



**SPDES General Permit for Stormwater Discharges from
Small Municipal Separate Storm Sewers (MS4s), Permit No. GP- 02-02
Municipal Compliance Certification**

Section A. Small MS4 Owner/Operator Information		Annual Report for the year ending: March 9, 2004	
SPDES No. NYR20A208		MS4 Name: Town of Bethlehem	
Contact Name: Gregg Sagendorph		Contact Title: Superintendent of Highways	Phone No.: (518-767-9618)
Mailing Address:	Street or P.O. Box: 445 Delaware Avenue		City: Bethlehem
	County: Albany	State: New York	Zip Code: 12054
Is any of this information new or changed since your last certification? (Please circle one answer) Yes <u>No</u>			

Section B. Watershed and MS4 Partnership Information (Please circle one answer for each question)

1. a) Have you received notification from the Department that you are subject to the special conditions in Part III.B. of the permit ? Yes No

b) If you answered yes to 1a), have all necessary changes been made to the Stormwater Management Program (SWMP) to ensure compliance with Part III.B. of the permit? Yes No N/A

2. a) Have any new MS4 partnerships developed, where another municipality will be responsible for carrying out a portion of your municipality's SWMP? If yes, please specify the municipality and the activity. Yes No

b) Municipality: _____

c) Activity: _____

d) Has a legally binding intermunicipal agreement been executed? If yes, please include a copy of the agreement as an appendix to the Stormwater Management Program Annual Report (SWMPAR). Yes No N/A

BWCP - 8 (8/2003) Version 1.0

Section C. Evaluation of Compliance

1. For each of the six minimum measures listed below, indicate if your program has made steady progress toward full implementation *and* has achieved all measurable goals scheduled to be completed this reporting period. (Please circle one answer for each question)

	<u>Steady Progress</u>		<u>Goals Achieved</u>	
	<u>Yes</u>	No	<u>Yes</u>	No
a) Public education	<u>Yes</u>	No	<u>Yes</u>	No
b) Public participation/involvement	<u>Yes</u>	No	<u>Yes</u>	No
c) Illicit discharge detection and elimination	<u>Yes</u>	No	<u>Yes</u>	No
d) Construction site stormwater runoff control	<u>Yes</u>	No	<u>Yes</u>	No
e) Post-construction stormwater management	<u>Yes</u>	No	<u>Yes</u>	No
f) Pollution prevention/good housekeeping for municipal operation	<u>Yes</u>	No	<u>Yes</u>	No

2. Does your SWMP cover all areas, automatically and additionally designated, pursuant to 40 CFR 122.32(a), under your jurisdiction? Yes No

3. Have adequate resources been allocated to fully implement your SWMP no later than January 8, 2008? Yes No

**SPDES General Permit for Stormwater Discharges from
Small Municipal Separate Storm Sewers (MS4s), Permit No. GP- 02-02
Municipal Compliance Certification, Page 2**

SPDES No.: NYR20A208	MS4 Name: Town of Bethlehem
----------------------	-----------------------------

Section D. Explanation of Compliance Evaluation

If you answered No to question 1b in Section B or to any question in Section C, indicate the question in the small box in the upper left hand corner, and provide a brief explanation, including action being taken to address the problem, in the space provided. With respect to any of the six minimum measures; your attached Stormwater Management Program Annual Report (SWMPAR) must include a detailed explanation of why implementation or compliance is not being achieved and what actions have been taken to ensure compliance with each minimum measure. Indicate where this explanation can be found in the SWMPAR. If necessary, attach extra sheets following the same format.

Question # 3.	Explanation : Staff resources can be made available, however the full financial implications of measures necessary for full implementation of the SWMP in 2008 have not yet been determined.
---------------	--

Question #	Explanation
------------	-------------

Question #	Explanation
------------	-------------

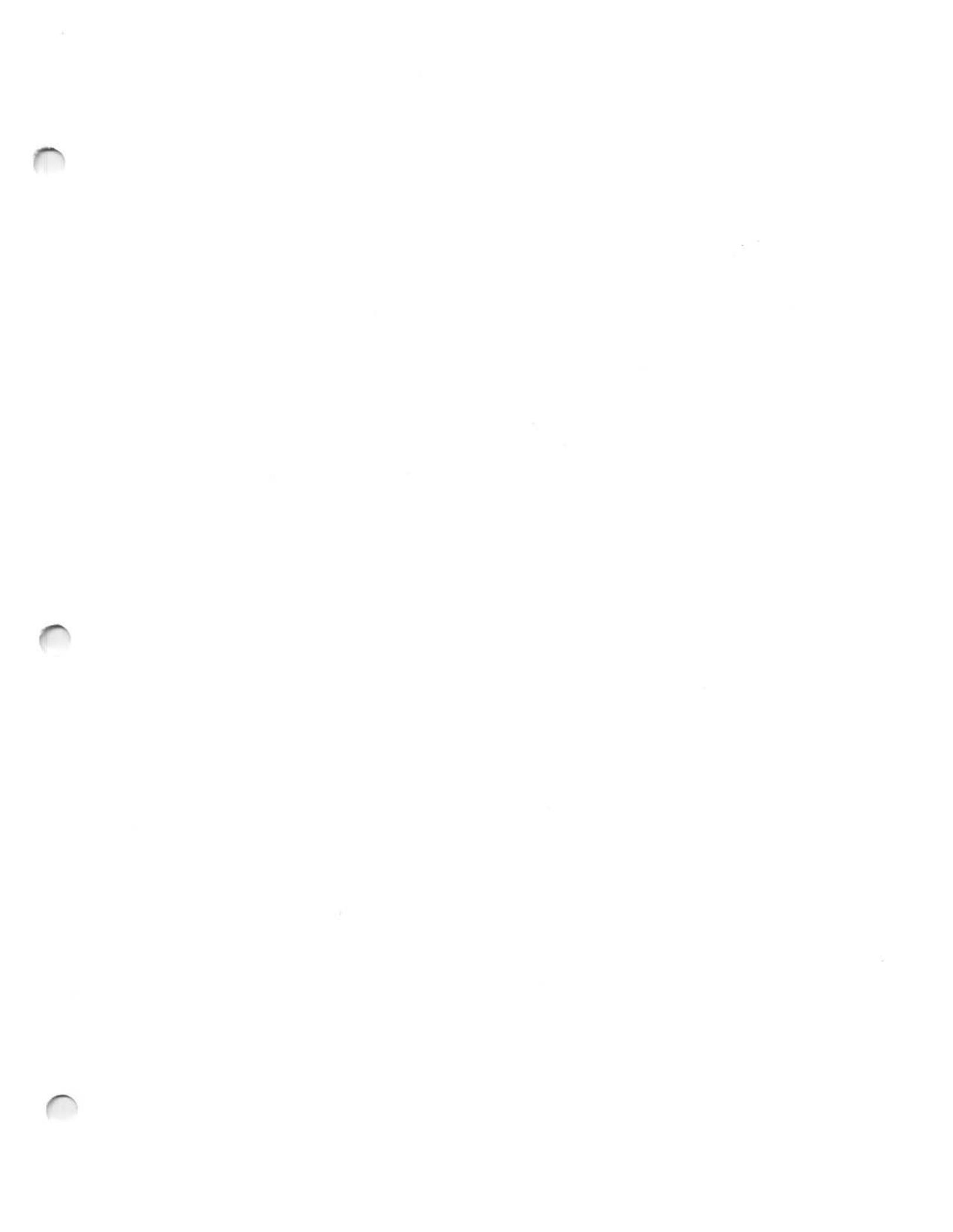
Section E. Certification

"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 A. SAGENDORPH Title: SUPT. OF HIGHWAYS

Signature: *Gregg A. Sagendorph* Date: 5/28/04

The MCC 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. Send this form to both the DEC Regional Office (see list of addresses in the instructions) and the DEC Central Office (MS4 Permit Coordinator, 625 Broadway, Division of Water - 4th Floor, Albany, NY 12233-3505)



**Stormwater Management Program Annual report
Six Minimum Measures Section**

March 10, 2003 – March 9, 2004

Municipality Name: Town of Bethlehem

SPDES Number: NYR20A208

Use this table to summarize your Stormwater Management Program Minimum Measures for Sections I through VI. We request that MS4s fill out this table electronically. The table is available in Microsoft Word, Microsoft Excel and Corel WordPerfect, or you may duplicate this table manually. To request the electronic versions, send an e-mail to stormh2o@gw.dec.state.ny.us with the subject line: SWMPAR/MMC REQUEST. You will receive all three software versions. Once you have completed the table, send a hard copy only with your report to the addresses in the instructions.

Minimum Measure 1: Public Education and Outreach in Stormwater Impacts

A. Narrative Overview:

A six-page flyer was mailed to all Town residents to inform them of the importance and details of spring clean-up, summer yard waste pickup, haz-waste and computer collection, composting, recyclables and C&D disposal. Our plan for Year 2 is to modify this brochure to include more stormwater specific educational information. We been awarded a grant, as co-applicants with the Albany County Water Quality Coordinating Committee, to fund public outreach and education. Part of the grant will be used to train building officials and to coordinate among Albany County MS4's with intermunicipal system dependencies.

B. Implementation of Best Management Practices		C. Activities Planned for Upcoming Year
Type in the management practices selected in your NOI and any additional ones that you worked on.	Any done in the past year?	Describe SWMP activities that are planned for the next year and changes to selected management practices/measurable goals.
Techniques	YES NO	
Plan and conduct an ongoing public education and outreach program (required)	YES	Continue year 1 efforts and distribute additional educational materials.

Additional Activities for MM-1

Public Education		<p>a. The Town invited educational presentations for the Town Boards and Town Officials by the Onesequethaw-Coeymans Watershed Council. Per the Audubon International 2001-2002 annual report, the Onesequethaw-Coeymans Watershed Council, co-founded in 1999 by Audubon International to protect water quality in its own backyard in upstate New York, continued to collect baseline data on stream conditions. In 2002, the group secured not-for-profit status and was awarded grants from Selkirk Cogen and the Hudson River Estuary Grants Program to educate the community and monitor water Quality in 2003. Completed 5/4/04</p>

Minimum Measure 2: Public Involvement/Participation

A. Narrative Overview:

The MCC and SWMPAR were placed on the agenda for the 5-26-04 Town Board Meeting with Comments Solicited. The following sections of Part IV.C.2 were met

- e) prior to submitting the annual report (see Part V.C.), present the draft annual report at a meeting that is open to the public, where the public attendees are able to ask questions about and make comments on the report. This can be a regular meeting of an existing board within the MS4, such as planning or zoning or the town board, etc.
- f) make public the following information:
 - i) the placement of the report on the agenda of this meeting;
 - ii) the opportunity for public comment;
 - iii) the date and time of the meeting; and
 - iv) the availability of the draft report for prior review.
- g) Include a summary of comments and intended responses in the annual report and make the final report available for public inspection.

Summary of comments and intended responses: No questions were asked at the Town Board meeting and no written comments were received on the Draft MCC, SWMPAR and Report in the days following. The finalized report will be available for public viewing in the MS4 Documents binder(s) in the Town Clerks office.

B. Implementation of Best Management Practices		C. Activities Planned for Upcoming Year	
Type in the management practices selected in your NOI and any additional ones that you worked on.	Any done in the past year?	If YES, describe what measurable goals that were achieved and other accomplishments. If NO, and the item was checked off on your NOI, describe why the task was not accomplished and, if still a measurable goal, list in column C.	Describe SWMP activities that are planned for the next year and changes to selected management practices/measurable goals .
	YES		
	NO		
Techniques			
Public notice and access to documents and information (required)	YES	The GP0202 NOI and Acknowledgement documents are available for Public Viewing at the Town Clerks office during normal business hours pursuant to Part V.B.	The MCC's and SWMPAR's will be included in the document.
Public presentation and comments received on SWMP and annual report (required)	YES	Presentation of MCC and SWMPAR at 5-26-04 Town Board Meeting and Comments Solicited.	Consider presenting MCC and SWMPAR prior to March 10 cycle ending date.
Public involvement/		Public involvement activities have not been identified yet.	Continue pursuing a Stormwater Grant application as a member of the Albany County SWCC for funds to print and distribute DEC printed materials that they DEC feels can meet the Education and Outreach requirements of the regulations.
Contact person identified (required)	YES	Established Mr. Gregg Sagendorph, Supt. Of Highways, this is published in the documents available for public viewing in the Town Clerks office	Publish contact information in public outreach and participation materials as required by this Permit.
Additional Activities for MM-2			

Minimum Measure 3: Illicit Discharge Detection and Elimination

A. Narrative Overview:

The Town is pursuing a grant to develop a GIS mapping system and purchase sophisticated GPS locating equipment for mapping development. This will facilitate our future required outfall mapping.

B. Implementation of Best Management Practices		C. Activities Planned for Upcoming Year	
Type in the management practices selected in your NOI and any additional ones that you worked on.	Any done in the past year?	If YES, describe what measurable goals that were achieved and other accomplishments. If NO, and the item was checked off on your NOI, describe why the task was not accomplished and, if still a measurable goal, list in column C.	Describe SWMP activities that are planned for the next year and changes to selected management practices/measurable goals.
Activities	YES		
Outfall mapping (required)	NO		
Illicit discharges prohibited (required)	YES	Town is pursuing a grant to develop a GIS mapping system and purchase sophisticated GPS locating equipment for mapping development. Code of Town of Bethlehem, V54, rev 3-10-04, Chapter 91, Art VI, S91-35&S91-36	Continue pursuing grant to develop a GIS mapping system and purchase sophisticated GPS locating equipment for mapping development. Develop proposed changes to Code to address additional required categories of non-stormwater discharges which are required by this permit.
Public, employees, businesses informed of hazards from illicit discharges (required)	YES	Annual Household Hazardous waste collection, 6-pg brochure mailed to Town Residents	Add more stormwater specific information for residents, continue development of mailings.
Illicit discharges identified (required)	NO	Plan not yet developed to monitor for illicit discharges to the stormwater system. Currently the town is responding to illicit discharges when complaints are made to the Town.	
Additional Activities for MM-3			

Minimum Measure 4: Construction Site Stormwater Runoff Control

A. Narrative Overview:

The Town Engineering Division has been incorporating the requirements for GP-02-01 compliant systems into the review of applicable projects before the Town Planning Board for approval. We will continue to build on this practice and expand these requirements across the board as the Town transitions into the full requirements for administration and enforcement of the GP-02-01 permit system.

B. Implementation of Best Management Practices		C. Activities Planned for Upcoming Year
Type in the management practices selected in your NOI and any additional ones that you worked on.	Any done in the past year? If YES, describe what measurable goals that were achieved and other accomplishments. If NO, and the item was checked off on your NOI, describe why the task was not accomplished and, if still a measurable goal, list in column C.	Describe SWMP activities that are planned for the next year and changes to selected management practices/measurable goals .
Requirements		
Require erosion and sedimentation controls through an ordinance or other regulatory mechanism (required)	YES	Make progress in developing the content of the proposed ordinance.
Provide opportunity for public comment on construction plans (required)	NO	Evaluate opportunities for further public comment opportunity for Site Plan, Planned District&SCRD w/o Zone Change, and some building permits.
Require construction site plan review (required)	YES	Continue year 1 efforts.
Require overall construction site waste management (required)	YES	

Site inspection and enforcement (required)	YES	SWPPP's are required by Planning Board for Subdivision and Site Plans. A required component is the inspection information. When the Local Ordinance is adopted, the Town will have additional enforcement capability.	
Education and training of construction site operators (required)	YES	SWPPP's are required by Planning Board for Subdivision and Site Plans. A required component is the inspection information. This required measure has been partially addressed. Having design professionals include a how-to-implement training section into the SWPPP's can be considered.	

Additional Activities for MM-4

--	--	--	--

Minimum Measure 4: Construction Site Stormwater Runoff Control - Continued

Additional Activities for MM-4			
Encourage Developers to Comply with GP-02-01 and develop approach and documents to facilitate Town review and approval of site plans and subdivisions with Phase II compliant stormwater management systems	YES	The Town has developed the following documents to steer applicants appearing before the Town Planning Board for approval toward complying with the NYSDEC GP-02-01 requirements where applicable: a. ENGINEERING DIVISION MEMORANDUM TO APPLICANTS - NYSDEC GP-02-01 PHASE II REQUIREMENTS, b. CERTIFICATION REGARDING STORMWATER MANAGEMENT – Provided to Town of Bethlehem, c. STORMWATER MANAGEMENT SYSTEM OPERATIONS AND MAINTENANCE MANUAL GUIDANCE, d. SAND FILTER MAINTENANCE AGREEMENT BETWEEN OWNER AND TOWN OF BETHLEHEM, and e. ENGINEERING DIVISION SUMMARY OF NYSDEC GP-02-01 REQUIRED INFORMATION IN SWPPPS. This will help to see that we have sufficient information for proposed systems to be turned over to the Town. f. STORMWATER POND & WETLAND, POND BENCHES REQUIRED ELEMENTS	

<p>We have 1. numerous written and telephone call inquiries to NYSDEC and worked with Carol Lamb-Lafay and Shohreh Karimipour, who have been very responsive, to clarify questions on information in the NYSSMDM such as:</p>	<p>YES</p>	<p>a. Determining which Standards are considered to be 4th order within the Town Boundaries, b. The minimum contributing area requirements for Pond Practices, c. Which areas need to be treated for quality/quantity for redevelopment projects, d. Clarification of Safety bench and Aquatic Bench Requirements for pond/wetland practices, e. NYSDEC's position disallowing use of jurisdictional wetlands and waters of the state for water quality treatment.</p>	
---	-------------------	---	--

Minimum Measure 5: Post-Construction Stormwater Management

A. Narrative Overview:

The Town Engineering Division has been incorporating the requirements for GP-02-01 compliant systems into the review of applicable projects before the Town Planning Board for approval. We will continue to build on this practice and expand these requirements across the board as the Town transitions into the full requirements for administration and enforcement of the GP-02-01 permit system.

B. Implementation of Best Management Practices		C. Activities Planned for Upcoming Year
Type in the management practices selected in your NOI and any additional ones that you worked on.	Any done in the past year?	Describe SWMP activities that are planned for the next year and changes to selected management practices/measurable goals.
Requirements Assess existing conditions throughout the MS4 and identify appropriate management practices to reduce pollutant discharge to the maximum extent practicable	<p>YES</p>	
Regulate post-construction runoff from development through an ordinance or other regulatory mechanism (required)	<p>NO</p>	<p>The Town Engineering division has developed a sophisticated Hydrocad computer model for portions of the Town Drainage system. This has been used as a planning and design tool by the Town and provide data to assist developers.</p> <p>Ordinance to be effected during Year 3 to Year 4 time period. We have received the will evaluate the Model Ordinance in the "Stormwater Management Guidance Manual for Local Officials" April 23, 2004 Public Review Draft</p>

Develop and implement practice inspection and maintenance program (required)		<p>The Engineering Division contacted the Town of Niskayuna and obtained sample documents used to develop "Drainage Districts" within that Town (see Attachment 10). This is one mechanism of allocating ongoing O&M cost to residents benefiting from the system which will be evaluated, and will fund the O&M program for municipal BMPs. The Engineering Division is requesting that specific notes be placed on GP-02-01 compliant project plans and O&M manuals are submitted for these sites seeking Planning Board approval, to facilitate a future Town enforcement effort for the maintenance of these systems by the private site owners.</p>	Continue year 1 efforts.
--	--	--	--------------------------

Additional Activities for MM-5

Evaluating BMPs	YES	Evaluate and approve Stormwater treatment Practices for "Transitional" systems being installed for projects being reviewed by NYSDEC. These systems include centrifugal separation type systems.	
Education of Town of Bethlehem Staff on GP-02-01 requirements	YES	<p>a. February 13, 2003 and February 28, 2003 NYSDEC Teleconferences attended by Town Senior Engineer, Engineering Division, Planning Department, Building Department and Highway Department Staff, b. February 18, 2003 NYSDEC and Capital District Regional Planning Commission Stormwater Program Orientation Workshop at the Colonie Town Library attendance by Commissioner of Public Works, Highway Superintendent, Engineering Division Administrator and Town Senior Engineer, c. November 6, 2003 Southeast New York Stormwater Conference and Trade Show in Poughkeepsie NY attended by Town Senior Engineer, d. Continued Participation and meeting attendance with the Albany County Water Quality Coordinating Committee (MS4 Subcommittee) by Highway Department Superintendent, Town Senior Engineer and staff.</p>	

Minimum Measure 6: Pollution Prevention/Good Housekeeping

A. Narrative Overview:

The Town Highway Department has tried to minimize site disturbance associated with construction activities. During the 2004-2005 permit year we will take steps to develop the required operations and maintenance program designed to reduce and prevent the discharge of pollutants to the maximum extent practicable (MEP) from municipal activities as well as training component. The NYS Management Practices Catalogue for Nonpoint Source Pollution Prevention or other equivalent guidance will be consulted as an information source.

B. Implementation of Best Management Practices		C. Activities Planned for Upcom. Year	
Type in the management practices selected in your NOI and any additional ones that you worked on.	Any done in the past year?	If YES, describe what measurable goals that were achieved and other accomplishments. If NO, and the item was checked off on your NOI, describe why the task was not accomplished and, if still a measurable goal, list in column C.	Describe SWMP activities that are planned for the next year and changes to selected management practices/measurable goals.
	YES		
	NO		
Requirements Prevent discharge of pollutants from municipal operations (required)	YES	Certain municipal construction activities requiring GP-02-01 coverage, including storm water management facilities to be turned over the Town, for which plans are reviewed by the Engineering Division, are required to include SWPPP's including E&SC plans, and O&M manuals. The Town has been considering a number of the six WQ treatment practices in the NYSSMDM and a Pond Practice has been constructed within the Town infrastructure. Private systems have been approved including a Sand filter practice. The Town has identified a discharge source from the Highway Garage that is currently being rerouted to the municipal sewer system.	Continue year 1 efforts, and expand scope of operations and maintenance program required by GP-02-02 to include Park&Open Space Maintenance, Stormwater System Maintenance, and Roadway and ROW Maintenance.
Follow DEC NPS management Practices catalog, or equivalent (required)	NO	We are in the process of obtaining the NYS Non Point Source Roadway and Right-of-Way maintenance catalog.	Review the NYS Non-Point-Source Roadway and Right-of-Way maintenance catalog and apply to a new operations and maintenance program.
Conduct employee pollution prevention training (required)	YES	Project review staff have had training to review proposed projects which include GP-02-01 water quality/quantity stormwater improvements.	Develop employee training protocols in conjunction with the Operations and Maintenance program components outlined above.
Additional Activities for MM-6			

Section VII.

The seventh section will summarize the results of any monitoring, desktop (or more sophisticated) modeling or some combination of monitoring and modeling necessary to sufficiently assess the program's goal of reducing the discharge of pollutants to the MEP.

None performed this period.

Section VIII.

The eighth section will summarize any funding or grants received from DEC, how the funds were used in the program, and specifically list any achievements attained with the use of the funds. Include model results, laboratory reports, and any other data or information collected in appendices.

The Town has been participating with the Albany County Water Quality Coordinating Committee, and is a recent co-recipient of a grant to fund public outreach and education, training and coordination of MS4 policies with adjoining communities. Specifics on the benefits to be realized from the grant will unfold over the course of this year.

