



New York City
**Department of
Environmental Protection**

STORMWATER POLLUTION PREVENTION PLAN DETERMINATION

Pursuant to the authority granted under:

Article 11 of the New York State Public Health Law;
Rules and Regulations for The Protection from Contamination, Degradation and
Pollution of The New York City Water Supply and Its Sources, 15 RCNY Chapter 18, 10
NYCRR Part 128.

New York City Department of Environmental Protection (DEP) makes the following
determination with respect to the stormwater pollution prevention plan (SWPPP) described
below:

Name of Project: Westchester Joint Water Works Rye Lake Water Filtration Plant SWPPP

Location: Purchase Street
Harrison, NY 10604
Tax Map # 0971.-8

Owner: Paul Kutzy, Manager WJWW

Address: 1625 Mamaroneck Ave
Mamaroneck, NY, 10543

Drainage Basin: Kensico Reservoir Drainage Basin

General Description: The project proposes the construction of a new water filtration facility for its Rye Lake water source to comply with the New York State Sanitary Code and the United States Environmental Protection Agency's Surface Water Treatment Rule. DEP review and approval is required by Section 18-39(b) (4) (iii) & (iv) of the "Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources" (Watershed Regulations). Approximately 6.57 ac.± of disturbance and 2.18 ac.± of new impervious surfaces are proposed. A pocket wetland and a bioretention cell with detention Cultec chambers underneath are the primary practices proposed for stormwater runoff treatment. The Cultec chambers will serve to attenuate the higher storms, the required minimum runoff reduction is provided by the bioretention practice. The Stormwater Pollution Prevention Plan (SWPPP) shall be implemented in accordance with the report and plan titled "Westchester Joint Water Works Rye Lake Water Filtration Plant," prepared by Hazen & Sawyer, dated May 2023 (see appendix A).

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(XX) Approved () Denied

Conditions of Approval:

This approval is granted with the following conditions:

- The regulated activity must be conducted in compliance with the plans as approved, listed in Appendix A, all applicable accepted standards, and all applicable laws, rules and regulations.
- Any alteration or modification of the SWPPP must be approved by DEP prior to implementation; DEP may opt to issue an amended SWPPP Determination.
- The applicant must schedule a pre-construction conference prior to the start of construction. Present at the meeting should be the applicant, the design engineer, the general contractor, and DEP staff.
- The applicant must notify DEP at least forty-eight (48) hours prior to the commencement of construction activity so that compliance inspections may be scheduled by DEP.
- All erosion and sediment controls must be properly installed and maintained until the site has been stabilized and the risk of erosion eliminated. Final stabilization is defined in the General Permit as all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 80% cover for the area has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.
- At the completion of the project, the applicant is required to submit as-built drawings for all stormwater management, runoff reduction and water quality facilities.
- The stormwater management and water quality facilities must be maintained in accordance with the maintenance schedule included in the SWPPP as approved by DEP.
- This approval shall expire and thereafter be null and void unless construction is completed within Five (5) years of the date of issuance or within any extended period of time approved by DEP upon good cause shown.
- In the event that the material submitted is inaccurate or misleading, this approval is not valid, and construction of this project is in violation of DEP regulations.

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- Failure to comply with any of the conditions of this approval is a violation of this approval and the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources*.
- A copy of the approved plans and determination should be maintained for record, and a copy must be available for inspection at the construction site.
- DEP shall be provided access to the project site during the construction phase for monitoring and inspection purposes.
- This approval and all conditions of the approval are binding on the owner of the property where the facility is to be located. Any references to the “applicant” in this approval or in any conditions of this approval shall be deemed to refer to the owner of such property.
- If the applicant sells or otherwise transfers title of **Westchester Joint Water Works Rye Lake Water Filtration Plant** before all construction planned for the property is completed and the site is stabilized, the applicant shall require the new owner (“Buyer”) to comply with the SWPPP approved by the New York City Department of Environmental Protection on **May 26, 2023**, including, but not limited to, conservation easements, negative covenants, all provisions relating to erosion and sediment control during construction and to all maintenance of the stormwater management facilities once construction is complete. In particular, the applicant shall provide the Buyer with a copy of the SWPPP and shall cause the following real covenants and restrictions to be recorded with the deed for **Westchester Joint Water Works Rye Lake Water Filtration Plant** with the following provisions:
 - (1) Buyer hereby acknowledges, covenants, warrants, and represents that he/she shall install and maintain any and all erosion controls and stormwater management facilities on the premises in accordance with the SWPPP, such SWPPP being attached hereto as Exhibit __.
 - (2) Buyer’s installation and maintenance of the erosion control and stormwater management facilities shall be for the benefit of the City of New York as well as for the owners of **Westchester Joint Water Works Rye Lake Water Filtration Plant**.
 - (3) Buyer’s obligation to install and maintain any and all erosion controls and stormwater management facilities on the premises in accordance with the attached SWPPP shall be perpetual, shall run with the land, and shall be binding on Buyer’s heirs, successors, and assigns.

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- (4) Buyer hereby covenants, warrants and represents that any lease, mortgage, subdivision, or other transfer of **Westchester Joint Water Works Rye Lake Water Filtration Plant SWPPP** or any interest therein, shall be subject to the restrictive covenants contained herein pertaining to the installation and maintenance of erosion control and stormwater management facilities, and any deed, mortgage, or other instrument of conveyance shall specifically refer to the attached SWPPP and shall specifically state that the interest thereby conveyed is subject to covenants and restrictions contained herein.
- Prior to conveying title to **Westchester Joint Water Works Rye Lake Water Filtration Plant** the applicant shall submit to the New York City Department of Environmental Protection a proposed deed containing the aforementioned real covenants and restrictions.

Date: May 26, 2023

WJWW Rye Lake Water Filtration Plant Stormwater Pollution Prevention Plan
Purchase Street
Harrison, NY 10604
Tax Map #0971.-8
DEP Log #2020-KE-0068-SP.1

Determination made by:

Recommended for approval by:



Matthew Giannetta, CPSWQ
Chief
Regulatory & Engineering Programs Division

Mariyam Zachariah
Associate Project Manager II
EOH Project Review Group
Regulatory & Engineering Programs

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APPENDIX A

The following documents were prepared by Hazen & Sawyer for Westchester Joint Water Works Rye Lake Water Filtration Plant SWPPP.

1. Stormwater Pollution Prevention Plan (Report) dated May 2023.
2. The following sets of plans are included:

Number	Drawing No.	Sheet Title	Date
1	C-001	General Notes, Legend and Abbreviations	May 2023
2	C-101	Overall Site Plan	May 2023
3	C-102	Existing Conditions and Demolition Plan - Area 1	May 2023
4	C-103	Existing Conditions and Demolition Plan - Area 2	May 2023
5	C-111	Erosion and Sediment Control Phasing Plan - Phase I	May 2023
6	C-112	Erosion and Sediment Control Phasing Plan - Phase II	May 2023
7	C-113	Erosion and Sediment Control Phasing Plan - Phase III	May 2023
8	C-114	Erosion and Sediment Control Phasing Plan - Phase IV	May 2023
9	C-115	Erosion and Sediment Control Phasing Plan - Phase V	May 2023
10	C-121	Grading and Drainage Plan - Area 1	May 2023
11	C-122	Grading and Drainage Plan - Area 2	May 2023
12	C-131	Yard Piping Plan - Area 1	May 2023
13	C-132	Yard Piping Plan - Area 2	May 2023
14	C-141	Final Site Plan - Area 1	May 2023
15	C-142	Final Site Plan - Area 2	May 2023
22	C-211	Stormwater Management Plan	May 2023
23	C-212	Stormwater Management Cross Sections	May 2023
24	C-213	Stormwater Drainage Profiles - Sheet 1 of 3	May 2023
25	C-214	Stormwater Drainage Profiles - Sheet 2 of 3	May 2023
26	C-215	Stormwater Drainage Profiles - Sheet 3 of 3	May 2023
27	C-216	Stormwater Details - Sheet 1 of 5	May 2023
28	C-217	Stormwater Details - Sheet 2 of 5	May 2023
29	C-218	Stormwater Details - Sheet 3 of 5	May 2023
30	C-219	Stormwater Details - Sheet 4 of 5	May 2023
31	C-220	Stormwater Details - Sheet 5 of 5	May 2023
46	C-251	Yard Piping Details - Sheet 1 of 2	May 2023
47	C-252	Yard Piping Details - Sheet 2 of 2	May 2023
49	C-302	Erosion and Sediment Control Details	May 2023
50	C-303	Erosion and Sediment Control Details	May 2023
51	C-304	Site Details	May 2023