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Section 1.0 - Introduction

The Village of Sagaponack (Village) has developed this Stormwater Management Program (SWMP) as required for coverage under the New York State Pollution Discharge Elimination System (SPDES GP-0-24-001) General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s) Permit (hereafter referred to as “MS4 Permit”). A Municipal Separate Storm Sewer System (MS4) is essentially a collection of roadways and drainage systems, features and infrastructures which conveys stormwater (aka rain water) runoff from land to surface water. The pollution that arises from stormwater runoff is called “nonpoint pollution”, because it doesn’t originate from any specific source, but rather is aggregated in small quantities from all types of land uses. Stormwater runoff pollution has been cited by numerous studies, including the New York State Priority Waterbodies Listing (PWL) as a primary and significant cause of pollution in the waterways of Suffolk County

The MS4 Permit is structured around six (6) Minimum Control Measures (MCMs) that describe different aspects of a stormwater pollution program. A copy of the current general permit is included in Appendix G, which describes in detail the MCMs that the SWMP is intended to address. The MCMs are described in Parts VII.A.1. through VII.F.A-6 of the MS4 Permit.

The goal of the Village of Sagaponack SWMP is to control stormwater runoff discharges from Village infrastructure and developed land within the Village to reduce pollutants to the waters of the United States in accordance with the requirements of the Federal Clean Water Act (CWA). The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States. The CWA makes it unlawful to discharge any pollutant from a point source into navigable waters, unless coverage under the National Pollutant Discharge Elimination System (NPDES) permit is obtained. On January 8, 2003, New York State (NYS) was authorized to issue this coverage to local governments through NYS adoption of the CWA Phase II regulations.

The CWA Phase II (aka “Phase II”) regulations were born out of the 1987 amendment to the CWA, Section 402(p), which established a comprehensive, two-phase approach to stormwater control. Phase II expanded the scope of the NPDES program to include smaller local municipalities serving populations of less than 10,000. Phase II requires these local governments, referred to as small MS4s, to obtain NPDES permit coverage. While both Phase I and Phase II stormwater regulations treat stormwater discharges from municipalities as point sources of pollutants, the Phase I regulations require large sources of stormwater discharge to apply for NPDES permits. Phase II is intended to address the negative environmental impacts that arise from the collective effect of smaller discharges from smaller entities. The New York State Department of Environmental Conservation (NYSDEC) and its regional agencies are responsible for providing guidance to local municipalities and to administer and oversee all the various aspects of the MS4 Permit.

Section 2.0 - Village Information

2.1 Background

The Village of Sagaponack, established in 1653 and incorporated as a Village in 2005, is a territory of approximately 4.4 square miles at the east end of Southampton Town between the hamlets of Bridgehampton and Wainscott. It is a coastal community located on the South Fork of Suffolk County, NY. The hamlet of Sagaponack was one of the earliest colonial settlements in America and has a 350-year history as a quiet rural community, characterized by its rich agricultural soils, the beauty of its landscapes and ocean beaches, and its quaint Main Street. Despite the changes wrought in the past 30 years by the emergence as a highly desirable residential community, Sagaponack has been able to maintain much of its historic agricultural character and most of its rural architectural heritage.

Currently, the Village has a population of approximately 350± full-time and 650± part-time residents. Within the Village are approximately 360 registered voters and 750 structures. The only physical facility is Village Hall, located at 3175 Montauk Highway. The Village does not own any other property, but it is responsible for the maintenance of their about 16 miles of public roadways. The Village employs two (2) full-time and two (2) part-time employees, overseen by the elected Mayor and Trustees. Village staff provide tax collection, building permit administration, building, stormwater & code inspections, and other municipal services.

The Village was previously wholly a part of the Town of Southampton, and thus much of its existing infrastructure was constructed by, and continues to be maintained by the Town. As the Village of Sagaponack was originally covered by the Town's MS4 Program at the time of Phase II inception in 2003, a copy of the Town's SWMP is included in Appendix A.

It is noted that much of the information contained within Sections 2.1 through 2.3 is either directly excerpted or based upon the materials prepared for the Village within their Comprehensive Plan (authored by the Village Zoning Commission with assistance from Planning Consultant Lisa Liquori) and various stormwater management materials ~~including the Sagaponack Pond Pathogen Impairment Retrofit Program Plan~~, created by D.B. Bennett, P.E., Consulting Engineer. Appreciation and acknowledgement is extended to those entities and individuals who served the Village during its early incorporated years.

2.2 Land Use & Natural Resources

The Village completed a Comprehensive Plan in 2007 describing current land use and resources, and outlining goals for the future. This plan is included as Appendix A. Land Use within the Village is predominantly single-family residential, with agricultural use being the most common non-residential use. Maps excerpted from the Comprehensive Plan depicting Land Use (Map 2), Preserved Open Space (Map 3), and NYS Agricultural Districts (Map 5) are provided in Appendix B. Also included in Appendix B are the Village's Zoning Map, a map of New York State Agricultural District Property, and a map of Public Lands.

There are very few commercial or public facilities within the Village. Besides Village Hall, the only other public structures are the United States Post Office located on Sagg Main Street, the one-room schoolhouse (The Sagaponack School) and the Town of Southampton Comfort Station at the Main Beach. The few commercial business establishments that exist within the Village primarily are sited along NYS Route 27, and do not discharge to the Village's MS4 system.

The major waterbody of concern within the Village is Sagaponack Pond. The Pond is jointly owned with the Town of Southampton. Other waterbodies of concern are much smaller, with limited contributing areas. They include Poxabogue Pond, Little Poxabogue Pond, Fairfield Pond, and Peters Pond. Sagaponack Pond (aka "Sagg Pond"), however, is the largest water body that is located within the Village, and is the receiving waterbody for several stormwater discharges. It is also listed on the New York State Section 303(d) List of Impaired Waters. Hence, this waterbody receives the most focus within the Village's SWMP.

Despite its prominence within the Village, Sagg Pond is only partially located within the Village; about half of it is located within the unincorporated areas of the Town of Southampton. The Pond is considered impaired for shell-fishing and recreational use, as per the listing from the New York State Priority Water Bodies List (PWL) which is included in Appendix C. Also included in Appendix C are descriptions of an ongoing projects, coordinated by organizations such as the Peconic Land Trust, Stony Brook University Gbler Lab, and Cornell Cooperative Extension to study in detail the potential sources and detailed character of pollutants within the waterbody.

Sagg Pond is a South Fork south shore coastal pond. It is an estuary whose water level is managed by the Southampton Town Trustees by opening and closing the short barrier beach separating the Pond and the Atlantic Ocean. There are no known point source discharges to Sagg Pond. The Trustee goals are to maintain and facilitate estuarine fish and crab spawning, improve water quality through improved flushing of pond and to manage flooding of fields and residences.

~~During the early years of Village incorporation, Sagg Pond was identified in the MS4 Permit as pathogen-impaired, and the Village was required to develop a Pathogen Retrofit Program Plan, which was finalized in 2016 and included in Appendix C. During the time period stretching from 2007, when the Village first adopted a code structure, to the end of 2018, the Village focused almost all of its limited program resources on a Pathogen Retrofit Program Plan for Sagaponack Pond, that was required under prior versions of the MS4 Permit, and prior to a January 2012 U.S. Supreme Court decision which resulted in the November 2018 procedural revisions. It is understood that at present, in June of 2024, the 2024 MS4 Permit no longer includes any requirements pertaining to Sagaponack Pond. -~~

During that time period, the Village studied its hydraulically connected watershed area to Sagg Pond by evaluating topographic maps and performing several field surveys. Based on knowledge of the Village's portion of the Sagg Pond watershed, sources of pathogens to Sagg Pond were identified to be primarily wildlife and waterfowl, as the area is used intensively by wintering geese and ducks, as well as in the summer by a healthy population of Mute Swans, ducks, terns and gulls. In November of 2018, the Village was informed that interim progress reporting associated with this waterbody was no longer required – refer to the letter from the NYSDEC in Appendix C.

Other Waterbodies

Other waterbodies within the Village include Poxabogue Pond, Little Poxabogue Pond, Fairfield Pond, and Peters Pond. These are all much smaller than Sagg Pond, and are depicted on the maps included in Appendix B. Note that while the Village borders the Atlantic Ocean coastline, they do not have jurisdiction over the vast majority of the beach, nor do any of their drainage systems contain outfall pipes which directly discharge to the Ocean. The exception to this is the southern end of the public right-of-way for Gibson Lane, which extends several feet beyond the paved road surface, but terminates at New York State-owned portions of the coastline.

Topography and Soils

Based on the U.S. Natural Resources Conservation Service Web Soil Survey of the Village and its environs, the predominant soil association in the Village is Bridgehampton silt loam, 0 to 2 percent slopes. This is a well-drained soil exists in over 40% of the study area depicted in the Soils Map. The second most predominant soil association comprises approximately 9% of the study area and is Bridgehampton silt loam, 2 to 6 percent slopes.

Soils comprising about 5% each of the study area are:

- Haven loam, 2 to 6 percent slopes
- Plymouth loamy sand, silty substratum, 0 to 3 percent slopes
- Raynham loam
- Riverhead sandy loam, 0 to 3 percent slopes

The remaining 30% of the study area is represented by very small amounts of over twenty (20) different soils types. Please refer to the Soils Map and Survey Data included in Appendix B for further information.

2.3 Existing Municipal Storm Sewer System & Watersheds

As the Village was not incorporated until 2005, the majority of its infrastructure was built by the Town of Southampton. Drainage maps, outfall maps and storm sewer shed maps of contributing areas are included as Appendix D.

The Village of Sagaponack has minimal street curbing and watershed slopes are low (i.e. 0 to 3%). As a result, only very small portions of Village roads actually flow towards and potentially discharge to Sagg Pond and other waterbodies. Most, if not all, municipal storm drainage is diverted to open spaces and dry wells for infiltration.

The infrastructure consists of about 80 drainage inlets of various types, most of which are part of positive drainage systems and do not overflow to surface waters. There ~~are~~ is only ~~five~~ one (15) drainage outfalls within the Village, which are depicted both on the overall drainage map, as well as a series of detailed maps included in Appendix D.

D.B. Bennett, P.E. Consulting Engineer completed the following analysis of Village storm sewer sheds circa 2015:

Land Use Distribution & Area for each Village Stormsewer Shed

Village StormSewer Shed	High Density Residential, acres (%)	Medium Density Residential, acres (%)	Low Density Residential, acres (%)	Agricultural, acres (%)	Roadway, Acres (%)	Vacant, acres (%)	Dwelling Units	Total (acres)
1 – Bridge Lane	-	0.2 (3.8)	0.1 (2.5)	2.4 (45)	2.3 (43)	0.3 (5.7)	2	5.3
2 – Sandune Court	-	1.9 (51.3)	0.1 (2.7)	-	1.7 (46)	-	7	3.7
3 – Sagaponack Road	-	-	2 (34.5)	-	2 (34.5)	1.8 (31)	6	5.8
4 – Sagaponack Main Street – South (includes beach parking)	-	1.1 (15)	1.1 (15)	1.3 (19)	3.6 (51)	-	4	6.9
5 – Sagaponack Main Street – North	2.5 (19.5)	0.2 (1.5)	6.1 (47.7)	-	4 (31.3)	-	8	12.8

Total = 34.5 acres

As the focus of the analysis performed by D.B. Bennett was the pathogen-impaired Sagg Pond, the following was concluded in regards to identifying the storm sewer shed and focus areas to target to improve the health of Sagg Pond:

It was determined that the hydraulically connected watershed area in the Village is west of Sagaponack Main Street and south of Montauk Highway. The Land Use (Map 2) and Preserved Open Space (Map 3) maps illustrate that much of the hydraulically connected watershed is preserved, particularly the shoreline and that land use is primarily preserved open space and agriculture with a minor component of large lot single family residences.

Section 3.0 – General Permit Compliance

The Village of Sagaponack only discharges through one stormwater outfall in accordance with Section I.B.3. of GP-0-24-001. Their outfall is shown on the Village’s MS4 maps that are included in Appendix C of this document.

A copy of their 2024 e-NOI is included as Appendix G., which continues the coverage established pursuant to the Village’s original Notice of Intent (NOI), which was submitted to the NYSDEC October 21, 2010, and subsequently authorized under permit identification number NYR20A534.

The intent of this document is to outline a plan for the Village for monitor authorized discharges, identify & correct illicit discharges, and document corrective actions taken when an applicable water quality standard is violated. It is noted that the Town of Southampton assists the Village in permit implementation; refer to Appendix J for a copy of the inter-municipal agreement.

The document is available both online and at Village Hall during regular business hours. Annual reports on adherence to the program within this plan are created and submitted in accordance with the MS Permit. In the year of 2024, an Interim Progress Certification will be submitted in accordance with the 2024 MS4 Permit.

The Village’s SWMP was evaluated for compliance with the 2024 MS4 Permit in June of 2024. In the year 2029, the SWMP will be re-evaluated for compliance and updated as necessary. Prior to the current evaluation, the Village undertook a new plan in July 2021, which was evaluated for compliance in 2022, resulting in a September 2022 revision.

During the June 2024 evaluation, an analysis of applicability of Part VIII. and Part IX. to the Village of Sagaponack took place. It is noted that Sagaponack Pond is no longer listed in Appendix C, and there do not appear to be any other regulatory triggers to require the Village to comply with Part VIII or Part IX.. Nevertheless, management of the contributing area to the pond is still a priority for the Village. As such, Section 9.5 is included, designating this area as a focus area for the Village.

Section 3.4.0 - Minimum Control Measure 1 - Public Education and Outreach

Pursuant to MS4 Permit Part VII.A.1., the Village of Sagaponack has developed a Public Education and Outreach program to educate targeted audiences regarding the potential impacts from stormwater runoff to the environment and what steps they can take to reduce these impacts.

3.4.1 Identification of Areas of Concern and Audiences

The major waterbody of concern within the Village is Sagaponack Pond. It is by far the largest, the most impaired, and has the most development within its watershed. The Pond is jointly owned with the Town of Southampton. Located due north of Sagg Pond, Poxabogue Pond is a secondary waterbody of concern. It is much smaller than Sagaponack Pond, but it is more significant in size than the other waterbodies within the Village, and it is hydraulically connected to Sagg Pond.

The other waterbodies within the Village are much smaller, with limited contributing areas. They include Little Poxabogue Pond, Fairfield Pond, and Peters Pond. But as the Village has limited resources to direct towards water quality efforts, the Village intends this program to center around Sagaponack Pond as the priority waterbody of concern.

The three audiences that the Village has identified that have the greatest potential for impacts are residents, agricultural establishments, and residential contractors/developers. The reason for this is that during very large storms during the winter and early spring months, large quantities of sheet flow from expansive residential lawns and farm fields can make its way into the MS4 infrastructure and Sagg Pond. Management of these private properties, however, falls to the property owners, and except in the case of construction activity, the Village has little authority to intercede with existing conditions that pre-date that formation of the Village. Furthermore, much of the agricultural lands are subject to a series of exemptions from local control and environmental regulations pursuant to New York State and County of Suffolk Agricultural District regulations.

34.2 Program Components

The Village Public Outreach program consists of the following elements.

Printed Materials

The Village periodically makes available educational pamphlets that addresses potential stormwater runoff impacts from construction activity, and outlines steps for compliance with the Village's Stormwater Pollution Prevention (SWPPP) requirements. Due to the limited in-person traffic at Village Hall since the start of the Coronavirus Pandemic, the information is currently available only upon request. The Village plans to source and/or develop educational materials for posting on their website in the future.

Webpage

The Village has developed a webpage featuring useful information for residents and links to various other agencies. The Village has the ability to maintain and update the website in-house, and has created a dedicated page for the MS4 Program. The webpage can be found at: <https://sagaponackvillage.org/>

Copies of the Village's Annual Stormwater Reports are posted at <https://sagaponackvillage.org/ms4/>

ListServe

The Village maintains an email ListServe that has 240 participants signed up. Periodically, the Village emails out public information concerning stormwater pollution prevention. This is one of the mechanisms used to distribute and solicit comment on the Annual Stormwater Report.

34.3 Watershed Improvement Strategy Requirements - Pathogens

The Village currently keeps its residents informed of the on-going activities being performed by the Peconic Land Trust, Stony Brook University Gbler Lab, and Cornell Cooperative Extension to support the health of Sagaponack Pond. All three of these organizations have developed public information which is disseminated on their websites and via fundraising efforts to area residents. Some of this information is included in Appendix C. The Village plans to make more of this information available on their website in the future.

Furthermore, The Gbler Lab has a water quality buoy installed that monitors regularly for several parameters including water temperature, dissolved oxygen, salinity, and nitrogen. The real-time data is available online at https://cloud.xylem.com/hydrosphere/public-sites/OWA_2316E0A17F5845B89A9084426DDD6B13?customerId=OWA_2316E0A17F5845B89A9084426DDD6B13&siteId=SagPB. The purpose of the Gbler Lab's research is to help identify and characterize the source of pathogens in the Pond.

34.4 Measurable Goals

The Village has developed the following measurable goals:

- i. Develop a one-page flyer geared specifically towards residents of Sagaponack and actions they can take to reduce potential pollutants of concerns and distribute. The number of residents the flyer is distributed to will be reported annually.
- ii. Consider including stormwater educational reminders in the annual Village tax bill mailings
- iii. Re-work the "MS4 Program" webpage to provide more information and links to residents about stormwater pollution
- iv. Source and provide information to residents about Best Management Practices for residential landscaping
- v. Source and provide information to contractors and developers regarding Best Management Practices to prevent discharges from Construction Activity
- vi. Provide more information regarding the health of Sagaponack Pond and pollutants of concern on the Village website; include links to non-profits project websites who are actively involved with the Pond.
- vii. Add links to the Village website to connect agricultural property owners with the Suffolk County Soil & Water Conservation District, who offers free, customized and confidential technical guidance to help farmers reduce impacts associated with stormwater runoff.

- viii. Add a Recycling / Waste Management page to Village website with links to Town info about safe disposal of toxic household chemicals (aka Household Hazardous Waste), recycling of used motor oil and links to information on take-back programs for items like commonly used residential items like printer toner, automotive batteries, etc.

Section 45.0 - Minimum Control Measure 2 - Public Involvement and Participation

Pursuant to MS4 Permit Part VII.A.2, the Village has taken measures to inform the public of and involve them in their stormwater management program.

45.1 Annual Public Meetings and Information

Each year upon completion of the Draft MS4 Annual Report, the Village presents the report and offers the public an opportunity to comment at a regularly scheduled Board of Trustees public meeting, which is noticed in accordance with the Open Meetings Law.

In addition, as the Village has identified (refer to Section 34.1) that its key audience is residents, the Draft Report is emailed out to the Village's email list. Any comments received are incorporated into the final report, which is filed with the NYSDEC and posted on the Village's website. Each year's Annual Report is saved and continues to be available on the Village website.

45.2 Local Stormwater Public Contact

The Village has designated Ms. Rosemarie Cary Winchell, CMC, the Village Clerk, as the Local Stormwater Public Contact. Any concerns, complaints or stormwater inquiries are directed to her attention, and she oversees all aspects of the Village's compliance with the MS4 General Permit. She is also the Village's duly-authorized representative

The Stormwater Program Coordinator is the Village's Building Inspector.

Both of these positions report to the Mayor, and have the authority to mobilize code enforcement, engineering and public works resources as necessary to ensure permit compliance.

45.3 Other Public Participation

Various related participation opportunities exist within the Village. Examples include:

- Clean-up events
- Tree Committee – oversees maintenance of historic trees and planting of new trees
- The Sagg Pond Restoration Fund, a non-profit which fundraises to support efforts on behalf of Stony Brook University and the Peconic Land Trust to improve water quality in the pond.

45.4 Measurable Goals

- i. The Village will make their Stormwater Management Program Plan available on the Village website, and annually send an email to residents on the ListServe to involve the public in the annual review process. The number of active emails that receive the mailing will be reported on the Annual Report.

- ii. The Village will consider creation of and gage public interest in a volunteer Stormwater Management Committee to assist with tasks like drain condition/illicit discharge monitoring, help stencil/mark storm drains that lead to outfalls, and suggest/evaluate new initiatives such as native plantings, clean-up events, etc.

Section 56.0 - Minimum Control Measure 3 - Illicit Discharge Detection and Elimination

An illicit discharge is any discharge that discharges enters the system (either directly or indirectly) such as infiltration from failed sanitary systems or construction activity runoff on to roadways. Untreated discharges allow high levels of pollutants such as excess nutrients (e.g. nitrogen), pathogens, oil/grease, and heavy metals to discharge directly to waterbodies. Pursuant to MS4 Permit Part VI.C., the Village has implemented a program to identify and eliminate discharges that are not composed entirely of stormwater or groundwater. Within two years of July 1, 2024, which is the effective date of compliance (EDC) for the 2024 MS4 Permit, the Village will augment these procedures to include the following components:

- Monitoring locations inspection and sampling program (Part VI.C.1.e)
- Illicit Discharge Track Down Program (Part VI.C.2)
- Illicit Discharge Elimination Program (Part VI.C.3.)

56.1 Mapping Stormwater Conveyance System

The Village has several maps, mostly developed in partnership with the Town of Southampton, which depict the Village's drainage infrastructure, easements, storm sewersheds, and outfalls. Pursuant to the filing of their Notice of Intent with NYSDEC in late 2010, they had until 2012 to survey and map their outfalls. This was completed in accordance with the MS4 Permit implementation schedule provided to the Village. New maps were created by the Village Engineer in 2022 based on updated field surveys. Copies of these maps are included as Appendix D.

56.2 Outfall Reconnaissance Inventory

~~The majority of the Village has one 's-outfall. s are inaccessible from the land and only visible during seasons when vegetation is sparse.~~ While the Village has limited staff and resources to complete this type of activity, both Village employees, the Town police sector car, and involved residents keep close watch and guard over the inlets which lead to the outfall pipes to ensure no pollutants of concern are making their way into the MS4 system.

Water quality monitoring of the pond is performed primarily by non-profits and volunteers, who would promptly report any evidence of an illicit discharge to the Village. Refer to Section ~~5.56.7~~, Measurable Goals, for future plans to increase the reconnaissance.

56.3 Illicit Discharge Detection and Elimination Ordinance, Reporting and Enforcement

The Village's local law to address illicit discharges was adopted in 2011 and is known as Chapter 186 – Storm Sewers. The local law can be accessed via the Village's website and a copy of the local law is included in Appendix E. The Village's local law was modelled after the "NYSDEC Model Local Law to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer Systems".

The Village's main phone number 631-537-0017 is the primary phone number to report illicit discharges during business hours, Monday through Friday. The Southampton Town Police, however, handle all Village code enforcement matters outside of business hours. They can be reached at 631-728-5000 or via the 911 emergency call system.

56.4 Illicit Discharge Program and Area of Concern

The IDDE program is overseen by the Village Clerk. As the Village consists of just sixteen (16) miles of roadway, the entire Village is patrolled at least once per week by a combination of the Village Building Inspector and the Town Police Sector Car to observe for signs of illegal dumping, debris, and illicit connections. The priority is along Sagg Main Street, which receives the heaviest travel under the Village's jurisdiction and is within the contributing area to Sagaponack Pond, the Village's only impaired waterbody and priority area of concern (Refer to Section 2.2 and 2.3).

In a small Village consisting mainly of large residential and agricultural properties with expansive space to handle their own stormwater, sanitary and irrigation system discharges, the primary activities of concern are swimming pool discharge and construction activity discharge. The Village actively monitors upland drain inlets for illicit connections. Efforts to identify and control Construction activity discharge are detailed in Section 6.

The Village makes available safety equipment to personnel performing upland inspections. Should any suspected substance of concern be observed on the roadways or in a drainage feature, Village staff would immediately contact the Bridgehampton Fire Department HAZMAT unit (via 911 call), whose coverage area for spill response includes the entire are of the Incorporated Village of Sagaponack.

The Village Building Inspector is responsible to track down the source of any illicit discharge through the use of field inspections and as-built drainage maps. He would enlist the assistance of the Village Engineering firm, whose staff includes personnel trained in environmental spills and remediation, as necessary.

~~56.5 Watershed Improvement Strategy -- Pathogens~~ Illicit Discharges from Sanitary Wastewater Systems

Pursuant to MS4 Permit Part 2.a.iii.b) IX.C., ~~identifying and remediating~~ tracking down illicit discharges from on-site sanitary systems ~~to Sagaponack Pond~~ is required. This

activity does not fall under the jurisdiction of the Village, but rather the Suffolk County Board of Health which regulates and inspects all sanitary systems within the County. The County, which is a separately designated MS4, would have the resources and capacity to comply with this aspect of the permit.

~~It is noted, however, the Town of Southampton Community Preservation Fund has been actively promoting programs for residents that would allow them to upgrade older septic systems to Innovative/Alternative (I/A) Systems. The work of local non-profits such as the Peconic Land Trust and Cornell Cooperative is also promoting identification and remediation of sites with excess nitrogen seepages into the Pond. The Village plans to continue to publicize these efforts by others.~~

56.6 Procedures for Illicit Discharge Elimination & Documentation

Should an illicit discharge or illegal connection be located, the Village will immediately notify the offender to cease the activity. Should it be necessary, the Village will issue a notice of violation in writing and pursue additional legal remedies depending on the environmental consequences and the applicable regulations. The Village will conduct follow-up inspections as necessary to ensure the required remedies has been completed.

The Village keeps a record of violations and associated inspections, including any supporting documentation.

56.7 Measurable Goals

The Village has developed the following measurable goals:

- i. The Village Engineer created new maps depicting updated storm sewersheds, drainage inventory and outfalls. The number of drainage features verified and added to these maps will be reported annually.
- ii. Add links to the Village website to connect homeowners with information and funding sources on Innovative/Alternative (IA) septic systems to reduce the possibility of illicit discharge from failing septic systems
- iii. Enter into an agreement with a Consultant and/or Non-profit to perform outfall reconnaissance inventory at least once every five years. The Village has only one remaining stormwater outfall that has not been remediated, and outfall reconnaissance was last performed on April 22, 2022 by the Village's Stormwater Program Coordinator (Building Inspector).
- iv. Add public information on identification of illicit discharges to the Village's Website
- v. Add information and a link to an email address to the Village website to encourage public reporting of illicit discharges.

Section 67.0 - Minimum Control Measure 4 - Construction Site Stormwater Runoff Control

Pursuant to Part VII.A.4.VI.D., the Village has a program to address the pollution of stormwater runoff generated at construction sites. Within one year of the EDC (by July 1, 2025), the procedures documented herein will be evaluated for compliance with Part VI.D.3. and updated as applicable.

67.1 Stormwater Management and Erosion & Sediment Control Ordinance

The Village's local law to address stormwater management requirements and control was adopted in 2012 and is known as Chapter 187 – Stormwater Management and Erosion and Sediment Control. The local law can be accessed via the Village's website and a copy of the local law is included in Appendix E.

67.2 SWPPP Review Process

The Village's Clerk and Building Inspector oversee the SWPPP review process. When new planning, zoning and/or building permit applications are received, they are reviewed against the Village's criteria to trigger a local review process. As per the Village's code, a Stormwater Pollution Prevention Plan (SWPPP) is required to be submitted for all construction sites disturbing greater than one (1) acre.

The following procedures are developed in accordance with the MS4 Permit:

- 1) During the Building Permit application process, any sites identified by the Village Clerk and/or Building Inspector to have the potential to disturb one acre or more will be referred to the Village Engineer. The Village Engineer will review the plans for development and determine what type of Stormwater Pollution Prevention Plan (SWPPP) shall be submitted (i.e. with or without Post-Construction Management Controls) and other supporting materials necessary to facilitate review in accordance with MS4 Permit requirements and Village codes.

In the case of SWPPPs requiring Post-Construction Management Controls, the Village Engineer will review to verify if said controls are designed in accordance with the NYSDEC Stormwater Design Manual, and whether they have the potential to discharge into the Village MS4.

Note in most cases, it would be very difficult for applicants to comply with Village codes governing drainage system design and also have this potential discharge. Should this be the case, however, the applicant would be notified that a draft maintenance deed covenant shall be provided to the Village as part of the SWPPP review process.

- 2) Prior to issuance of a Building Permit, the Village Clerk will ensure the most current copy of the SWPPP, draft Notice of Intent (NOI) and related plans are provided to

the Village Engineer for review and comment. The Village Engineer will review in accordance with Permit requirements, and provide comments, until such time a complete SWPPP satisfying all requirements has been received.

- 3) Once the Village Engineer is satisfied the SWPPP, NOI and supporting materials are in accordance with the Permit, the Village Engineer will issue a memo to that effect to the Village Clerk, who is also the Authorized Stormwater Contact. At such time, the Clerk will sign the MS4 Acceptance form, provide to the applicant, and advise applicant to file the NOI with NYSDEC.

On occasion, the Village Engineer may discover that the subject site discharges to a MS4 system not under Village jurisdiction. In these cases, after review of the SWPPP, NOI and supporting materials, the Village Clerk and Village Engineer will work with the MS4 receiving the discharge to coordinate MS4 SWPPP acceptance.

- 4) Prior to issuance of the Building Permit, the applicant shall return a complete and DEC-accepted copy of the NOI to the Village. The Village Clerk and/or Village Engineer will review said NOI to ensure it matches the draft copy previously reviewed. Should it not match, appropriate inquiries will take place, and revisions to SWPPP and supporting documents and plans will be requested as necessary to match the DEC-accepted NOI.
- 5) Once the Building Permit is issued, the Village Building Inspector will periodically perform inspections to review stormwater pollution prevention measures are in place for the site. This inspection will include verification that the Qualified SWPPP Inspector is performing and documenting inspections at the required frequency, and that the most recent copy of the SWPPP and Accepted NOI are available on-site.

Should the Village Building Inspector find the site in non-compliance, written notice shall be supplied to the property owner (and/or their designee), and the Village will re-inspect and repeat the notice process until the situation is remedied.

Should the Village Building Inspector discover at any point during construction that site conditions are no longer in accordance with proposed design and accepted SWPPP, the Village shall require the applicant to submit updated materials for review by the Village Engineer.

- 6) Once all disturbed land has been permanently stabilized and the Qualified SWPPP Inspector has completed their final inspection, the applicant shall notify the Village, and the Village Building Inspector shall perform a final site inspection.
- 7) A Notice of Termination (NOT) with all fields completed except the Village's acceptance shall be submitted by the applicant to the Village. Prior to signing, the Village Engineer shall review the NOT, any as-built survey information that may be available, and a copy of final Village SWPPP inspection.

Should the NOT indicate that any Post-Construction Stormwater Management Practices were installed, the Village Engineer shall verify whether or not these have

the potential to discharge to the Village's MS4. If they do, the Village Engineer will update the Village's Post-Construction Private Practice Inventory to include them, and that the appropriate covenants governing maintenance required by the Permit have been filed.

After all of the above, the Village Clerk will sign the NOT acceptance and return to applicant. The Building Permit will remain open until the applicant provides documentation to the Village that the NYSDEC has accepted the NOT. A Certificate of Occupancy (C.O.) will only be issued after receipt of said documentation.

The Village maintains an inventory of all active construction sites including the location of the site, owner/operator contact information, and review/construction status.

67.3 SWPPP Construction Site Inspections

The Village's Building Inspector routinely visits all active construction site and ensures that the required SWPPP Inspections are being performed by Qualified Inspector. He completes a form documenting each inspection which is then kept on file at Village Hall. A copy of said form is included in Appendix H. The Village's inspector is trained to understand the State and local sediment and erosion control requirements.

67.4 Education and Training

The Village can provide information to contractors and construction site operators on the SWPPP process upon request. Applicable Village staff periodically receive NYSDEC-endorsed training run by the Suffolk County Soil & Water Conservation District or other NYSDEC endorsed entity.

67.5 Measurable Goals

The Village has developed the following measurable goals:

- i. Continue to publicize SWPPP program requirements
- ii. Continue SWPPP review and oversight of construction sites. The number of SWPPPs reviewed will be reported annually.
- iii. Continue to maintain SWPPP database and track any complaints
- iv. Review and enhance contractor training information
- v. Make contractor training information available for download on Village website; track the amount of paper copies distributed and the number of downloads

Section 78.0 - Minimum Control Measure 5 - Post-Construction Stormwater Management

Pursuant to Part ~~VII.A.5.VI.E.~~, the Village makes every effort to publicize and enforce land use and development regulations which serve to maintain good water quality conditions after an area has been developed or after construction. Within five (5) years of the EDC (July 1, 2029), the Village will document all parameters required by Part VI.E.4.d. within this program plan.

78.1 Village Codes & Enforcement

The Village has passed several codes related to land development and compliance with the MS4 Permit. The most significant of these are Chapter 186 – Storm Sewers and Chapter 187 - Stormwater Management and Erosion and Sediment Control. While the complete Village Code can be accessed and searched via keyword at <https://ecode360.com/SA2797> , Chapters 186 and 187 are included in this SWMP in Appendix E.

Chapter 245, Zoning, contains many strictly defined provisions which apply to all new construction and development, including the adoption of Overlay Districts such as the Tidal Floodplain Overlay District specifically designed to protect water quality. Of note, the Village does have its own wetlands permit program, described in Chapters 225 & 226, which is administered by the Town of Southampton pursuant to the authority of the Village Trustees.

Enforcement of all codes is performed by the Village Building Inspector and the Town Police Sector car, and overseen by the Village Clerk, who is also responsible for MS4 Permit compliance and oversight. All Village staff, and many residents, however, share a strong sense of community pride which extends to protecting their environment. In this very close-knit community, it is difficult to hide potential violations, which results in vigilant code enforcement of the Village codes designed to protect the environment and keep the Village clear of litter, debris, and pollutants of concern.

A record of violations pertaining to both the MS4 Permit and the Construction Activity permit is maintained.

78.2 Post-Construction Runoff Control

The Village's local law to address stormwater management requirements and control was adopted in 2012 and is known as Chapter 187 – Stormwater Management and Erosion and Sediment Control. The local law can be accessed via the Village's website and a copy of the local law is included in Appendix E. This law establishes the latest version of the NYSDEC Stormwater Design Manual as the technical standard governing stormwater runoff control for all new development.

Strict site development regulations, largely contained within Chapter 245 Zoning, favor the preservation of the Village's rural character and open space, and provide for a minimum of three inches of runoff to be contained on-site. The Village retains a

Consulting Engineer to review all site plans for compliance with the technical standards. The Village encourages the public to incorporate principles of *Low Impact Development* (LID), *Better Site Design* (BSD), and other *Green Infrastructure* practices in their projects.

78.3 Watershed Improvement Strategy - Pathogens

~~Pursuant to Part IX.C.5 of the MS4 Permit, the Village has developed a Retrofit Program identifying the contributing area to Sagaponack Pond as a focus area for pathogen management. It is~~ Please refer to Section 9.5 and the information included in Appendix C.

78.4 SWPPP Review Standards

The Village retains a Consulting Engineering firm with significant experience both creating and reviewing SWPPPs that are in conformance with NYS SPDES General Permit for Stormwater Discharges from Construction Activities, and with the design principles and practices contained with the NYSDEC Stormwater Design Manual.

All SWPPPs are reviewed for compliance with the afore-mentioned regulations and guidance.

78.5 Post-Construction Stormwater Inventory & Maintenance

The Village has created, and will maintain in the future, a Post-Construction Stormwater Inventory detailing structures that have been installed that are part of or hydraulically connected to their MS4 infrastructure. This is included in Appendix D.

The Village performs annual inspections of the structures listed on the Post-Construction Stormwater Inventory. These inspections are performed using an inspection form developed by the Village Engineer for compliance with the MS4 Permit, and in consult with the Village Engineer. Additionally, as described throughout this SWMP, most recently in Section 78.1, Village staff and residents regularly observe the condition of drainage inlets on the public roadways. Any conditions requiring remedies are either cleared immediately (in cases of minor litter or debris), or reported to the Town of Southampton Highway Department for professional drain cleaning.

At this time, there are no privately-owned stormwater management practices on the Village's Inventory. Should any new privately-owned practices discharging to the Village's MS4 be constructed under a permit issued by the Village, the Village would require the property owner to file a deed covenant ensuring appropriate long-term maintenance and inspections were performed and documented.

78.6 Measurable Goals

The Village has developed the following measurable goals:

- i. Source existing public information related to Green Infrastructure Design and Low Impact Development and provide to residents via email and the website
- ii. Source and provide information to residents about Best Management Practices for residential landscaping
- iii. Continue to consider drainage upgrades in ~~accordance with the Retrofit Program~~the contributing area for Sagaponack Pond
- iv. Continue to update the Post-Construction Stormwater Practice Inventory. The number of practices added will be reported annually.
- v. Continue to inspect Post-Construction Stormwater Practices, and document the inspections. Track the number of inspections. The number of inspections performed will be reported annually.

Section 89.0 - Minimum Control Measure 6 - Pollution Prevention / Good Housekeeping for Municipal Operations

Pursuant to Part VI.F.A.5.f.i., all covered entities must develop and implement pollution prevention measures for all their facilities and operations. The only physical facility is Village Hall, located at 3175 Montauk Highway. The Village does not own any other property, except for the 16± miles of public roadway that are under its jurisdiction. This Section describes their facilities, operations and good-housekeeping measures in detail.

It is noted that there are no construction or other activities that occur at Village Hall, and as such, the vast majority of requirements detailed within Part VI.F.2.a. are not applicable. The Village will, however, within 3 years of the EDC (July 1, 2027), evaluate this plan and Village operations for compliance with Part VI.F.2.a. and Part VI.F.3.a, and update the plan and procedures as necessary.

89.1 Identification of Facilities and Operations

The only physical facility is Village Hall, located at 3175 Montauk Highway. This property is sized .5± acres, and contains one parking lot sized less than a ¼ acre. The Village does not own or store any vehicles. The Village maintains the facility using appropriate best management practices, and does not allow pesticides or herbicides to be utilized on the small lawn area. The Village does not own any other property, except for the 16 miles of public roadway under its jurisdiction.

A description of municipal operations related to the MS4 program are as follows:

1. Street Sweeping, Drain Cleaning and Snow Removal on the 16 miles of Village-owned roadways are provided by the Town of Southampton Highway Department under an IMA that extends all Highway Services provided to Town residents to Village residents. Highway services also include general roadway clean-up, such as removal of deceased animals or other large debris that might obstruct traffic.
2. There are two public right-of-way areas that are extensions of the southern ends of Gibson Lane and Peters Pond Road, which extend several feet beyond the paved road surfaces into the beach area, but terminate at the New York State-owned portions of the Atlantic coastline. Village staff and residents regularly clear litter and debris from these areas, and the Village has signage installed encouraging environmental protection measures.
3. There exist a few culverts within the Village. The Town performs routine maintenance such as pothole repair and vegetation management under the IMA, but any necessary repairs beyond that would be contracted by the Village.
4. No garbage, recycling, or yard waste services are offered by the Village; residents either self-haul to Town of Southampton facilities or contract with a private carter. It is noted that any resident of the Village, is also a resident of the Town, and as such, has full access to the Town's waste management services. An IMA is not necessary to guarantee this access.
5. All parks and recreational facilities located within the Village are owned and operated by either the Town of Southampton or the County of Suffolk

6. The Village provides and maintains a limited number of signs encouraging environmental protection measures
7. The Village sponsors a volunteer committee to assess, care for, and preserve the many old-growth street trees along its public roadways
8. Fire, EMT and HAZMAT services are provided by Bridgehampton Fire District
9. Through an IMA with the Town of Southampton, a patrol car from the Town of Southampton Police Department is on duty within the Village, with dedicated hours varying seasonally. In addition to the enforcement of state and county penal codes, the Police assist with Village code enforcement. An IMA also provides Town assistance of Code Enforcement and Bay Constables.

As is evident from the above list, the potential for Village's operations to discharge stormwater pollutants is limited. The Village takes pride in its clean roadways, which are generally clear of sediment, debris, litter and other pollutants.

§9.2 Self-Assessment of Municipal Operations

Village Hall Self-Assessment

Village Hall is the only facility owned by the Village. It is small historic timber structure sited on .5± acres, that also contains a parking lot sized less than a ¼ acre. The Village does not own any vehicles, and no vehicles are stored overnight in the lot except one passenger vehicle supporting the Police Department. The lot typically contains two-four passenger cars at any given time during business hours, Monday through Friday, which would be the only potential source of pollution, other than the small amount of roadway salt and/or sand utilized for winter storm maintenance during the winter or the roof runoff, which is primarily directed towards roof drywells and the landscaped areas. The parking lot is graded such that all stormwater runoff remains on-site and is directed to two leaching basins located within the parking lot. The basins do not discharge to surface waters. The Village has added these two practices to their Post-Construction Stormwater Management Inventory, and they regularly monitor their condition. Inspection records are maintained in accordance with all provisions of the General Permit. Every three years, the Village performs a self-assessment to ensure none of these conditions has changed, and that there are no new potential pollutants of concern generated by the facility.

Village Roadways

The Village has developed a road system, drainage inventory and outfall maps. Maintenance, such as cleaning of catch basins, street sweeping and storm debris removal is handled by the Town of Southampton pursuant to an Inter-Municipal Agreement.

The Village has ~~five~~ one (15) outfalls under its jurisdiction, and they regularly perform screenings of the upland inlets leading to them. The Village is largely rural in character, and traffic is very light, consisting primarily of passenger cars, delivery trucks and agricultural equipment. The only roadway within the Village which receives significant commercial traffic with higher potential for pollution is a New York State roadway (Montauk Highway Route 27), which is not under the Village's jurisdiction.

The Village periodically installs new drainage features to reduce stormwater runoff from roadways; typically, about 1-2 features per year. Records of these installations are kept for GIS Mapping updates, as feasible.

It is noted that one right-of-way, Gibson Lane, extends several feet into the Atlantic Ocean beach beyond its paved surface. This beach area is maintained by Town staff and residents, and features Village signage with information about protecting the environment. The Town provides for collection of garbage from trash cans placed in this area.

It is noted that one public roadway within the Village, Peter's Pond Road, is actually under the authority of the Town of Southampton Trustees pursuant to the Dongan Patent.

§9.3 Street Sweeping and Drain Cleaning

The Town of Southampton Highway Department maintains the Village's roads and parking lot, pursuant to an Inter-Municipal Agreement. The Town of Southampton itself is a regulated MS4, and performs services for all Town residents in accordance with recognized highway management practices and all applicable regulations.

The Town of Southampton keeps records of drain cleaning and supplies copies of the records to the Village upon request. The Town has one vacuum truck and three street sweepers within their fleet which are utilized for routine maintenance and to respond to complaints.

§9.4 Employee Training

The Village Building Inspector is trained in all aspects of NYS Building Code Enforcement and periodically undergoes training and/or continuing education for topics related to Stormwater Management and NYS Construction Activity guidelines.

Both the Village Clerk (Duly Authorized Representative and Local Stormwater Public Contact) and the Village Building Inspector (Stormwater Management Program (SWMP) Coordinator) periodically undergo the NYSDEC 4_hour Erosion & Sediment Control Training Course. On an annual basis, the Village Clerk receives good housekeeping and best management practice training. The Village maintains records regarding employee training.

§9.5 Pathogen-Impaired Watershed Improvement Strategy Area

As the Village of Sagaponack contains a part of Sagaponack Pond, which has been previously identified as a Pathogen Impaired Watershed Improvement Strategy Area in Appendix C of the 2020 MS4 Permit, the Village considers the contributing area to the

~~pond as a focus area. As such, the measures herein are documented in accordance with Part VI.A.1.a. additional good housekeeping and best management practices concerning pet waste and goose populations are required. Following please find the measures the Village is undertaking to comply with Part IX.C.6. of the MS4 Permit.~~

1) ~~Part IX.C.6.a.~~ The Village currently has in force Chapter 52, "Dogs and Other Animals", which prohibits any pet owner from allowing their domestic animal to generate "long or frequent noise or odor, dust or other environmental nuisance" or to generate pet waste on any other premises except for the pet owner. Signage at Gibson Lane Beach, the only open space under their control, reminds pet owners to clean up after themselves.

Additionally, the County of Suffolk, in which the Village is situated, has passed a law prohibiting the feeding of any wild animal and/or bird species, which specifically identifies Canadian Geese as a species of concern. This law supersedes, and is far more wide-reaching than any law a Village consisting of only 4.4 square miles could pass. The Suffolk County Department of Health Services (SCDHS) is responsible of enforcement. A copy of this law is included in Appendix C.

2) ~~Part IX.C.6.b.~~ There is only one public space with one public garbage can within the Village, which is the only location where a pet waste bag station would have the potential to provide an environmental benefit. A pet bag station is installed at this location, at the south end of Gibson Lane.

3) ~~Part IX.C.6.c.~~ The Village has neither the technical resources, nor occupies enough public land, to enact on its own a program to manage wild Canadian geese populations. They do not have control over any public space where mating or roosting occurs. The Village does, however, support the efforts of the Gbler Laboratory and Cornell Cooperative Extension in their completion of an Aquatic Habitat Restoration Plan, which is included in Appendix C. A goal of this plan is to specifically identify and prioritize the sources of all of the pathogens entering Sagg Pond, and develop and fund future measures to reduce pathogen generation and transport.

There are also state-wide population management efforts which are led by the NYSDEC and coordinated by the Invasive Species Council, whose membership consists of representatives from NYSDEC, NYS Agriculture and Markets, and other agency stakeholders.

89.6 Measurable Goals

The Village has developed the following measurable goals for this MCM. The Village will periodically assess the measurable goals and will update/revise the SWMP to reflect any changes/updates so as to better document the success of this program.

- i. Maintain a list identifying municipal operations and facilities that the Village is responsible for. Update if necessary. The number of operations and facilities will be reported

annually. The roadway system of sixteen miles will be reported as one (1) facility. The drainage system of over 260 features will be reported as one (1) facility.

- ii. Perform and record self-assessments of all the facilities identified above (once every 3 years)
- iii. Continue inter-municipal agreements of roadway and drainage system maintenance
- iv. Consider measures ~~pursuant to MS4 Permit Part IX.C.6.~~ which help reduce wildlife and pet waste from entering the Sagg Pond Watershed. Much of this would have to be done in partnerships with organizations such as Cornell Cooperative Extension or various agencies of the County of Suffolk or New York State
- v. Continue to train any staff that will be performing any duties relating to MS4 permit compliance

Section ~~9~~10.0 - Annual Assessment

Each year, The Village will conduct an evaluation of its program compliance and progress towards measurable goals. Progress will be reported via the NYSDEC annual report form for the reporting period which runs from March 10th to March 9th of each year. The annual report will be submitted to the NYSEDC by June 1 of each reporting period and will document achievements of the program and progress towards measurable goals.