapping as needed to find the source and identify illicit discharges. 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>Town procured additional GPS equipment including laser for offset measurement to allow outfall GPS activities under foliage cover</p>	<p>September 2005</p>
<p>Storm sewersheds delineated using digital terrain model</p>	<p>Approx. December 2005</p>
<p>Year 4: Begin mapping outfall locations with GPS equipment for inclusion in GIS model</p>	<p>On going. As the total number of outfalls is not yet known, the Town hopes to locate over 100 outfalls in Year 4.</p>
<p>Year 4: Begin scanning and digitizing storm sewer mapping. Submitted application to NYS Education Department for a Local Records Management Improvement Grant to offset cost of scanning.</p>	<p>If grant is accepted, scan 100% of storm sewer mapping and digitize 10% of storm sewer system in GIS model. Otherwise digitize only.</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?
 ___ No (go to ADDENDUM 1)
 Yes (complete questions below)

Assessment of Regulatory Mechanism (Local Code)

1) When was this assessment completed or planned to be completed?
 Date completed: _____
 Not yet completed (proceed to next table)
 Plan to complete for reporting in year: 4; x 5.

2) Is there an existing ordinance, local law or other regulatory mechanism?
 ___ No (go to question 5)
 Yes

3) Does the existing regulatory mechanism prohibit illicit discharges as required by the MS4 Permit?
 ___ No (amendments needed)
 Yes

4) Does the existing regulatory mechanism include enforcement authorities and procedures as required by the MS4 Permit?
 ___ No (amendments needed)
 Yes

Development of Regulatory Mechanism (Local Codes)

5) When was this work completed or planned to be completed?
 Date completed: _____
 Not yet completed (proceed to next table)
 Plan to complete work below for reporting in year: 4; x 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?
 ___ NYS IDDE Model Law in its entirety
 ___ Selected NYS IDDE Model Law articles adopted as amendments to existing code(s) that are equivalent to the NYS IDDE Model Law
 ___ 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?
 ___ No
 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?
 ___ NYS IDDE Model Law in its entirety
 ___ Selected NYS IDDE Model Law articles adopted as amendments to existing code(s) that are equivalent to the NYS IDDE Model Law
 ___ Language equivalent to NYS IDDE Model Law

9) What was the date or is the planned date of local law adoption?
 Date: By June 29, 2007

10) Provide a web address if adopted local law can be found on a web site.
 Web Address: TBD

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 and planned for next year</i> <i>Identify personnel or outside organization conducting activities</i> <p>Training program on illicit discharge detection and elimination and good housekeeping for DPW, Highway Dept, and Parks Dept. staff</p> <p>Training program by NYS DEC on IDDE</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p> <p>February 15, 2006 (approx. 90 Town employees in attendance)</p> <p>March 9, 2006 (Town Engineer, Highway Supt. & Town Supervisor in attendance)</p>
<p>Additional Techniques</p> <p>Year 4 Goal: Perform additional field training with municipal staff for field testing and locating illicit discharges</p> <p>Year 4 Goal: Develop database to log information on outfalls</p> <p>Year 4 Goal: Continue procurement of necessary equipment</p> <p>Year 4 & 5 Goal: Develop work process to identify, inspect, track and repair illicit discharges</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p> <p>Train critical Engineering and Highway Dept. staff involved (approx. 4)</p> <p>Develop MS Access database to log information about outfall and each inspection of the outfall – June 2006.</p> <p>Purchase tablet PC with protective enclosure for field use, digital camera, simple water quality test kits, etc. – June 2006.</p> <p>Develop procedures, tracking database, and integrate with GIS</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: N/A</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?

No (go to ADDENDUM 2)
 Yes (complete questions below)

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: Not yet completed (proceed to next table)
Plan to complete for reporting in year: 4; 5.

Did not do preliminary assessment; proceeded directly to Gap Analysis Worksheets 1-4 or adopted *Sample Local Law for Stormwater Management and Erosion & Sediment Control* (Sample Local Law).

2. If preliminary assessment was completed, indicate the results.

If none of Sample Local Law provisions appear in local code; consider adopting Sample Local Law or equivalent

If few Sample Local Law provisions appear in local code; major revisions needed or consider adopting Sample Local Law or equivalent

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: Not yet completed (proceed to next table)
Plan to complete work below for reporting in year: 4; 5.

4. How was the local code adopted or how will it be adopted*?

a. The entire Sample Local Law adopted as amendments to existing code or as stand alone law.
• 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 *Gap Analysis* or equivalent process) to ensure the intent of the law has not been changed.

b. Parts of NYS Sample Local Law adopted as amendments to existing code.

c. Language developed by municipality was demonstrated to be equivalent.

**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.*

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)
1		TABLE N/A
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)?

X_ No
 ___ Yes, list the local codes that will be changed:

7. What was the date or is planned date of local code adoption?
 Date: Targeting Summer 2007, exact date TBD

8. Provide a web address if the adopted local law can be found on a web site.
 Web Address: Will be included on Town of Bethlehem website once completed.

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"> Describe the procedures below. <i>Revise as procedures are updated.</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"> Example measurable goals: <i>number of plans received; number of plans reviewed; percent of plans received that are reviewed.</i>
<p>As part of the technical review practices of the Engineering Division, SWPPPs for proposed subdivision and commercial site development projects required under DEC GP permit requirements are reviewed</p>	<p>Ongoing – Continue to receive and review SWPPPs for 100% of projects before the Planning Board.</p>
<p>Year 5 Goal: Include formal requirement for SWPPP submittal to Town of Bethlehem for all projects required under Phase II regulations</p>	<p>Review and modification of local regulations and procedures – target June 2007</p>
<p>Year 4 Goal: Establish formal review checklists for use by Town staff and consultants in reviewing SWPPPs.</p>	<p>Checklists for erosion & sediment control plans, permanent water stormwater treatment system design review, and administrative requirements (i.e., SWPPP contents, maintenance agreements, O/M manuals, etc.) – December 2006</p>
<p>Town Zoning Law Section 128-51 requires submission of Erosion and Sediment control plans for review prior to issuance of a grading permit</p>	<p>Adopted with new Zoning Law 24 August 2005</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"> Explain the procedures below. <i>Revise as procedures are updated.</i> Identify the responsible personnel or outside organizations. 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>The Town Zoning Law requires public hearings for subdivision, site plan, PDD, zoning changes and variances, and special use permit approval allowing public input and comment.</p>	<p>Ongoing.</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.

<p>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.</p> <ul style="list-style-type: none"> Describe each procedure below. <u>Revise as procedures are updated.</u> 	<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"> Example measurable goals are number of: inspections; fines assessed; stop work orders; other sanctions.
<p>Year 5 Goal: Adopt local ordinance regulating construction site stormwater runoff.</p>	<p>Adopt local ordinance – target June 2007</p>
<p>Year 4 Goal: Develop procedures and tracking systems for inspection and enforcement of construction activities.</p>	<p>Establish written procedures, tracking database, management controls, and performance metrics – target March 2007</p>
<p>Year 4 Goal: Identify personnel and department responsible for site inspections and enforcement actions.</p>	<p>Identify key personnel, necessary organizational changes, and interdepartmental lines of communication and responsibility – target December 2006</p>
<p>Year 4 and 5 Goal: Identify necessary training and available training opportunities for construction site inspectors and enforcement officials</p>	<p>Ongoing.</p>
<p>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.</p> <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. 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>SWPPPs are required for Planning Board approval of subdivisions, site plans, etc. Training of on-site operators is a required component of the SWPPP.</p>	<p>On-going.</p>
<p>Year 4 Goal: Distribute educational flyers regarding stormwater pollution prevention with building, highway, water, and sewer permits.</p>	<p>Develop or procure informational flyer and distribute with 50% of all issued permits.</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>Year 5 Goal: Develop educational information regarding new permits and local regulations regarding stormwater pollution prevention.</p>	<p>Distribute to with all issued permits for at least one year. Distribution could be reduced as contractors become aware of new regulations.</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: N/A</p>	

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.

<p>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:</p> <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. Revise as procedures are updated.</i> <p>Year 5: Establish local ordinance to regulate post-construction runoff from new development and redevelopment</p> <p>As mentioned in MM4, SWPPPs are required for Planning Board approval of subdivisions, site plans, special use permits, etc. Staff in Engineering Division of DPW inspects approved projects.</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
<p>DO NOT ENTER INFORMATION IN THIS CELL</p>	
<p>Year 5: Establish local ordinance to regulate post-construction runoff from new development and redevelopment</p>	<p>Target date – June 2007.</p>
<p>As mentioned in MM4, SWPPPs are required for Planning Board approval of subdivisions, site plans, special use permits, etc. Staff in Engineering Division of DPW inspects approved projects.</p>	<p>Year 4 – Perform periodic inspection of 50% of all private treatment systems and 100% of municipal systems Year 5 – Once local ordinance is enacted, periodic inspection of stormwater treatment facility construction and erosion & sediment control measures. Frequency of facility inspections based on design recommendations; all sites with ESC measures will be spot inspected</p> <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>
<ul style="list-style-type: none"> • Procedures for site plan and SWPPP review to ensure SWMPs meet state standards. • <i>Describe procedures below. Revise as procedures are updated.</i> 	<p>See above.</p>
<p>Year 4 Goal: Creation of review checklists and procedures as mentioned above. Year 4 Goal: Creation of inspection checklists and tracking systems for inspection of the construction of stormwater treatment systems and erosion & sediment controls</p>	<p>Develop checklists and management systems for inspection of stormwater facilities – December 2006</p>

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.

<p>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:</p>	<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"> Procedures for inspection and maintenance of post-construction management practices. 	<ul style="list-style-type: none"> <i>Example measurable goals are number of: inspections maintenance activities performed.</i>
<ul style="list-style-type: none"> <i>Explain procedures below. <u>Revise as procedures are updated.</u></i> 	Develop management system, inspection, and testing protocols – March 2007
Year 5 Goal: Develop inspection, monitoring, testing and tracking system to check performance of stormwater treatment facilities – public and private.	Visually inspect 20 treatment facilities and test effluent of 20% of the inspected systems by December 2007.
Year 5 Goal: Visually inspect, and sample and test effluent from treatment systems.	<ul style="list-style-type: none"> <i>Example measurable goals: number enforcement activities performed.</i>
<ul style="list-style-type: none"> Procedures for enforcement and penalization of violators. 	Target June 2007
<ul style="list-style-type: none"> <i>Explain procedures below. <u>Revise as procedures are updated.</u></i> 	Target June 2007
Year 5 Goal: Establish local ordinance to regulate post-construction runoff with enforcement protocols and penalties.	Target June 2007
Year 5 Goal: Develop department procedures for enforcement actions including stop work orders, fines, etc.	Target June 2007

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:

- Adequate resources for a program to inspect new and re-development sites and for enforcement and penalization of violators.
- Describe resources below. *Update annually.*

Year 4 Goal: Perform organizational and staffing analysis to determine what department will have responsibility for enforcement and associated staffing needs.

Year 4 & 5 Goal: Identify training needs for key personnel inspecting and testing the performance of established stormwater treatment systems.

Additional Techniques

Year 4 Goal: Locate existing private and public stormwater treatment systems in GIS.

Year 5 Goal: Consider surety requirements for the long term maintenance private stormwater treatment systems in local ordinance

Year 4 Goal: Establish system to manage and store all O&M manuals, SWPPPs, legally binding maintenance agreements, etc.

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:

The Town of Bethlehem's understanding of the stormwater program requirements is increasing as we continue to develop our program. As such, the goals listed above are more detailed in nature than previous annual reports or the NOI.

<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>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:</p> <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. • Describe resources below. <i>Update annually.</i> <p>Year 4 Goal: Perform organizational and staffing analysis to determine what department will have responsibility for enforcement and associated staffing needs.</p> <p>Year 4 & 5 Goal: Identify training needs for key personnel inspecting and testing the performance of established stormwater treatment systems.</p> <p>Additional Techniques</p> <p>Year 4 Goal: Locate existing private and public stormwater treatment systems in GIS.</p> <p>Year 5 Goal: Consider surety requirements for the long term maintenance private stormwater treatment systems in local ordinance</p> <p>Year 4 Goal: Establish system to manage and store all O&M manuals, SWPPPs, legally binding maintenance agreements, etc.</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> <p>The Town of Bethlehem's understanding of the stormwater program requirements is increasing as we continue to develop our program. As such, the goals listed above are more detailed in nature than previous annual reports or the NOI.</p>
<p>DO NOT ENTER INFORMATION IN THIS CELL</p>	<p>Target August 2006 to support 2007 budget.</p>
<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>Ongoing.</p>
<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>50% of all facilities by October 2006.</p>
<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>Evaluate with local ordinance development – target June 2007</p>
<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>Consolidated document storage and database by October 2006</p>

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. 	
<p>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.</p> <ul style="list-style-type: none"> List pollutants that will be addressed by the municipal pollution prevention program. <p>Oils, solvents, grease, salt, sediment, etc. Others to be determined.</p> <ul style="list-style-type: none"> Set and describe pollution prevention priorities by geographic areas, municipal operation type, and facilities. <p>Reviews with operations managers to understand existing operation procedures, waste management and storage techniques, etc. at each Town facility.</p> <p>Capital Improvement Plan - Identify any significant capital improvements at each facility</p> <p>Create permit and tracking systems consistent with local ordinances regulating stormwater pollution prevention</p> <p>Identify opportunities for Town-wide municipal operations standard operating procedures</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>
	DO NOT ENTER INFORMATION IN THIS CELL
	Target October 2006.
	Target October 2006
	Target December 2007
	Target December 2006
<p>Permit Reference IV.C.6.a: Include a municipal pollution prevention training component for staff (where all staff are trained).</p> <ul style="list-style-type: none"> Explain activities and materials used to meet this requirement. Identify training needs and design training components Determine the adequacy and appropriate frequency of staff training. Identify personnel or outside organization conducting activities. <p>Training on Municipal Storm Water Pollution Prevention including videos "After the Storm" and "Storm Watch - Municipal Storm Water Pollution Prevention and BMPs"</p> <p>Identify technical training opportunities for engineers reviewing and inspectors inspecting stormwater treatment systems.</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p> <p>February 15, 2006 - approximately 90 DPW, Highway Department, Engineering, and Parks Department staff in attendance - presented by Town Engineer.</p> <p>Ongoing.</p>
<p>Year 4 & 5: Annual training on municipal storm water pollution prevention, modifications to operating procedures, and IDDE.</p>	<p>November 2006. Consider targeted technical training for key personnel (e.g., sampling & testing protocol for treated water, investigation of suspected illicit discharges, etc.)</p>

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

Additional Techniques	Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)
Year 5 Goal: Establish clear protocols for interdepartmental communication and coordination related to stormwater activities.	Target June 2007
Year 5 Goal: Establish a performance metric system that puts priority on stormwater pollution efforts	Target December 2007
Year 5 Goal: Begin an annual program for an "all-hands" facility cleanup day at each Town facility.	Target March 2007
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: Department of Public Works – water and sewer treatment and collection/distribution

<ul style="list-style-type: none"> • 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. 	
<p>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.</p> <ul style="list-style-type: none"> • Describe how the bulleted items below focus on pollutants addressed by the municipal pollution prevention program and the pollution prevention priorities. 	<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"> • Briefly describe or reference any existing policies and procedures • Briefly describe or reference any policies and procedures being developed <p>Formal written policies and procedures on housekeeping, street sweeping, catch basin maintenance, etc. are lacking</p>	<p>DO NOT ENTER INFORMATION IN THIS CELL</p> <p>Year 5: Develop standard operating procedures related to stormwater program activities. Target December 2007</p>
<ul style="list-style-type: none"> • Briefly describe or reference any existing best management practices • Briefly describe or reference any planned best management practices <p>Formalized best management practices are not documented. The Town does perform operations like street sweeping, brush collection, leaf pickup on a routine, routed basis.</p>	<p>DO NOT ENTER INFORMATION IN THIS CELL</p> <p>Year 5: Develop best management practices for frequency of maintenance of stormwater treatment facilities, procedures for maintenance operations, protocols storage of materials and stockpiles, etc. Target December 2007</p>
<ul style="list-style-type: none"> • Identify and describe the equipment and staff that are in place <p>Total Highway Department staff is approx. 60 each is involved some portion of the stormwater program but not necessarily dedicated to the program (i.e., recycling, street sweeping, brush pickup, storm sewer maintenance, etc.). Total Town operations and maintenance staff approx. 120 between several departments</p>	<p>DO NOT ENTER INFORMATION IN THIS CELL</p> <p>Year 4: Need to evaluate additional equipment needs for maintenance of storm water treatment ponds, wetlands; etc. including small excavators.</p>

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: Department of Public Works – water and sewer treatment and collection/distribution

<p>• Copy this page and give it to each municipal office or department responsible for reporting.</p> <p>• Put an 'X' in front of each municipal operation type addressed by the Municipal Pollution Prevention/Good Housekeeping Program in that office or department.</p> <p>• Refer to the Municipal Pollution Prevention / Good Housekeeping Assistance document for example best management practices, policies and procedures.</p> <p>• Use separate rows to explain the different processes, activities, procedures, practices, etc. used by the MS4. Add additional rows as needed.</p>	<p>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.</p> <ul style="list-style-type: none"> • <i>Assess if existing programs adequately reduce and/or prevent pollutant discharges</i> • <i>Determine and list any operation type, location or facility that is in need of modification or updates.</i> 	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>DO NOT ENTER INFORMATION IN THIS CELL</p>
<p>Permit Reference IV.C.6.a: If there is a training component for staff specific to these municipal operations:</p> <ul style="list-style-type: none"> • <i>explain the activities and materials;</i> • <i>identify the personnel or outside organization conducting the activities.</i> <p>Locate training materials for in-house training through APWA, etc.</p> <p>Cornell Local Roads Training</p>	<p>Year 4: Determine where to obtain acceptable training materials (i.e., videos, etc.). October 2006</p> <p>Year 5: Goal:2 personnel in March 2007</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>Year 4: Determine where to obtain acceptable training materials (i.e., videos, etc.). October 2006</p> <p>Year 5: Goal:2 personnel in March 2007</p>
<p>Additional Techniques</p> <p>Obtain copy of NYS Non Point Source Roadway & ROW Maintenance catalog and other reference materials related to maintenance operations</p> <p>Evaluate alternative deicing materials and/or managed reduced salting areas</p>	<p>December 2007</p>	<p>Describe Measurable Goals and Results (when applicable) Indicate: Date Completed, Ongoing Task, or Scheduled Date (for next years activities)</p>	<p>July 2006</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>			

Did you include any of the following documents as appendices? Put a mark each appended document.

- Summary of public comments received on the annual report at the public presentation **(Required)**
- Intended response to comments on the annual report **(Required)**
- Results of information collected and analyzed, including monitoring data; evaluation of assessment (modeling) of pollutant discharges, including modeling results and pollutant transport trends.
- Other _____