Appendix 4: Model Erosion and Sediment Control Law

Text in ***italic bold print*** indicates where the applicable text should be placed and the remaining text deleted. ***Italic bold underlined print*** indicates optional items.

Section One: Short Title

This Law shall be known as the "Erosion and Sediment Control Law of the ***Town/Village*** of _____."

Section Two: Findings of Fact

The ***(Town Board/Village Board of Trustees of _____)*** finds that uncontrolled drainage and runoff associated with land development has a significant impact upon the health, safety and welfare of the community by potentially causing substantial recreational, aesthetic, environmental and economic losses resulting from adverse impacts on community waters.

Specifically,

a. Construction requiring land clearing and the alteration of natural topography tends to increase erosion;

b. Stormwater runoff can carry pollutants into receiving waterbodies, degrading water quality;

c. The increase in nutrients in stormwater runoff such as phosphorus and nitrogen accelerates eutrophication of receiving waters;

d. Improper design and construction of erosion control devices can increase the velocity of runoff thereby increasing stream bank erosion and sedimentation;

e. Siltation of waterbodies resulting from increased erosion decreases their capacity to hold and transport water, interferes with navigation, and harms flora and fauna;

f. Development as defined in this law and activities associated with development, as well as land grading and earth moving can have a significant and potentially adverse impact on the environment.

Section Three: Purpose

The purpose of this local regulation is to safeguard persons, protect property, prevent damage to the environment and Conesus Lake ***and Hemlock Lake***, as well as all bodies of water or water courses in the ***Town/Village of*** _____, and promote the public welfare by guiding and regulating the design, construction, and maintenance of any development or other activity which disturbs or breaks the topsoil or results in the movement of earth on land in the Conesus Lake ***and Hemlock Lake*** watershed***(s)***.

Section Four: Authority

In accordance with ***(Article 10 of the municipal Home Rule Law/Article 9 of the Town Law/ Article 4 and 20 of the Village Law)*** of the State of New York, the ***(Town Board/Village Board of Trustees)*** has the authority to enact local laws for the purpose of promoting the health, safety or general welfare of the ***(Town/Village).***

Section Five: Jurisdiction

All site preparation and construction activities as defined hereinafter occurring in the Conesus Lake Watershed ***and Hemlock Lake Watershed*** shall be in conformance with the provisions set forth herein.

Section Six: Definitions

Unless specifically defined below, words or phrases shall be interpreted so as to give them the meaning they have in common usage and to give this Law its most effective application. Words used in the singular shall include the plural and the plural the singular; words used in the present tense shall include the future tense. The word "shall" connotes mandatory and not discretionary; the word "may" is permissive.

Agricultural operations (as defined in Article 25-AA of the NYS Agriculture and Markets Law) – Land and on-farm buildings, equipment and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial enterprise.

Certificate of Compliance - A written certificate that is issued to the Applicant by the Code Enforcement Officer after all final grading and seeding are completed and all permanent erosion control measures are established as specified in the Erosion Control Permit and to the satisfaction of the Code Enforcement Officer.

Certified Professional - A licensed architect, a licensed engineer, a licensed landscape architect, or an International Erosion Control Association (IECA) Certified Professional in Erosion and Sediment Control.

Develop - To make a site or area available for use by physical alteration.

Development - Development shall mean any physical alteration of a site or are, including, but not limited to, providing access to a site, clearing of vegetation, grading, earth moving, providing utilities and other services such as parking facilities, stormwater management and erosion control systems, and sewage disposal systems, altering landforms, or construction of a structure on the land.

Erosion - The removal of soil particles by the action of the water, wind, ice or other geological agents.

Erosion Control Permit - A permit that is issued by the Code Enforcement Officer before any development and/or land clearing activities can occur on a site.

Erosion Control Plan – A document prepared by a certified professional that identifies pre-development and post-development conditions on a site and outlines the erosion control measures that will be used on a site. This document is required for projects exposing more than 10,000 square feet of soil.

Flood Plain - For a given flood event, that area of land temporarily covered by water which adjoins a watercourse.

Garden - A plot of ground where herbs, fruits, flowers, or vegetables are cultivated, excluding agricultural operations as defined herein.

Gabion - A galvanized wire basket filled with stone used for structural purposes. When they are fastened together, they are used as retaining walls, slope protection and similar structures.

Grading - Excavation or fill of material, including the resulting conditions thereof.

Natural Drainage Channel - A swale, watercourse in a gully, or an unprotected stream.

Performance Standards - The set of standards outlining the erosion control requirements for construction and soil-disturbing activities.

Perimeter Control - A barrier that prevents sediment from leaving a site either by filtering sediment-laden runoff, or diverting it to a sediment trap or basin.

Phasing - Clearing a parcel of land in distinct phases, with the stabilization of each phase occurring before the clearing of the next.

Rip-rap - A combination of large stone, cobbles and boulders used to line channels, stabilize stream banks, and reduce runoff velocities.

Stabilization - The use of practices that prevent exposed soil from eroding.

Stop Work Order - A written order issued by the Code Enforcement Officer to cease and desist all activity and development on a site until such time as the violation is corrected.

Stream Corridor - The landscape features on both sides of a stream, including soils, slope and vegetation, whose alteration can directly impact the stream's physical characteristics and biological properties.

Steep Slope - Grade change of 15% or more.

Swale - A natural or man-made depression or wide shallow ditch used to temporarily route or filter runoff.

Start of Construction - The first land-disturbing activity associated with a development, including land preparation such as clearing, grading and filling; installation of streets, driveways, parking areas and walkways; excavation for basements, footings, piers or foundations; erection of temporary forms; and installation of accessory buildings such as garages.

Utilities - public and private services, including, but not limited to, public water and sewer connection, private wells and septic systems, and telephone, natural gas, electric, and cable television services.

Watershed – A region or area bounded by a greater elevation and draining ultimately to a particular body of water.

Section Seven: Applicability

1. This Law shall apply to all development, as defined herein, which involves the uncovering, exposure or disturbance of 500 or more square feet of soil. Excepted herefrom are agricultural operations whether or not within an Agricultural District, as defined in Article 25-AA of the New York State Agricultural and Markets Law, and private gardens.

2. No person, corporation, entity, organization, or public agency shall initiate any development activities, land clearing, land grading, or earth moving activities (hereinafter also collectively referred to as "land disturbance activity") unless in conformity with the regulations of this law.
3. No person, agency, corporation or other entity shall commence any development or land disturbing activities without obtaining an Erosion control Permit issued by the ***Town/Village*** Code Enforcement Officer.
4. No person shall be granted an Erosion Control Permit for land-disturbing activity that would require the disturbance or uncovering of 10,000 or more square feet without the approval of an Erosion Control Plan by the ***Town/Village*** Planning Board.
5. Exemptions. The following activities are exempt from the Erosion Control Plan requirements but must comply with the Performance Standards listed in Section Eleven and have the applicable erosion control measures approved by the Code Enforcement Officer:
    a. Development or land disturbing activities involving at least 500 square feet of soil, but less than 10,000 square feet of soil;
    b. Development of one single-family residential structure or one duplex unit and accessory structures and utilities thereto;
    c. The installation of a lawn for one single-family residential structure; and
    d. The installation of a driveway for one single-family residential structure.
    e. The installation of all septic systems which are subject to review, inspection and/or approval of the Livingston County Department of Health.

Section Eight: Procedure for an Erosion Control Permit and Certificate of Compliance

1. An Applicant shall submit an Erosion Control Permit application to the Code Enforcement Officer, who shall inform the Applicant within seven days if the application is incomplete.
2. The Code Enforcement Officer shall refer all complete Erosion Control Permit applications for lands within the Conesus Lake Watershed District to the Conesus Lake Watershed Inspector within seven days of receipt for review and comment.
    a. The Watershed Inspector shall have 14 days to comment on the application and return those comments to the Code Enforcement Officer: and
    b. The Code Enforcement Officer shall consider comments from the Watershed Inspector if the comments are received within this period of time.
3. If an Erosion Control Plan is not required, the Code Enforcement Officer shall review the application to determine whether the proposed erosion control measures comply with the Performance Standards outlined in Section Eleven of this Law and approve or deny the Erosion Control Permit based on that review. A pre-construction meeting with the Code Enforcement Officer, the Conesus Lake Watershed Inspector, and the applicant may be required prior to the issuance of an Erosion Control Permit.
4. If an Erosion Control Plan is not required, an Erosion Control Permit must be approved or denied within 60 days of receipt of a complete Erosion Control Application by the Code Enforcement Officer.
5. Issuance of an Erosion Control Permit does not authorize development of the site unless and until all other applicable permits or approvals, including a building permit, are issued pursuant to federal, state and local law.
6. Inspections. The applicant shall arrange with the Code Enforcement Officer for scheduling inspections of the site. The Code Enforcement Officer shall inspect the work and either approve it or notify the applicant in writing of any failure to comply with the requirements of the approved Erosion Control Plan and/or Erosion Control Permit. The Code Enforcement Officer and the Watershed Inspector may conduct inspections at reasonable times to ensure effective control of erosion and sedimentation during all phases of construction. The Code Enforcement Officer may have the ***Town/Village*** Engineer assist on site inspections. If the ***Town/Village*** Engineer is consulted for an inspection, the Applicant shall be responsible for the cost of such consultation, pursuant to ***Town/Village*** law.
7. A Certificate of Compliance shall be issued by the Code Enforcement Officer after all final grading and seeding are completed and all permanent erosion control measures are established as specified in the Erosion Control Permit and to the satisfaction of the Code Enforcement Officer.
8. A permanent Certificate of Occupancy shall not be issued until a Certificate of Compliance is issued for the satisfactory installation and/or completion of erosion control measures.

Section Nine: Contents of the Erosion Control Plan

1. Erosion Control Plans shall be prepared by a Certified Professional. Plans must contain the information set forth in this section to enable the ***Town/Village*** Planning Board to determine whether the Plan will prevent the development from adversely affecting the water quality of the surface water due to erosion. In making this determination, Plans shall be evaluated pursuant to the Performance Standards in Section 11 hereof, and must therefore contain sufficient information to permit such evaluation.
2. The Erosion Control Plan shall contain the name, address, and telephone number of the owner, contractor, and developer. In addition, the legal description of the property shall be provided, and its location with reference to such landmarks as major waterbodies, adjoining roads, railroads, subdivisions, or towns shall be clearly identified on a map.
3. The structure and content of the Erosion Control Plan shall be as follows:
   a. Background Information
      1) Project description which shall include, but not be limited to, a sequence of construction of the development site, including stripping and clearing, rough grading, construction of utilities, infrastructure, and buildings, and final grading and landscaping. Sequencing shall identify the expected date on which clearing will begin, the estimated duration of exposure of cleared areas, and the sequence of clearing, installation of temporary erosion and sediment measures, and establishment of permanent vegetation.
      2) Existing (pre-development) conditions including, but not be limited to, an identification of soils, slopes, and existing vegetative cover and drainage conditions.
      3) Proposed future (development) conditions, including, but not be limited to, an identification of drainage conditions and changes in vegetative cover anticipated to result from proposed activity.
   b. Erosion and Sediment Control
      1) Identification of temporary erosion and sediment control measures, including, but not to be limited to, seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, and type and quantity of mulching for both temporary and permanent vegetative control measures.
      2) Identification of permanent erosion and sediment control measures
   c. Implementation Schedule and Maintenance including, but not limited to, easements and estimates of the cost of maintenance.

Section Ten: Erosion Control Plan Review Process

1. The Applicant shall submit a complete Erosion Control Plan to the Code Enforcement Officer.
2. The Code Enforcement Officer shall inform the Applicant in writing within 14 days if the Erosion Control Plan is incomplete. The Erosion Control Plan shall automatically be deemed complete if the Code Enforcement Officer does not inform the Applicant within 14 days.
3. When the Erosion Control Plan is determined to be complete, the Code Enforcement Officer shall then schedule it for review at the next available ***Town/Village*** Planning Board meeting, to be held not later than 31 days after the Erosion Control Plan is determined to be complete.
4. All Erosion Control Plans for development in the Conesus Lake Watershed must be referred to the Conesus Lake Watershed Inspector for review and comment within five days of Code Enforcement Officer receipt of the Plan. Comments received from the Conesus Lake Watershed Inspector prior to the ***Town/Village*** Planning Board meeting will be considered by the Code Enforcement Officer and the ***Town/Village*** Planning Board.
5. The Applicant shall receive written notice of the time and place of the ***Town/Village*** Planning Board meeting where the Erosion Control Plan will be reviewed no less than five days prior to the ***Town/Village*** Planning Board meeting.
6. An Erosion Control Plan shall also be reviewed by the ***Town/Village*** Engineer or any other certified professional retained by the ***Town/Village***. The Engineer or certified professional may then recommend approval or disapproval of the Plan to the ***Town/Village*** Planning Board prior to the scheduled Planning Board meeting where the Plan will be discussed. A recommendation for approval or disapproval of the Plan must be based on conformance to the Performance Standards listed in Section Eleven.
7. The ***Town/Village*** Planning Board shall have the authority to impose reasonable conditions to ensure that the objectives of this Law are met.

8. The ***Town/Village*** Planning Board shall approve or disapprove the Erosion Control Plan. Approval or disapproval of the Plan must be based on conformance to the Performance Standards listed in Section Eleven, so as to protect the water quality of Conesus Lake, and should clearly identify why it does not, in the instance of a disapproval, conform to the Performance Standards.
9. The ***Town/Village*** Planning Board shall report the decision to the Code Enforcement Officer and the Applicant within 10 days of approval or disapproval of the Plan.
10. If the Erosion Control Plan is approved, the Code Enforcement Officer shall issue the Applicant an Erosion Control Permit within 10 days of receipt of the ***Town/Village*** Planning Board decision.

Section Eleven: Performance Standards

The following Performance Standards must be applied to all land-disturbing activities described in this law, including those exempted under section 5 hereof, as well as those for which a permit is required hereunder:

1. Existing vegetation on a project site shall be retained and protected as much as possible to minimize soil loss from the project site.
2. Sediment control practices/measures shall be designed to protect the natural character of waterbodies on-site as well as off-site. The practices must be in place before the start of land disturbance activities until the establishment of permanent stabilization.
    a. The off-site impacts of erosion and sedimentation from the development site shall not be any greater during and following land disturbance activities than under pre-development conditions.
    b. Water in stream reaches on-site and downstream of construction areas shall not have substantial visible contrast relative to color, taste, odor, turbidity and sediment deposition from the water in reaches upstream of the construction area.
    c. Sediment laden runoff shall not be allowed to enter any waterbody and result in deposition on the bottom of the waterbody, degrade its natural biological functions, or be deleterious to the classified usage of the water.
3. All erosion and sediment control measures shall be constructed prior to beginning any land disturbance activities. All runoff from disturbed areas shall be directed to sediment control devices. These devices shall not be removed until the disturbed land areas are stabilized.
4. Specific guidance.
    a. Exposure Restrictions: No more than 10 acres of unprotected soil shall be exposed at any one time. Previous earthwork shall be stabilized in accord with approved design standards and specifications referenced in Section 4.h before additional area is exposed.
    b. Grading: Perimeter grading shall blend with adjoining properties.
    c. Vegetative Protection: Where protection of trees and/or other vegetation is required, the location shall be shown on the Erosion Control Plan or on the drawings for the proposed development project. The method of protecting vegetation during construction shall conform to the design specifications referenced in Section 4.h.
    d. Drainage Control.
        1) Surface runoff that is relatively clean and sediment free shall be diverted or otherwise prevented from flowing through areas of construction activity on the project site. (This will greatly reduce sediment loading in surface runoff.)
        2) A fill associated with an approved temporary sediment control structure or permanent stormwater management structure, shall not be created which causes water to pond off-site on adjacent property, without first having obtained ownership or permanent easement for such use from the owner of the off-site or adjacent property.
        3) Natural drainage channels shall not be altered. Pursuant to Article 15 of the Environmental Conservation Law, a protected stream and banks thereof shall not be altered or relocated without the approval of the Department of Environmental Conservation.
        4) Runoff from any land disturbing activity shall not be discharged or have the potential to be discharged off-site or into storm drains or into water courses unless such discharge is directed through a properly designed, installed and maintained structure, such as a sediment trap, to retain sediment on-site. Accumulated sediment shall be removed when it takes up 60% of the storage capacity of the sediment retention structure. (See

Section 4.h below for design specifications.)

5) For finished grading, adequate gradients shall be provided so as to prevent water from standing on the surface of lawns for more than 24 hours after the end of a rainfall, except in a swale flow area which may drain as long as 48 hours after the end of rainfall.

6) Permanent swales or other points of concentrated water flow shall be stabilized. Biotechnical approaches using certain types of grasses, such as reed canary grass, are preferable to using sod, gabions and rip-rap where water quality enhancement is a high priority and the swale design allows. However, sod, gabions, or rip-rap may be used to stabilize swales where soils and gradient preclude the use of grasses. Use of grasses may require an erosion control matting as provided for in the design specifications referenced in Section 4.h below.

7) Surface lows over cut and fill slopes shall be controlled as provided for in the design specifications for vegetating waterways referenced in Section 4.h.

e. Timing.

1) Except as noted below, all sites shall be seeded and mulched with erosion control materials such as rye grass, straw mulch, jute, or excelsior (wood shavings) within 15 days of initial disturbance. If construction has been suspended, or sections completed, areas shall be seeded immediately and stabilized with erosion control materials. Maintenance shall be performed as necessary to ensure continued stabilization.

2) For active construction areas, such as borrow or stockpile areas, roadway improvements, and areas within 50 feet of a building under construction, a perimeter sediment control system consisting, for example, of silt fencing or hay bales, shall be installed and maintained to contain soil.

3) On cut sides of roads, ditches shall be stabilized immediately with rock rip-rap or other non-erodible liners, or where appropriate, vegetative measures such as sod. When seeding is approved, an anchor mulch shall be used and soil shall be limed and fertilized in accord with recommendations referenced in Section 4.h.

4) Permanent seeding shall optimally be undertaken in the spring from April 1 through June 15, and in late summer from August 1 to October 15. During the peak summer months and in the fall after October 15 when seeding is found to be impracticable, an appropriate mulch shall be applied. Permanent seeding may be undertaken during summer if plans provide for adequate watering of the seedbed.

5) All slopes steeper than 15%, as well as basin or trap embankments, and perimeter dikes shall, upon completion, be stabilized with sod, seed and anchored straw mulch, or other approved stabilization measures. Areas outside of the perimeter sediment control system shall not be disturbed. Maintenance shall be performed as necessary to ensure continued stabilization.

6) Temporary sediment trapping devices shall be removed within thirty (30) calendar days following establishment of permanent stabilization in all contributory drainage areas. Stormwater management structures used temporarily for sediment control shall be made permanent within this time period as well. Accumulated sediments removed from temporary sediment traps or permanent stormwater management facilities shall be disposed in a manner so as not to erode and enter a water body.

f. Stream Corridor Management. The bed and banks of all on-site and off-site streams which may be impacted by land clearing, grading, and construction activities shall be protected to prevent sedimentation, stream bank erosion, stream enlargement, or degradation or loss of fisheries habitat. Measures for protecting the bed and/or banks of a stream may include gabion baskets, rip-rap, log cribbing, and vegetative measures. Whenever possible, vegetative stream bank stabilization practices are recommended over structural practices such as rip-rap and gabion linings that may unnecessarily alter the existing stream ecosystem. Native species of vegetation shall be used for stream bank stabilization wherever practical. In undertaking stream bank stabilization activities for protected streams, the Applicant shall comply with appropriate protection of water provisions in Article 15 of the Environmental Conservation Law of the State of New York.

g. Maintenance

1) All points of construction ingress and egress shall be protected to prevent the deposition of materials onto traversed public thoroughfares either by installing and maintaining a stabilized construction entrance or by maintaining a vehicle wash area in a safe disposal area to wash vehicle shells and undercarriage. All materials deposited onto public thoroughfares shall be removed immediately. Proper precaution shall be taken to assure that the removal of materials deposited onto public thoroughfares will not enter catch basins, storm sewers, or water bodies.

2) Accumulated sediment shall be removed when 60% of the storage capacity of sediment retention structures is reached. All removed sediment shall be disposed of in a spoil area where it can be graded, mulched and seeded to prevent erosion and sedimentation.

h. Design specifications. The designs, standards and specifications for controlling erosion and sedimentation found in the most recent version of the following publication are acceptable for use and shall be identified and shown in the Erosion Control Plan: "New York Guidelines for Urban Erosion and Sediment Control," Urban Soil Erosion and Sediment Control Committee.

Section Twelve: Performance Bond

1. In order to ensure the full and faithful completion of all construction activities related to compliance with all conditions set forth by the ***Town/Village*** Planning Board in its approval of the Erosion Control Plan, the ***Town/Village*** Planning Board may require the applicant and/or the applicant's contractor to provide, prior to construction, a performance bond, escrow account certification, or irrevocable letter of credit from an appropriate financial or surety institution which guarantees satisfactory completion of the project and names the ***Town/Village*** as the beneficiary. The security shall be in an amount to be determined by the ***Town/Village*** Planning Board based on submission of final design plans, with reference to actual construction costs.
2. Where erosion and sediment control facilities are to be operated and maintained by the applicant or by any person or entity that owns or manages a commercial or industrial facility, the applicant, prior to construction, may be required to provide the ***Town/Village*** with a performance bond or an irrevocable letter of credit from an appropriate financial institution or noted surety to ensure proper operation and maintenance of all erosion control facilities for the life of the project.
3. The performance bond or letter of credit shall remain in force until the surety is released from liability by the ***Town/Village***.
4. Per annum interest on the performance bond or letter of credit shall be reinvested in the account until the surety is released from liability.
5. If the developer or owner fails to properly operate and maintain erosion and sediment control facilities, the ***Town/Village*** may draw upon the account or notify the surety to cover the costs of proper operation and maintenance.

Section Thirteen: Enforcement

1. Any development activity that is commenced without first being granted an Erosion Control Permit, or which is conducted contrary to an approved Erosion Control Plan, or contrary to the Performance Standards listed in Section Eleven hereof may be issued a Notice of Violation and restrained by a Stop Work Order issued by the Code Enforcement Officer.
2. Service of a Notice of Violation shall be sufficient if directed to the owner, agent of the owner or contractor and left at their last known place of business or residence, if within the municipality; and if no place of business or residence can be found, then the notice shall be served by posting in a conspicuous place on the premises which are the subject of the violation.
3. A Stop Work Order shall also be issued on the project if any of the following conditions are not met during development of the land:
   a. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
   b. There shall be no suspended, colloidal and settleable solids that will cause deposition or impair waters in the area for their best usages; and
   c. There shall be no residue from oil and floating substances, visible oil film, globules, or grease. (6NYCRR, Part 703, Surface Water and Groundwater Quality Standards and Groundwater Effluent Limitations).
4. Civil and Criminal Penalties. In addition to or as an alternative to any penalty provided herein or by law, any person who violates the provisions of this Law shall be punished by a fine of not less than Two Hundred Dollars ($200) per day nor more than One Thousand Dollars ($1,000) per day or by imprisonment for a period not to exceed sixty (60) days, or by both such fine and imprisonment. Such person shall be guilty of a separate offense for each day during which the violation occurs or continues.
5. 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/Village*** may take necessary corrective action, the cost of which shall become a lien upon the property until paid.

Section Fourteen: Appeals

Any person aggrieved by the action of any official charged with the enforcement of this Law, as the result of the disapproval or approval of an Erosion Control Permit or an alleged failure by the Code Enforcement Officer to properly enforce the Law in regard to a specific application, shall have the right to appeal the action to the ***Town/Village*** Zoning Board of Appeals. The appeal shall be filed in writing within twenty (20) days of the date of official transmittal of the final decision or determination to the Applicant, shall state clearly the grounds on which the appeal is based, and shall be processed in the manner prescribed for hearing administrative appeals under ***(state/local code prevision).***

Section Fifteen: Severability

Each separate provision of this Law is deemed independent of all other provisions herein so that if any provision or provisions of this Law is declared invalid, all other provisions thereof shall remain valid and enforceable.

Section Sixteen: Variance

The ***Town/Village*** Zoning Board of Appeals may grant a written variance from any requirement of this Law using the following criteria:

1. There are special circumstances applicable to the subject property or its intended use; and
2. The granting of the variance shall not result in:
    a. An increase or decrease in the rate or volume of surface water run-off;
    b. An adverse impact on a wetland, water course or water body;
    c. Degradation of water quality; or
    d. Otherwise impair attainment of the objectives of this Law.

Section Seventeen: Effective Date

This Law shall become effective on_____.

(Endorsed by the CLWMP Policy Committee on August 16, 2001.)

Note: This Model Law was based, in part, on a NYSDEC Model Law found in "Reducing the Impacts of Stormwater Runoff from New Development" (1992). After the development of this CLWMP model law, the State of New York adopted the Phase II permitting process and made changes to previous guidelines (the NYSDEC Model Law) in order to be compliant with the Federal Clean Water Act. Minor adjustments to this CLWMP Model Erosion and Sediment Control Law would be needed in order to bring this Model Law into full conformance with the revised State regulations.