Town of Lake George Stormwater Management Program Plan (SWMP)

July 3, 2024 – July 3, 2029

Adopted by the Town Board June 10, 2024
Updated:

This Plan is a requirement under NYSDEC General Permit for Stormwater Discharge #GP-0-24-001

Table of Contents

Introduction 3

Program Administration 5

Partnerships 6

Enforcement 6

SWMP Annual Updates 7

Stormwater Management Plan Requirements 9

- **Mapping** 10
- **MCM 1 - Public Education and Outreach** 11
- **MCM 2 - Public Involvement and Participation** 14
- **MCM 3 - Illicit Discharge Detection and Elimination** 17
- **MCM 4 - Construction Site Stormwater Runoff Control** 19
- **MCM 5 - Post-Construction Stormwater Management** 21
- **MCM 6 - Pollution Prevention and Good Housekeeping** 22
- **Staffing and Training** 24

Appendix A. Enforcement Response Plan 25

Appendix B. MCM 3 Procedures 31

Appendix C. Construction Oversight Procedures 35

Appendix D. Post Construction Oversight Procedures 39

Introduction

Stormwater Program Coordinator & Reporting Contact	
Name:	Dan Barusch, AICP
Title:	Director of Planning and Zoning
Phone:	(518) 668-5722
Email:	dbarusch@lakegeorgetown.org
**All Accompanying documentation is located at the Town offices (20 Old Post Road, Lake George, NY 12845) during regular business hours 8:30 am - 4:30 pm*	

The Town of Lake George (Town) is categorized as a Traditional Land Use Control Municipal Separate Storm Sewer System (MS4) Operator, under Part VI of the New York State Department of Environmental Conservation (NYSDEC) General Permit for MS4 Stormwater Discharges (GP-0-24-001). Under this mandate, the Town must have a working Program Plan which outlines their activities to address stormwater education, outreach, and implementation under the state requirements. The MS4 area designated by the NYSDEC is the full boundary of the Town.

This Stormwater Management Program (SWMP) Plan documents the efforts currently undertaken and planned by the Town under this program. These requirements correspond to the Town infrastructure and properties (roads, bridges, drainage infrastructure and facilities), but also include public information and outreach on stormwater issues and construction/post-construction stormwater runoff. The ultimate purpose of this plan is to protect and improve water quality of the lakes and streams in the MS4 area.

The SWMP Plan is based on the Federal Stormwater Phase II rule, issued in 1999, which requires MS4 owners and operators, in U.S. Census-defined urbanized areas as well as in additionally designated areas, to develop a Stormwater Management Program. As of March 10, 2003, these new regulations and requirements came into effect. There are six program elements designed to reduce the discharge of pollutants to the maximum extent practicable. The program elements, titled Minimum Control Measures (MCMs), include:

MCM 1 - Public Education and Outreach Program
MCM 2 - Public Involvement and Participation
MCM 3 - Illicit Discharge Detection and Elimination
MCM 4 - Construction Site Stormwater Runoff Control
MCM 5 - Post-Construction Stormwater Management
MCM 6 - Pollution Prevention and Good Housekeeping

This document describes each MCM and the Best Management Practices (BMPs) that have been implemented to maintain compliance with the NYSDEC GP-0-24-001. Responsibilities to achieve and sustain compliance are clearly defined for each BMP. The primary implementation entity is the Town MS4 Stormwater Program Coordinator. This Plan will be updated as needed to address the latest technologies and information to maintain compliance with the NYSDEC GP-0-24-001, as well as to account for progress made.

Waterbodies of Concern:

Waterbody	WI/PWL ID	Pollutant of Concern
Lake George*	1006-0016	Silt/ Sediment

**Has Enhanced MS4 Program Requirements as an Impaired Water*

Illicit Discharges

Non-stormwater discharges are defined in the MS4 General Permit (GP-0-24-001) Part I.A.3 and include:

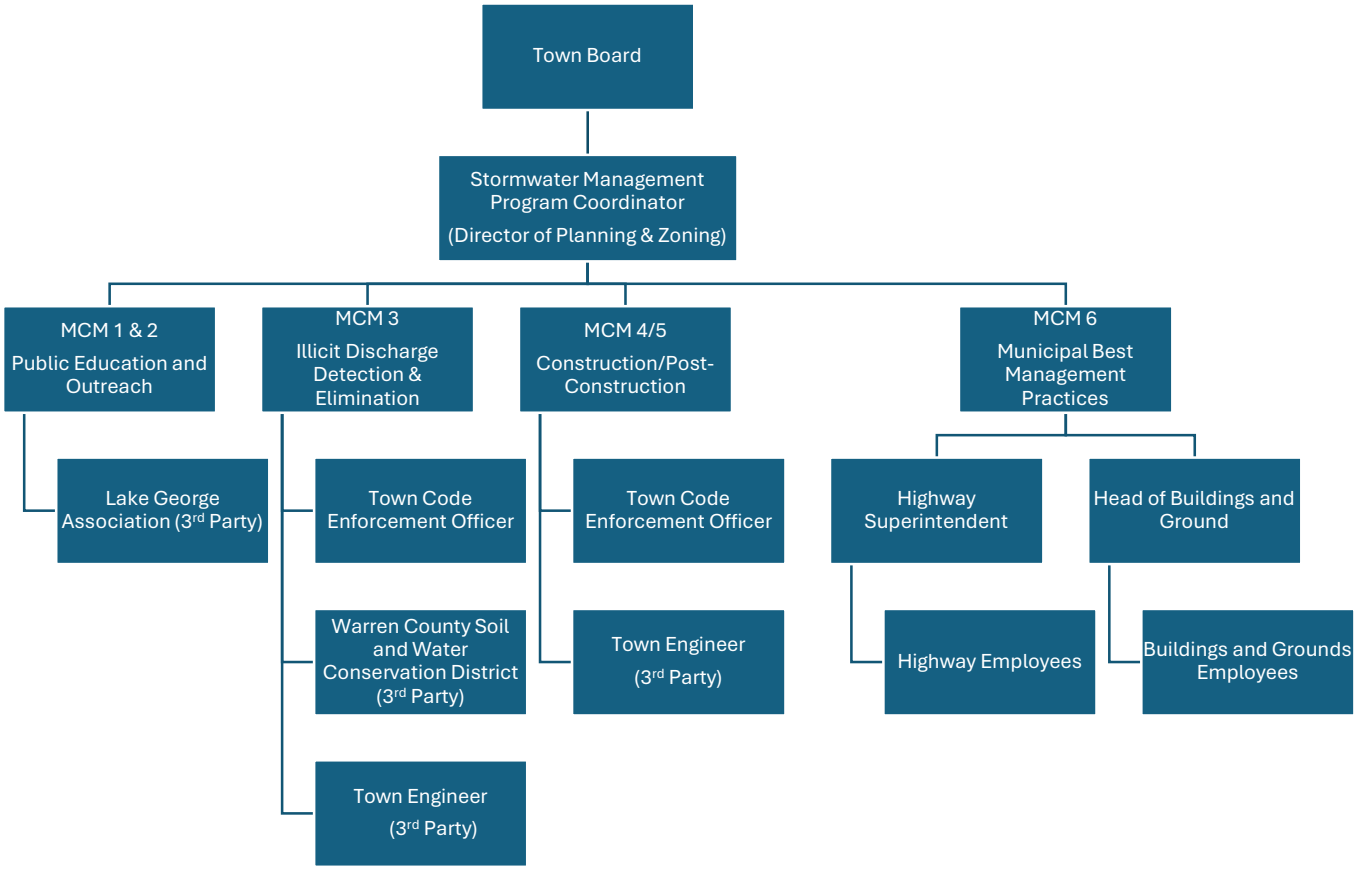
- Water line flushing
- Landscape irrigation
- Diverted stream flows
- Rising ground water
- Uncontaminated groundwater infiltration
- Uncontaminated groundwater
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensate
- Irrigation water
- Springs
- Flows from riparian habitats and wetlands
- Water from crawl space and basement sump pumps
- Footer drains
- Lawn and landscape watering runoff provided that all pesticides and fertilizers have been applied in accordance with the manufacturer's product label
- Water from individual residential car washing
- De-chlorinated swimming pool discharges
- Residual street wash water
- Discharges or flows from fire fighting activities
- De-chlorinated water reservoir discharges
- Any SPDES-permitted discharge

Illicit Discharge Reporting Hotline- (518) 668-5722

Program Administration

Stormwater Program Coordinator & Reporting Contact	
Name:	Dan Barusch, AICP
Title:	Director of Planning and Zoning
Phone:	(518) 668-5722
Email:	dbarusch@lakegeorgetown.org

Town of Lake George Organizational Chart



Partnerships

IV.A.1.b Inventory of entities assisting in permit implementation	
Lake Champlain - Lake George Regional Planning Board	N/A - SWMP assistance and program oversight
Warren County Soil and Water Conservation District	MCM 3
Lake George Association	MCM 1, MCM 2

Enforcement

The Town of Lake George Enforcement Response Plan is located in Appendix A.

IV.F.2 Instances of Non- Compliance							
Name of Owner/ Operator ***	Location of Stormwater source	Violation Description	Schedule for compliance	Description of enforcement	Accompanying documentation	Department/ agency referrals	Resolution date
*** Names can be redacted from the publicly available SWMP Plan							

Partnership documentation can be located at the Town of Lake George Offices (20 Old Post Road, Lake George, NY 12845)

Accompanying enforcement documentation can be located at the Town of Lake George Offices (20 Old Post Road, Lake George, NY 12845)

SWMP Annual Updates

General Updates					
V.B.2.a Annual Report Submission Due to DEC by April 1st					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
V.B.3.a Interim Progress Reports Due to DEC by Oct 1st & April 1st					
Oct-'25	Apr-'25	Oct-'26	Apr-'26	Oct-'27	Apr-'27
☐	☐	☐	☐	☐	☐
V.C. Yearly SWMP Evaluation & Updates					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
MCM 1					
Annual messaging					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
Yearly MCM1 Review and Update					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
MCM 2					
VI.B.1.a Annual MS4 Public Involvement for development and implementation of the SWMP					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
VI.B.2.a Annual MS4 SWMP public comment opportunity Notification					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐

Oct-'28	Apr-'28	Oct-'29	Apr-'29	Oct-'30	Apr-'30
☐	☐	☐	☐	☐	☐

MCM 3					
VI.C.1.d.iii. Annual Prioritization Update					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
VI.C.1.e.iv. Annual Monitoring and Inspection Procedure Review and update					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
VI.C.2.d. Annual illicit discharge track down procedure review					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
VI.C.3.d. Annual illicit discharge elimination procedures were reviewed and updated					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
MCM 4					
VI.D.3.e. construction oversight procedures reviewed and updated					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
VI.D.5.C Construction Site Prioritization Annual Update					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐
MCM 5					
VI.E.4.d. Post Construction SMP procedures reviewed and updated					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐

Stormwater Management Plan Requirements

Mapping

The MS4 Operator must develop and maintain comprehensive system mapping to include the mapping components within the MS4 Operator's automatically designated area or an additionally designated area subject to Criterion 1 or 2 of the Additional Designation Criteria (Appendix B), unless otherwise specified. The comprehensive system mapping must be documented in the SWMP Plan. The comprehensive system mapping must be in a readily accessible format, with scale and detail appropriate to provide a clear understanding of the MS4, to serve as a planning tool to allow for prioritization of efforts and facilitate management decisions by the MS4 Operator. Annually, after Phase I (Part IV.D.2.a.) completion, the MS4 Operator must update the comprehensive system mapping including updates to prioritization information of monitoring locations (Part VI.C.1.d. or Part VII.C.1.d, depending on the MS4 Operator type), construction sites (Part VI.D.5. or Part VII.D.5, depending on the MS4 Operator type), and municipal facilities (Part VI.F.2.c.i. or Part VII.F.2.c.i, depending on the MS4 Operator type).

Reference	Requirement	Compliance Timeframe
IV.D.	Update the comprehensive system mapping	Annually

Mapping for the Town of Lake George MS4 Program can be located at the Town of Lake George Offices (20 Old Post Road, Lake George, NY 12845)

MCM 1 - Public Education and Outreach

The MS4 Operator must develop and implement an education and outreach program to increase public awareness of pollutant generating activities and behaviors. This MCM is designed to inform the public about the impacts of stormwater on water quality, the general sources of stormwater pollutants, and the steps the general public can take to reduce pollutants in stormwater runoff.

Reference	Deliverable	Compliance Timeframe
VI.A.2.a.	Identify and document the method(s) used for the distribution of educational messages	Once every five (5) years
VI.A.2.b.	Deliver one educational message to each target audience(s) for each focus area based on the education and outreach topic(s)	Once every five (5) years
VI.A.2.c.	Review and update the focus areas, target audiences, and/or education and outreach topics	Annually

VI.A.1.a MCM 1 Focus Areas:

1. Lake George, Direct (1006-0008) *
2. Tribs to Lake George, Lake George Village (1006-0016)*

**Impaired Waterbody for Silt/Sediment*

VI.A.1.b MCM 1 Target Audiences

	Pollutant Generating Activities
1. Residents	Floatables, Animal Waste, Winter Road Maintenance, Chlorine
2. Commercial	Floatables, Animal Waste, Winter Road Maintenance, Chlorine
3. Construction	Silt/Sediment, Winter Road Maintenance
4.MS4 Operator's municipal staff	Silt/Sediment, Winter Road Maintenance

VI.A.1.c Education and Outreach topics

- Floatables
- Oil and Grease
- Animal Waste
- Silt/Sediment
- Winter Road Maintenance
- Chlorine

VI.A.1.c Pollutant Reduction Educational Goals

- Educate business owners on proper protocols for: pool draining, restaurant equipment cleaning (not over storm drains), dumpster management, wash water management, lawn and property maintenance, and use of de-icing materials and sand
- Promote green infrastructure technologies
- Educate business owners on IDDE law
- Educate garages on proper disposal of gas, grease and oils
- Educate tourists and visitors on littering and picking up pet waste
- Educate residents on phosphorus free fertilizer use and proper protocols for: residential car washing, disposal of household hazardous waste, snow removal, pool draining, implementing buffers along shoreline/streambanks to reduce erosion, picking up floatables, disposal of pet waste and proper septic system management
- Highway Department Educate Town Highway Department on proper facility management
- Educate contractors and local engineers/landscape architects on proper erosion and sediment control practices, green infrastructure, and SPDES permit requirements

VI.A.2.a Educational Message Distribution Method

- Printed Materials
- Social Media
- Stormwater information posted to Town website (https://lakegeorgetown.org/)
- Pamphlets available at Town Hall

Enhanced MCM 1 Requirements for Impaired Waters:

1) Within six (6) months of the EDC, the MS4 Operator must make available information on how the impairment is being addressed by implementation of the MS4 Operator's local law or legal mechanism with content equivalent to the model local law (Part IV.E.1 and Part IV.E.2.). MS4 Operators must document the completion of this requirement in the SWMP Plan

- *Silt/Sediment information is available at: https://lakegeorgetown.org/stormwater-management.html*

2) Following the completion of Part VIII.B.1, each year of active construction, the MS4 Operator must educate individuals involved in construction activity (e.g., contractor, subcontractor, qualified inspector, SWPPP reviewers) within the sewershed boundary on the use of post-construction SMPs that are intended to collect and separate silt and sediment debris from stormwater before discharging to waters of the State (e.g., sediment forebays) as detailed in the NYS SWMDM 2015. MS4 Operators must document the completion of this requirement in the SWMP Plan.

- *Construction silt/sediment reduction is available at: https://lakegeorgetown.org/stormwater-management.html*

MCM 2 - Public Involvement and Participation

The MS4 Operator must provide opportunities to involve the public in the development, review, and implementation of the SWMP. This MCM is designed to give the public the opportunity to include their opinions in the implementation of this SPDES general permit.

Reference	Deliverable	Compliance Timeframe
VI.B.1.a.	Provide an opportunity for public involvement/participation in the development and implementation of the SWMP	Annually
VI.B.1.b.	Inform the public of the opportunity for their involvement in the development and implementation of the SWMP and how they can become involved	Annually
VI.B.2.a.	Provide an opportunity for the public to review and comment on the publicly available SWMP Plan	Annually
VI.B.2.b.i.	Provide an opportunity for the public to review and comment on the draft annual report	Annually
VI.B.2.c.i.	Summarize comments received on SWMP Plan and draft annual report	Annually

VI.B.1.vi Stewardship Activities	2025	2026	2027	2028	2029	2030
Storm Drain Marker Program	☐	☐	☐	☐	☐	☐
Floating Classroom	☐	☐	☐	☐	☐	☐
Lake George Bookmark Contest	☐	☐	☐	☐	☐	☐
School Outreach Event	☐	☐	☐	☐	☐	☐
Community Outreach Meeting	☐	☐	☐	☐	☐	☐

VI.B.1.a Annual MS4 Public Involvement for development and implementation of the SWMP with at least ONE of these groups						
	2025 (Date)	2026 (Date)	2027 (Date)	2028 (Date)	2029 (Date)	2030 (Date)
Citizen advisory group on stormwater management	☐	☐	☐	☐	☐	☐
Public hearings or meetings	☐	☐	☐	☐	☐	☐
Citizen volunteers to educate other individuals about the SWMP;	☐	☐	☐	☐	☐	☐
Coordination with other pre-existing public involvement/participation opportunities;	☐	☐	☒	☐	☐	☐
Reporting concerns about activities or behaviors observed	☐	☐	☐	☐	☐	☐
Stewardship activities	☐	☐	☐	☐	☐	☐
Public hearings or meetings	☐	☐	☐	☐	☐	☐
VI.B.2.a Annual MS4 SWMP public comment opportunity Notification by at least ONE of these methods						
	2025 (Date)	2026 (Date)	2027 (Date)	2028 (Date)	2029 (Date)	2030 (Date)
Public notice	☐	☐	☐	☐	☐	☐
Printed materials (e.g., mail inserts, brochures and newsletters)	☐	☐	☐	☐	☐	☐
Electronic materials (e.g., websites, email listservs)	☐	☐	☐	☐	☐	☐
Mass media (e.g., newspapers, public service announcements on radio or cable)	☐	☐	☐	☐	☐	☐
Workshops or focus groups	☐	☐	☐	☐	☐	☐
Displays in public areas (e.g., town halls, library, parks)	☐	☐	☐	☐	☐	☐
Social Media (e.g., Facebook, Twitter, blogs)	☐	☐	☐	☐	☐	☐

VI.b.2.b.i MS4 Annual Report Notification						
	2025 (Date)	2026 (Date)	2027 (Date)	2028 (Date)	2029 (Date)	2030 (Date)
1) Presentation of the draft Annual Report at a regular meeting of an existing board	☐	☐	☐	☐	☐	☐
OR*						
2) Posting of the draft Annual Report on a public website	☐	☐	☐	☐	☐	☐

*If a public meeting is requested by two or more persons, the MS4 Operator must hold such a meeting.

Summary of Public Comment Received on SWMP or Annual Report	
2025	
2026	
2027	
2028	
2029	
2030	

MCM 3 - Illicit Discharge Detection and Elimination

The MS4 Operator must develop, implement, and enforce a program which systematically detects, tracks down, and eliminates illicit discharges to the MS4. This MCM is designed to manage the MS4 so it is not conveying pollutants associated with flows other than those directly attributable to stormwater runoff.

Reference	Deliverable	Compliance Timeframe
VI.C.1.c.ii.	Update the monitoring location inventory	Annually
VI.C.1.d.iii.	Update the monitoring location prioritization	Annually
VI.C.1.e.i.a)	Inspect the monitoring locations	Once every five (5) years
VI.C.1.e.ii.	Provide training on the MS4 Operator's monitoring location and sampling procedures prior to conducting monitoring locations and sampling	Once every five (5) years
VI.C.1.e.iii.	Update names, titles, and contact information for the individuals who have received monitoring location inspection and sampling procedures training	Annually
VI.C.1.e.iv.	Review and update the monitoring location inspection and sampling procedures	Annually
VI.C.2.b.	Provide training on the MS4 Operator's illicit discharge track down procedures prior to conducting illicit discharge track down	Once every five (5) years
VI.C.2.c.	Update names, titles, and contact information for the individuals who have received illicit discharge track down procedures training	Annually
VI.C.2.d.	Review and update the illicit discharge track down procedures	Annually
VI.C.3.b.	Provide training on the MS4 Operator's illicit discharge elimination procedures prior to conducting illicit discharge elimination	Once every five (5) years
VI.C.3.c.	Update names, titles, and contact information for the individuals who have received illicit discharge elimination procedures training	Annually
VI.C.3.d.	Review and update the illicit discharge elimination procedures	Annually

VI.C.1.a.ii Illicit Discharge Documentation (to be updated within 30 days of discharge)					
Date of report	Location	Nature of Discharge	Follow up actions	Inspection outcomes/ enforcement actions	Follow-up Date

Enhanced MCM 3 Requirements for Impaired Waters –

Following the completion of Part VIII.B.1, within five (5) years of the EDC, the MS4 Operator must include on the MS4 outfall inventory the number of each item identified in Part VIII.B.1.b. for each associated MS4 outfall.

MCM 3 Inspection, Track Down, and Elimination Procedures can be found in Appendix B.

MCM 3 Outfall Inventory can be located at the Town of Lake George Offices (20 Old Post Road, Lake George, NY 12845)

MCM 4 - Construction Site Stormwater Runoff Control

The MS4 Operator must develop, implement, and enforce a program to ensure construction sites are effectively controlled. This MCM is designed to prevent pollutants from construction related activities,50 as well as promote the proper planning and installation of post-construction SMPs.

Reference	Deliverable	Compliance Timeframe
VI.D.3.b.	Provide training on the MS4 Operator's construction oversight procedures prior to conducting construction oversight	Once every five (5) years
VI.D.3.c.	Update names, titles, and contact information for the individuals who have received construction oversight procedures training	Annually
VI.D.3.e.	Review and update the construction oversight procedures	Annually
VI.D.4.b.	Update the inventory of construction sites	Annually
VI.D.5.c.	Update the construction site prioritization	Annually
VI.D.6.a.i.	Ensure individuals responsible for reviewing SWPPPs for acceptance receive four (4) hours of Department endorsed training in proper erosion and sediment control principles prior to conducting SWPPP reviews and/or approvals	Once every three (3) years
VI.D.6.d.	Update the names, titles, and contact information for the individuals who have received four (4) hours of Department endorsed training in proper erosion and sediment control principles, for individuals responsible for reviewing SWPPPs	Annually
VI.D.8.c.	Inspect all sites with construction activity identified in the inventory during active construction after the pre-construction meeting, or sooner if deficiencies are noted that require attention.	Annually
VI.D.8.d.	Update the names, titles, and contact information for the individuals who have received four (4) hours of Department endorsed training in proper erosion and sediment control principles, for individuals responsible for construction site inspections	Annually

VI.D.2.b Construction Site Complaints					
Date of report	Location	Nature of complaint	Follow up actions	Inspection outcomes/ enforcement actions	Follow up date

Enhanced MCM 4 Requirements for Impaired Waters -

Following the completion of Part VIII.B.1, high priority construction sites must be inspected during active construction after the pre-construction meeting (Part VI.D.7. or Part VII.D.7, depending on the MS4 Operator type).

a. If the MS4 Operator is completing the inspection, the construction site must be inspected every ninety (90) days; or

b. If the MS4 Operator utilizes the qualified inspector's weekly inspection reports, as required by the CGP, to satisfy this requirement, the MS4 Operator must inspect the construction site once every six (6) months, or sooner if any deficiencies are noted that require attention. MS4 Operators must document the construction site inspections in the SWMP Plan.

MCM 4 Construction Oversight Procedures can be found in Appendix C.

MCM 4 Construction Site Inventory can be located at the Town of Lake George Offices (20 Old Post Road, Lake George, NY 12845)

MCM 5 - Post-Construction Stormwater Management

The MS4 Operator must develop, implement, and enforce a program to ensure proper operation and maintenance of post-construction SMPs for new or redeveloped sites. This MCM is designed to promote the long-term performance of post-construction SMPs in removing pollutants from stormwater runoff.

Reference	Deliverable	Compliance Timeframe
VI.E.2.c.	Update the inventory of post-constructions SMPs	Annually
VI.E.4.b.	Provide training on the MS4 Operator's post-construction SMP inspection and maintenance procedures prior to conducting post-construction SMP inspection and maintenance	Once every five (5) years
VI.E.4.c.	Update names, titles, and contact information for the individuals who have received post-construction SMP inspection and maintenance procedures training	Annually
VI.E.4.d.	Review and update the post-construction SMP inspection and maintenance procedures	Annually

MCM 5 Post Construction inspection and maintenance Procedures can be found in Appendix E.

MCM 5 Post Construction SMPs Inventory can be located at the Town of Lake George Offices (20 Old Post Road, Lake George, NY 12845)

MCM 6 - Pollution Prevention and Good Housekeeping

The MS4 Operator must develop and implement a pollution prevention and good housekeeping program for municipal facilities and municipal operations to minimize pollutant discharges. This MCM is designed to ensure the MS4 Operator's own activities do not contribute pollutants to surface waters of the State.

Reference	Deliverable	Compliance Timeframe
VI.F.2.a.ii.	Provide training on the MS4 Operator's municipal facility procedures prior to conducting municipal facility procedures	Once every five (5) years
VI.F.2.a.iii.	Update names, titles, and contact information for the individuals who have received municipal facility procedures training	Annually
VI.F.2.a.iv.	Review and update the municipal facility procedures	Annually
VI.F.2.b.ii.	Update the inventory of municipal facilities	Annually
VI.F.2.c.iii.	Update the municipal facility prioritization	Annually
VI.F.2.d.ii.a)	Conduct wet weather visual monitoring of the monitoring locations at high priority municipal facilities	Once every five (5) years
VI.F.2.d.ii.c)	Complete a comprehensive site assessment for each high priority municipal facility	Once every five (5) years
VI.F.2.e.ii.c)	Complete a comprehensive site assessment for each low priority municipal facility	Once every five (5) years
VI.F.3.a.ii.	Provide training on the MS4 Operator's municipal operations procedures prior to conducting municipal operations	Once every five (5) years
VI.F.3.a.iii.	Update names, titles, and contact information for the individuals who have received municipal operations procedures training	Annually
VI.F.3.a.iv.	Review and update the municipal operations procedures	Annually
VI.F.3.d.i.a)	Sweep all streets, bridges, parking lots, and right of ways	Once every five (5) years
VI.F.3.d.i.b)	Sweep streets in business and commercial areas	Annually

Completed Street Sweeping					
2025	2026	2027	2028	2029	2030
☐	☐	☐	☐	☐	☐

Enhanced MCM 6 Requirements for Impaired Waters -

Annually, from April 1 through October 31, all streets located in *sewersheds discharging* to silt/sediment impaired segments must be swept. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*. This requirement is not applicable to:

i. Uncurbed roads with no *catch basins*;

ii. High-speed limited access highways; or

iii. Roads defined as interstates, freeways and expressways, or arterials by the United States Department of Transportation, Federal Highway Administration, Highway Functional Classification Concepts, Criteria and Procedures, 2013.

b. For areas within the *sewershed* that are compacted, poorly drained, contain areas of exposed soil, or nutrient deficient, the *MS4 Operator* must:

i. Refer to Section 4 of the NYS E&SC 2016 for Soil Stabilization practices, and follow BMP procedures; and

ii. *Develop* and implement procedures for watering and maintenance of implemented BMPs appropriate to establish root and vegetative cover, utilizing products which provide critical support to vegetation and soil stabilization. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

c. Within six (6) months of *MS4 outfall* inspection, the *MS4 Operator* must initiate actions to repair all *MS4 outfall* protection and/or bank stability problems identified during the inspection. Repairs must be completed in accordance with the NYS E&SC 2016. *MS4 Operators* must document the completion of this requirement in the *SWMP Plan*.

Staffing and Training

2024		MCM 3			MCM 4		MCM 5	MCM 6	
Name	Title	Monitoring location and sampling procedure training	Illicit discharge track-down training	Illicit discharge elimination procedure training	4 Hour Erosion and Sediment Control Training	Construction oversight procedures training	Post-construction SMP inspection & maintenance training	Municipal facility procedures training	Municipal operations procedures training
Dan Barusch	Planning and Zoning								
Doug Frost	Code Enforcement								
Garrett Ramsey	Highway Staff								
Jody Ovitt	Highway Staff								
Lucas Cameron	Highway Staff								
Rich Koenig	Highway Staff								
Joel O'Dell	Highway Staff								
Tim Hill	Highway Staff								
Bob Kramer	Highway Staff								
Rich Askew	Planning Board Member								
Paul Livingston	Highway Staff								
Rob Vopleur	Highway Staff								
Rob Lanfear	Highway Superintendent								
Warren County SWCD Staff									

Key – Shaded cells indicate required training has been completed

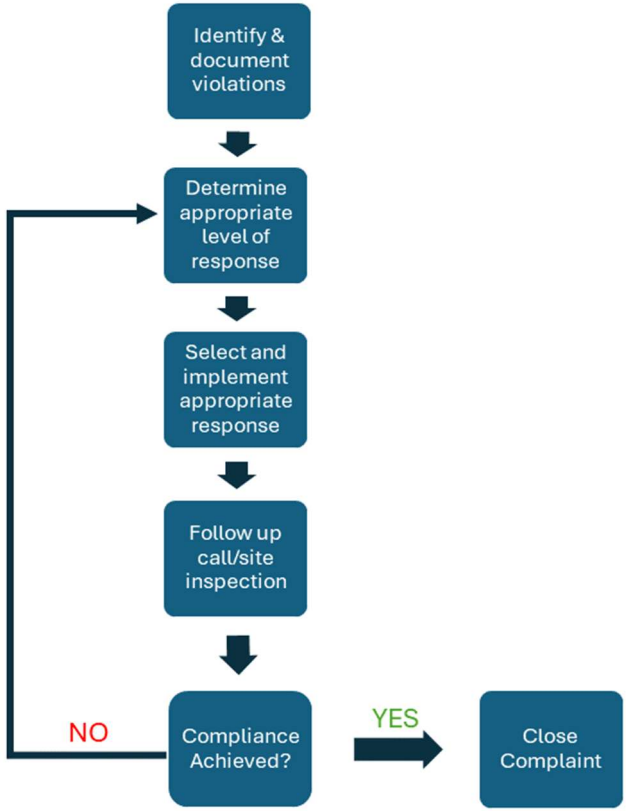
Appendix A. Enforcement Response Plan

Town of Lake George

MS4 Enforcement Response Plan

The Town of Lake George (Town) has developed this Enforcement Response Plan (ERP) under the New York State Department of Environmental Conservation (NYSDEC) General Permit for MS4 Discharges (GP-0-24-001) to describe actions to be taken upon confirmed violations of the Town of Lake George's laws related to illicit discharge (Part VI.C.), construction (Part VI.D.), and post-construction (Part VI.E.). Provisions within the Town's ERP Plan are required by the NYS DEC Permit GP-0-24-001 to provide for the health, safety, and general welfare of citizens and surface waters within the municipality.

Enforcement Response Flowchart



Illicit Discharges (Part VI.C of GP-0-24-001)

Illicit discharges are those discharges that are deemed illegal under Town Local Law 2-2016 Chapter 147. In general, any discharge pipe from a home or business tied into the Town's stormwater sewer system that has not been approved by the Town of Lake George and/or Village of Lake George or explicitly exempted in GP-0-24-001 is deemed illegal. Illicit discharges can also be those that are dumped into the Town's stormwater sewer system or receiving waters that contain pollution without a NYSDEC SPEDES Permit.

The Town may become aware of illicit discharge non-compliance or violations in several ways:

- Periodic compliance inspections of facilities subject to routine monitoring and inspections to support the Monitoring Outfall and Inspection program (VI.C.1.e) as required by the MS4 permit.
- Opportunistic inspections of stormwater outfalls that are completed during any routine activities by Town staff.
- Citizen complaints reported to Town staff or Stormwater the Program Coordinator.

The Town's Outfall Monitoring and Inspection Program and Illicit Discharge Track Down procedures can be found in sections VI.C.1.e and VI.C.2 of the Town's Stormwater Management Plan (SWMP). Once a potential violation is identified, the appropriate level of response should be determined, and an appropriate response remedy should then be selected by the Stormwater Coordinator. The Town uses verbal warnings and written notices as informal notifications. The Town may also issue formal notifications in the form of citations and/or fines according to the severity and history of non-compliance of a given party. The situations in which informal and formal notifications and their associated penalties for illicit discharges are described below.

Informal Notifications

Verbal Warnings: The Town will pursue compliance with stormwater violations through Verbal warnings when reasonable. Types of notifications include telephone and email notifications, verbal notices, and meetings. The Town will use these methods when appropriate for situations where education is needed, and the violations do not pose a significant impact to human health or the environment. Informal notifications may also be used by the Town when it believes that compliance can be achieved without the use of formal notification. The Stormwater Program Coordinator or designee is responsible for implementing verbal violations. Verbal warnings will be used to obtain additional information about a potential violation or resolve an infrequent violation. The initial contact will take place within 24 hours of determining a potential violation.

Written Notices: The Town will pursue compliance with stormwater violations through written notices when deemed necessary by the Town's Stormwater Program Coordinator. Written Notices will be official communication from the Town to the responsible party which informs the party a violation has occurred. The written notice will be issued as a warning for significant violations of the town's stormwater

ordinances and requirements or in cases where a verbal warning for a minor infraction has been ignored. Additionally, written notices may be used immediately in instances that pose an immediate threat to human and environmental health.

The use of informal measures often establishes the documentation necessary to escalate and implement future formal enforcement actions if informal measures do not result in compliance.

Formal Notifications

Citations: The Town will pursue compliance with stormwater violations through citations and their associated fines when a violation is significant and/or the responsible party is uncooperative throughout the Town's attempts to achieve compliance using verbal warnings or written notices. Additionally, Citations may be issued immediately to resolve prolonged non-compliance or in instances that pose an immediate threat to human and environmental health. All citations and associated fines will be given pursuant to local law 2-2016 Chapter 147.

- Citations may carry pentiles including fines not exceeding $350 or imprisonment for a period not to exceed six months, or both, for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, punishable by a fine not less than $350 nor more than $700 or imprisonment for a period not to exceed six months, or both; and upon conviction for a third or subsequent offense, all of which were committed within a period of five years, punishable by a fine not less than $700 nor more than $1,000 or imprisonment for a period not to exceed six months, or both

Construction and Post Construction (Part VI.D and VI.E of GP-0-24-001)

The MS4 permit requires the city to address stormwater runoff to the MS4 from new construction activities and new development and redevelopment projects. Municipal construction site inspections are performed to ensure all active construction sites within the Town that are required to adhere to an approved Stormwater Pollution Prevention Plan (SWPPP) are in compliance with the Town's Erosion and Sediment Control and Stormwater Ordinance (Local Law 2-2022 Chapter 148).

The Town may become aware of construction site and post-construction non-compliance or violations in several ways:

- Periodic compliance inspections of sites that have been given approved SWPPPs
- Post-construction site inspections
- Citizen complaints reported to Town staff or the Stormwater Program Coordinator

Site inspections conducted by Town staff can be announced or unannounced inspections, at the discretion of the Stormwater Program Coordinator.

The Town's Construction Oversight Program and site inspection procedures, and the Post Construction inspection and maintenance program can be found in Section VI.D.3. and VI.E.4 of the SWMP. The Town can pursue construction and post-construction stormwater compliance through written notices as informal notifications. The Town may also issue formal notifications in the form of citations and/or fines, stop work orders, or withholding the certificate of occupancy, or combinations of actions, according to the severity and history of non-compliance of a given party. These situations and associated penalties are described below.

Informal Notifications

Verbal Warnings: The Town will pursue compliance with stormwater violations through Verbal warnings when reasonable. Types of notifications include telephone and email notifications, verbal notices, and meetings. The Town will use these methods when appropriate for situations where education is needed, and the violations do not pose a significant impact to human health or the environment. Informal notifications may also be used by the Town when it believes that compliance can be achieved without the use of formal notification. The Stormwater Program Coordinator or designee is responsible for implementing verbal violations. Verbal warnings will be used to obtain additional information about a potential violation or resolve an infrequent violation. The initial contact will take place within 24 hours of determining a potential violation.

Written Warnings: If the Stormwater Program Coordinator determines that a land development activity is not being carried out in accordance with the requirements of an approved SWPPP or in violation of Local Law 2-2022 Chapter 148 in regard to stormwater management, a written notice of violation to the landowner may be issued. All notices of violation will contain:

- The name and address of the landowner, developer, or applicant;
- The address, when available, or a description of the building, structure, or land upon which the violation is occurring;
- A statement specifying the nature of the violation;
- A description of the remedial measures necessary to bring the land development activity into compliance with the Town law and a time schedule for the completion of such remedial action;
- A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed;
- A statement that the determination of violation may be appealed to the municipality by filing a written notice of appeal within 15 days of service of the notice of violation.

The use of written notices can be used to establish the documentation necessary to escalate and implement future formal enforcement actions if informal measures do not result in compliance.

Formal Notification

Stop-work orders. The Town may issue a stop-work order for violations of an approved SWMPP. Parties receiving a stop-work order will be required to halt all land development activities, except those activities that address the violations leading to the stop-work order. The stop-work order will be in effect until the Stormwater Program Coordinator or Town staff confirms that the land development activity is in compliance and the violation has been addressed. Failure to address a stop-work order in a timely manner can result in escalating civil, criminal, or monetary penalties.

Penalties. The Town will pursue compliance with stormwater violations through citations and their associated fines when a violation is significant and/or the responsible party has not taken corrective actions in response to written notices as deemed necessary by the Stormwater Program Coordinator. The potential penalties for violations are described in Local Law 2-2022 Chapter 148 and are as follows:

- Any person who violates the provisions of Local Law 2-2022 Chapter 148 shall be punished by a civil penalty not to exceed $500 for each such violation and an additional penalty of $500 for each day during which such violation continues, or by imprisonment for a period not to exceed 60 days, or both such fine and imprisonment. Such person shall be guilty of a separate offense for each day during which the violation occurs or continues.

Withholding of certificate of occupancy. If any building or land development activity is installed or conducted in violation of the approved site SWPPP, the Stormwater Program Coordinator may take action to prevent the occupancy of said building or land by withholding the issuance of a certificate of occupancy until actions have been taken to remedy violations, to be deemed complete by the Stormwater Program Coordinator.

Restoration of lands. Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Town may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

Appendix B. MCM 3 Procedures

TOWN OF LAKE GEORGE

ILLICIT DISCHARGE DETECTION AND ELIMINATION PROGRAM

VI.C.1.e.i. Monitoring locations inspection and sampling procedures:

(1) All outfall inspections are to occur during dry weather, which is at least 48 hours after the last runoff-producing event.

(2) All outfall inspections will be documented utilizing the NYS DEC provided Outfall Reconnaissance Inventory (ORI) form. Completed forms will be kept in the Town's Planning and Zoning Department Offices.

(3a) The outfall inspector will be required to sample all flowing outfalls with any physical indicator of an illicit discharge. This can include, but is not limited to, odor, color, turbidity, and/or floatable. The sampling is to be done with field test kits or field instruments that are sufficiently sensitive to detect the parameters listed below to the action level and are not subject to 40 CFR Part 136 requirements for approved methods and certified laboratories.

Indicator Parameter Action Level:

Ammonia > 50 mg/l
Chlorine > 0.1 mg/l
Conductivity > 2000 µS/cm
Color > 500 units
pH < 5 or > 9
Potassium > 20
Turbidity > 1000 NTU
Surfactants > 25 mg/l

All results will be documented utilizing the ORI form. The outfall inspector is also required to take a photo of the illicit discharge and attach it to the ORI form.

(3b) All non-flowing outfalls that show indications of intermittent or transitory discharges (i.e. outfall damage, outfall deposits or stains, abnormal vegetative growth, poor receiving water quality and/or biological growth on pipe surface) will be re-inspected within 30 days of the initial inspection. Special monitoring techniques may be utilized during these inspections, including odd hours monitoring, optical brightener monitoring traps, caulk dams, and/or pool sampling. All results will be

documented utilizing the ORI form. The outfall inspector is also required to take a photo of the illicit discharge and attach it to the ORI form.

(4) If the collected sample is shown to exceed any of the indicated action levels or the inspection shows that an illicit discharge is indeed present, begin track-down procedures.

VI.C.2.a. Illicit discharge track down procedures

All track-down procedures are required to begin within 24 hours of confirmation of an illicit discharge, unless there is an obvious discharge of sanitary waste that would affect a bathing area during bathing season or a public water intake. In this case, the discovery of the illicit discharge must be reported orally or electronically to the NYS DEC Regional Water Engineer and Town SWMP Coordinator within two hours.

Procedures for tracking illicit discharges to their point of origin are as following;

(1) Assess the general area within the associated outfall sewershed via a walk-through to determine the apparent source of the illicit discharge. If the source is not readily apparent, continue track-down procedures.

(2) Proceed upstream to the first junction and look for signs of the indicator (i.e.: odor, stain, etc.). If there is a flowing discharge, sample the discharge to determine if the indicator is still present. For a non-flowing discharge, inspect the storm sewer access points for staining or residual evidence.

(3) Continue following the indicator from junction to junction until the indicator is isolated between two manholes.

(4a) If inflow and infiltration is suspected, utilize a closed circuit sewer camera to inspect and record the interior of the sewer line, looking for cracks and any indication of infiltration.

(4b) If a cross connection is suspected, utilize a closed circuit sewer camera to investigate staining or other indicators of an illicit discharge within the sewer pipe. This will aid in determining the exact location of the entry point of the discharge. The Town may also perform dye testing on properties between the two manholes to determine the source, following proper town procedures for access to private property.

(4c) If illegal dumping is suspected, interview neighbors/business owners in the surrounding area to determine violator.

(5b) If a municipal cross connection is confirmed, begin disconnection process no later than 5 days of identification, unless the discharge poses a significant threat to human or environmental health, in which case remediation must begin within 24 hours.

If a private cross connection is confirmed, begin elimination process no later than 5 days of identification, unless the discharge poses a significant threat to human or environmental health, in which case remediation must begin within 24 hours.

(5c) If illegal dumping is confirmed with sufficient evidence, notify violator of Local Law 2 – 2016 in Chapters 147 and issue appropriate fine. If the responsible party cannot be identified within 60 days of the identification of the discharge.

VI.C.3.a. Illicit discharge elimination procedures

(1) Once a cross connection is identified, the property owner is to be notified either verbally or in writing. If possible, ask to assess the lines leaving the house. If a fix can be made indoors, inform the property owner of the proper procedures and issue a 60-day disconnection notice.

(2) If fix cannot be made indoors, place a work order to have the storm and sanitary mains re-televised to further diagnose the cross connection and identify lateral connections.

(3) If the cross connection can be repaired at the lot line, the Town will perform the repair.

(4) If the cross connection can not be repaired at the lot line due to elevations, lack of access or any other reason, the property owner will bear the responsibility for the repair and will be issued a 60-day disconnection notice.

(5) If cross-connection is not remediated within the 60-day timeframe, the violator will be noticed by the Town's Planning and Zoning Department and be required to appear in Town Court for appropriate fine.

Appendix C. Construction Oversight Procedures

Municipal Construction Site Inspection Procedures

Town of Lake George MS4 Program

Municipal construction site inspections are performed to ensure all active construction sites within the Town that are required to adhere to an approved Stormwater Pollution Prevention Plan (SWPPP) are in compliance with the Town's Erosion and Sediment Control and Stormwater Ordinance. The inspection evaluates whether the site is following its approved SWPPP, as well as provides an opportunity to monitor the performance of the proposed Best Management Practices (BMP) in regards to managing erosion and sediment during active construction. The inspector reports directly to the designated MS4 Stormwater Management Officer, who will retain the copies of the Municipal Construction Site Inspection Form. If a construction site is found to be out of compliance with the ordinance or the approved SWPPP, the Town will begin appropriate enforcement action to ensure compliance.

Personnel Qualifications

The personnel performing the municipal construction site inspections shall be a person knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer in the State of New York or a Certified Professional in Erosion and Sediment Control. It can also mean someone under the direct supervision of the Town's Stormwater Management Officer, provided the person has received 4 hours of NYS DEC endorsed training in the proper erosion and sediment control principles.

Procedural Steps

Inspecting active construction site that are required to develop and maintain a SWPPP includes several steps.

1. Inspection Selection

A list of active construction sites located within the Town can be found at the Town Planning and Zoning Office. The list state the location of the active construction site, the name and contact information for the owner/operator, the current status of the project, inspection history, and rating of the last municipal construction site inspection. All active construction sites that are disturbing more than one acre will be inspected.

2. Preparation for Inspection

a. Stormwater Pollution Prevention Plan (SWPPP) Documents

Prior to the inspector performing the municipal construction site inspection, the inspector shall gather the stamped SWPPP for the construction site. The inspector shall review the approved documents to become familiar with the:

- Erosion and Sediment Control Plan
- Construction Phasing/Sequencing Plan
- Post Construction Stormwater Management Practices, and
- Grading Plan

The inspector shall make a copy of the overall erosion and sediment control site plan drawing to refer to during the municipal construction site inspection.

b. Previous Inspection Records

Review all previous inspection records for the active construction site. Become familiar with items that have been out of compliance with the past.

c. Assemble and prepare appropriate inspection and safety equipment (i.e. hard hat, safety vest, camera, measuring wheel, clipboard, etc.).

Field Procedures

1. Site Entry

Upon entering the property, the inspector should locate the construction manager or supervisor to make them aware that a municipal construction site inspection is being performed. Invite this person to accompany the inspector during the inspection.

2. Inspection

Walk the entire construction site and take pictures as needed. Identify areas of concern where there is a potential for pollutants, sediment or stormwater to leave the site. During the inspection check:

a. All erosion and sediment control BMPs to ensure that they are properly installed, maintained and functioning;

b. All disturbed areas that have been idle for 14 days (& days for <5 acres) have been properly stabilized and protected;

c. All points of discharge (i.e. pipes, culverts, ditches, and overland flow) at the site to ensure potential pollutants (sediments, construction debris, fertilizing materials, etc) are not leaving the site; and

d. Post Construction Stormwater Practices to ensure they were installed according to the approved SWPPP.

3. Documentation

Fill out and sign the Municipal Construction Site Inspection Form that has been provided by the NYS DEC. Rate the inspection as:

- Satisfactory – Site is following the SWPPP and there are no major problems.
- Marginal – Site is following the SWPPP but practices are not being maintained and there is potential for problems.
- Unsatisfactory – Site is not following the approved SWPPP, practices are not properly installed or being maintained after previous warnings, or there is a pollutant or sediment discharge from the construction site.

4. Exit Interview

Review with the construction manager or supervisor items found to be deficient or out of compliance with the approved SWPPP and explain the overall inspection rating. Inform the construction manager or supervisor that a copy of the inspection report will be provided to them within three (3) business days of the inspection. If construction manager or supervisor is not on site, the inspector, at his or her discretion, will either return to the site or place a phone call within three (3) business days to discuss the finding of the report with such person.

Inspection Report

Download photographs taken at the inspection and reference them back to the report. Makes notes to go with the pictures. Once report is finalized, attach copies of photos to the inspection form and mail/drop off a copy to the owner/operator. Place the original copy of the inspection report in the designated file and update the list of active construction sites.

Appendix D. Post Construction Oversight Procedures

Town of Lake George Post-Construction Stormwater Control Program

MS4 Program MCM 5

As part of the requirements of NYS DEC SPDES Permit Number GP-0-24-001, the Town of Lake George must create a program to inventory and inspect all public and private post-construction stormwater practices to ensure that the practices are functioning properly and helping keep pollutants out of the MS4 or waters of the state. Staff at the Town Planning and Zoning (P&Z) office will be responsible for implementing the Town's Post-Construction Stormwater Control Program, following the requirements and procedures in the Town's Municipal Construction Site Inspection Procedures.

Town-owned and Maintained Post Construction Stormwater Controls

Town-owned post-construction stormwater controls are to be inspected and maintained by the Town Highway Department as part of the Town's MCM 6 Pollution Prevention Program.

Privately Owned and Maintained Post-Construction Stormwater Controls

Town P&Z staff will maintain an inventory of private post-construction stormwater practices on both active and non-active construction sites based on the information that was included in the Operation and Maintenance manual developed during the projects SWPPP process. All practices will be prioritized for inspection based on the criteria below;

- High Priority Practices are those that are currently active and located on High-Priority Construction Sites as deemed by the Town under their Construction Site Runoff Control prioritization.
- Medium Priority Practices are those that are currently active and located on Low-Priority Construction Sites as deemed by the Town under their Construction Site Runoff Control prioritization.
- Low Priority Practices are those that are located on inactive construction sites.

The inspection schedule for the post-construction stormwater practices are as following;

- High Priority post-construction stormwater practices shall be inspected a minimum of 2 times per year.
- Medium Priority post-construction stormwater practices shall be inspected a minimum of once per year.
- Low Priority post-construction stormwater practices shall be inspected a minimum of every other year.

The inspections will occur in wet-weather conditions, as much as possible, to ensure that the practices are functioning properly. If the practices are found to be not installed, installed incorrectly or not following the procedures outlined in the SWPPP for the project site, the Town CEO will follow proper enforcement procedures based on Town of Lake George MS4 Enforcement Response Plan.

Additional guidance for this program can be found in the Town's Erosion and Sediment Control and Stormwater Ordinance.