NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1 SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790 P: (631) 444-0365 I F: (631) 444-0360 www.dec.ny.gov

October 26, 2023

Village of Ocean Beach Attn: Joseph DiFrancisco, Village Administrator P.O. Box 457 Ocean Beach, NY 11770

Re: Permit ID 1-4728-06078/00001

Ocean Beach Stormwater & Sanitary Project

Bay Walk, Surfview to Denhoff

Ocean Beach

Expiration Date: 10/25/2024

Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6 NYCRR, Part 621) we are enclosing your permit. Please carefully read all permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions, please contact us at the above address.

Also enclosed is a permit sign which is to be conspicuously posted at the project site and protected from the weather, and a Notice of Commencement / Completion of Construction form.

Please be advised that this permit does not relieve you of the responsibility of obtaining any necessary permits or approvals from local municipalities or other agencies.

Sincerely.

Environmental Analyst

Distribution List:

D&B Engineers

BMHP Water

File





PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

VILLAGE OF OCEAN BEACH

PO BOX 457 OCEAN BEACH, NY 11770-0457 Facility:

OCEAN BEACH STORMWATER & SANITARY PROJECT

BAY WALK BTN SURFVIEW & DENHOFF

OCEAN BEACH, NY 11770

Facility Application Contact: JOSEPH DIFRANCISCO PO BOX 457 OCEAN BEACH, NY 11770-0457

Facility Location: in ISLIP in SUFFOLK COUNTY Village: Ocean Beach

Facility Principal Reference Point: NYTM-E: 655.91 NYTM-N: 4501.444

Latitude: 40°38'56.9" Longitude: 73°09'21.5"

Project Location: Bay Walk between Surfview and Denhof

Authorized Activity: W-5947

Install and operate a temporary wellpoint dewatering system to facilitate the installation of new stormwater and sanitary sewer piping, associated catch basins and manholes, and a pump station at Bay Walk in the Village of Ocean Beach, Town of Islip. The dewatering system will consist of a maximum of 300 wellpoints installed to an approximate depth of 30 feet below grade. All dewatering discharge is to pass through four (4) approximately 21,000-gallon frac tanks prior to discharging into existing outfalls, which ultimately lead to Great South Bay. The dewatering system is to be installed in accordance with the Ocean Beach Stormwater Improvements Dewatering Plan prepared by Tri-State Civil Construction dated 5/25/2023. The maximum discharge shall not exceed 5,000 gallons per minute and 7,200,000 gallons per day for a total duration of 280 days.

Permit Authorizations

Long Island Well Temporary Dewatering - Under Article 15, Title 15

Permit ID 1-4728-06078/00001

New Permit Effective Date: 10/26/2023

Expiration Date: 10/25/2024

Tidal Wetlands - Under Article 25

Permit ID 1-4728-06078/00002

New Permit

Effective Date: 10/26/2023

Expiration Date: 10/25/2024



NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: SHERRI L AICHER, Regional Permit Administrator

Address:

NYSDEC Region 1 Headquarters SUNY @ Stony Brook|50 Circle Rd Stony Brook, NY 11790 -3409

Authorized Signature:

Date 12/26/2023

Distribution List

JOSEPH DIFRANCISCO Marine Habitat Protection Water Environmental Permits

Permit Components

LONG ISLAND WELL TEMPORARY DEWATERING PERMIT CONDITIONS

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

LONG ISLAND WELL TEMPORARY DEWATERING PERMIT CONDITIONS

- 1. Notification Requirement Before beginning any dewatering, the applicant must notify the DEC, Water Supply Unit, telephone (631) 444-0405 or by email at R1DOW@dec.ny.gov, of the proposed starting date.
- 2. Start Date If dewatering has not begun by 4/23/2024 (6 months from permit date), new groundwater samples must be submitted to the DEC, and an approval must be granted.
- 3. **Registered Well Driller** The dewatering operation as proposed shall be carried out by a well driller duly registered in accordance with Section 15-1525 of the Environmental Conservation Law.



- 4. Authorized Discharge The authorized discharge is limited to dewatering of uncontaminated groundwater. If, during the excavation / dewatering process, it is discovered that the water to be discharged has been contaminated with petroleum or other deleterious matter, the work must cease and the DEC must be notified immediately.
- **5. Prevent Contamination of Water** Any contamination of surface or subsurface water must be prevented.
- 6. Monitor Dewatering Discharge for Visible Contrast If a substantial visible contrast to the natural conditions of the water is observed in the dewatering effluent, dewatering shall cease and DEC must be notified immediately.
- 7. **Monitor Dewatering Discharge for Plume** The proposed discharge point(s) to Great South Bay shall be monitored by the permittee or his agent. If a plume is visible from the dewatering effluent, dewatering shall cease and the DEC must be notified immediately.
- **8. Discharge from Dewatering Only** Only waters generated during the dewatering activities from the installation of the stormwater and sanitary sewer infrastructure are authorized for discharge.
- 9. Flooding / Overflow The dewatering discharge shall not cause backup or overflow of the hoses/piping, settling tanks, or storm drains.
- 10. **Storm Drain** The use of the proposed storm drain(s) for the discharge of the water resulting from the dewatering project is not allowed without prior approval from the proprietor of the storm drain(s).
- 11. Scour Protection Required Permit holder must use scour / erosion control, or any other best management practice, as needed, to prevent scour at the discharge location. No scour, due to dewatering discharge, is permitted in the boat basin or Great South Bay.
- 12. Well Abandonment Upon completion of the dewatering project, wells permitted herein shall be properly sealed and decommissioned in accordance with the DEC well decommissioning specifications.

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: TIDAL WETLANDS

- 1. **Notice of Commencement** At least 48 hours prior to commencement of the project, the permittee and contractor shall sign and return the top portion of the enclosed notification form certifying that they are fully aware of and understand all terms and conditions of this permit. Within 30 days of completion of project, the bottom portion of the form must also be signed and returned, along with photographs of the completed work.
- 2. **Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 3. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by D&B Engineers dated July 2022 (sheets 1-2 of 6) and dated November 2022 (sheets 4-5 of 6); Mueser Rutledge Consulting Engineers last dated 08/07/2022 (sheet 3 of 6) and 08/05/2022 (sheet 6 of 6), all stamped NYSDEC Approved on 10/26/2023...



- 4. Install, Maintain Erosion Controls Necessary erosion control measures, i.e., straw bales, silt fencing, etc., are to be placed on the downslope edge of any disturbed area. This sediment barrier is to be put in place before any disturbance of the ground occurs and is to be maintained in good and functional condition until thick vegetative cover is established.
- 5. Storage of Equipment, Materials The storage of construction equipment and materials shall be confined to the upland area landward of the bulkhead or on a barge.
- **6. No Disturbance to Vegetated Tidal Wetlands** There shall be no disturbance to vegetated tidal wetlands or protected buffer areas as a result of the permitted activities.
- 7. **Dewatering Discharge** The authorized discharge is limited to dewatering of uncontaminated ground water.
- 8. Dewatering Discharge Location The discharge must be directed away from the shoreline, tidal wetland vegetation or any area where erosion may occur. If the depth of the receiving water is less than 5 feet at mean low water, a diffuser must be properly installed on the pipe outlet to prevent scour of bottom sediments.
- 9. Monitor Dewatering Discharge for Plume The discharge outfall in the waterbody shall be monitored by the permittee or his agent. If a plume is visible, dewatering shall cease and the problem shall be corrected.
- 10. Sediment Filter Frac tanks must be installed to prevent sediments from entering the waterbody.
- 11. Seeding Disturbed Areas All areas of soil disturbance resulting from the approved project shall be stabilized with appropriate vegetation (grasses, etc.) immediately following project completion or prior to permit expiration, whichever comes first. If the project site remains inactive for more than 48 hours or planting is impractical due to the season, then the area shall be stabilized with straw or hay mulch or jute matting until weather conditions favor germination.
- 12. Incidental Disturbance to Vegetation It is the responsibility of the applicant to remedy any incidental disturbances resulting in damage or removal of wetland vegetation. Upon completion of construction activities, any disturbed areas shall be planted with the appropriate marsh vegetation. Please contact the Bureau of Marine Habitat at (631)444-0295 for more information.
- 13. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.



- 14. State May Order Removal or Alteration of Work If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
- 15. State May Require Site Restoration If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration
- 16. Precautions Against Contamination of Waters All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.



3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator NYSDEC Region 1 Headquarters SUNY @ Stony Brook|50 Circle Rd Stony Brook, NY11790 -3409

- **4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands, Long Island Well Temporary Dewatering.
- 5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:
 - a. materially false or inaccurate statements in the permit application or supporting papers;
 - b. failure by the permittee to comply with any terms or conditions of the permit;
 - c. exceeding the scope of the project as described in the permit application;
 - d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
 - e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.
- 6. **Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or





intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

NOTICE OF COMMENCEMENT OF CONSTRUCTION

RETURN THIS FORM TO: COMPLIANCE

Marine Habitat Protection - NYSDEC SUNY at Stony Brook

50 Circle Road

Stony Brook, NY 11790-3409

Or Fax to: 631-444-0272 E-Mail: dec.sm.R1MHP-BEH@dec.ny.gov

PERMIT NUMBER:	EXPIRATION DATE:
PERMITTEE NAME & F	ROJECT ADDRESS:
CONTRACTOR NAME	ADDRESS:
	TELEPHONE:
the authorized project a permit and as depicted permit sign, and approv signatures required)	onditions of the referenced permit, you are hereby notified that the authorized activity shall commence on
PERMITTEE:	DATE
CONTRACTOR:	DATE
PROJECT AND /OR AN THE PERMIT AND APP	SENT TO THE ABOVE ADDRESS AT LEAST TWO DAYS PRIOR TO COMMENCEMENT OF THE Y ASSOCIATED ACTIVITIES. FAILURE TO RETURN THIS NOTICE, POST THE PERMIT SIGN, OR HAY ROVED PLANS AVAILABLE AT THE WORK SITE FOR THE DURATION OF THE PROJECT MAY SUBJECT OF CONTRACTOR TO APPLICABLE SANCTIONS AND PENALTIES FOR NON-COMPLIANCE WITH
Cut along this line X	x x x x x x
	NOTICE OF COMPLETION OF CONSTRUCTION
RETURN THIS FORM	O: COMPLIANCE Or Fax to: 631-444-0272 Marine Habitat Protection - NYSDEC 50 Circle Road Stony Brook, NY 11790-3409
PERMIT NUMBER:	EXPIRATION DATE:
PERMITTEE NAME & F	ROJECT ADDRESS:
CONTRACTOR NAME	ADDRESS:
	TELEPHONE:
	itions of the referenced permit, you are hereby notified that the authorized activity was completed on ave fully complied with the terms and conditions of the permit and approved plans. (Both signatures
PERMITTEE:	DATE
CONTRACTOR:	DATE

THIS NOTICE, WITH PHOTOGRAPHS OF THE COMPLETED WORK AND/OR A COMPLETED SURVEY, AS APPROPRIATE, MUST BE SENT TO THE ABOVE ADDRESS WITHIN 30 DAYS OF COMPLETION OF THE PROJECT.



Department of Environmental Conservation

NOTICE

to the Environmental Conservation Law for work being conducted at this site. For further Regional Permit Administrator listed below. Please The Department of Environmental Conservation (DEC) has issued permit(s) pursuant Departmental information regarding the nature and extent of work approved and any refer to the permit number shown when contacting the DEC. contact the conditions on it,

Regional Permit Administrator SHERRI AICHER

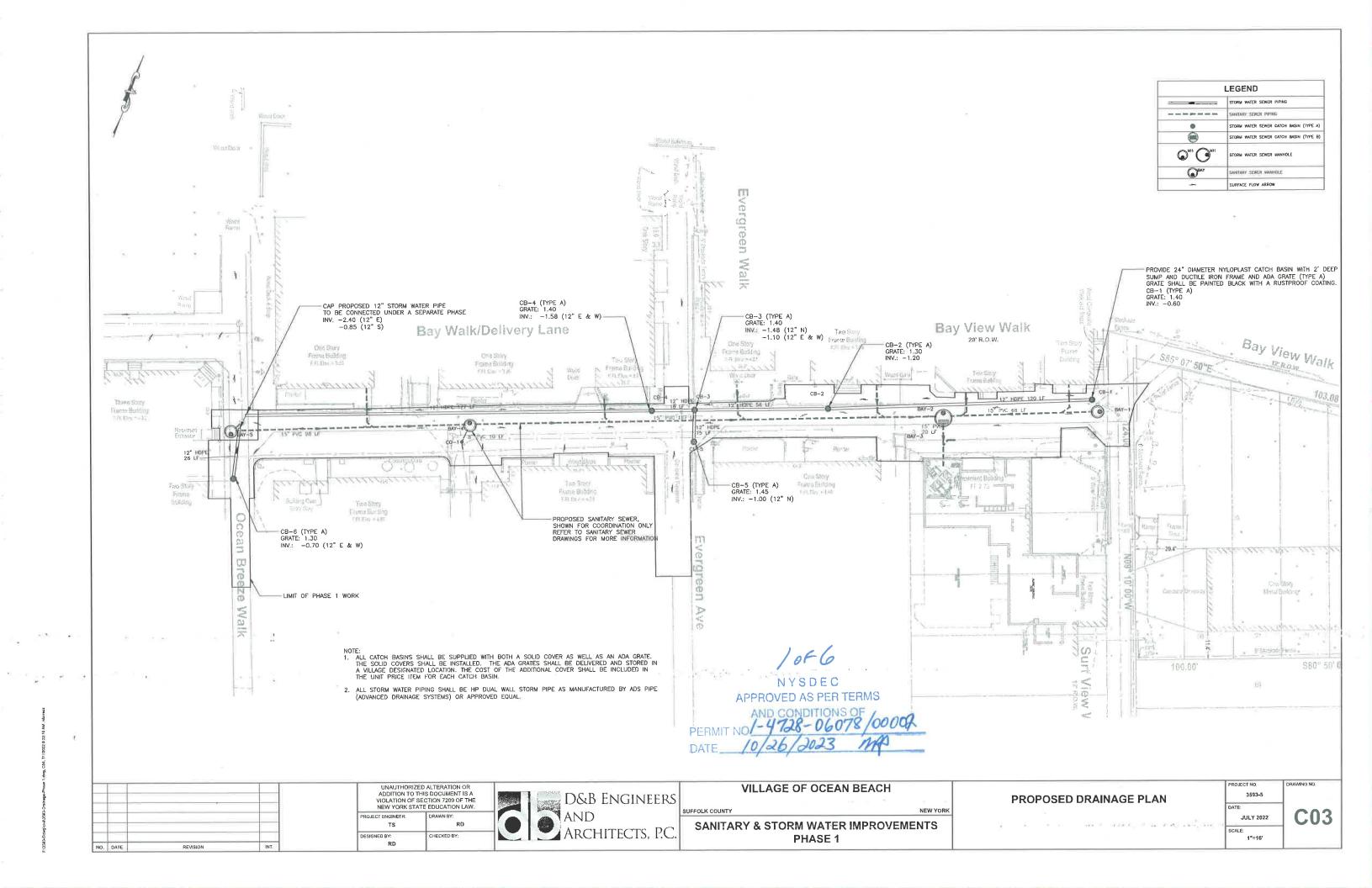
Permit Number: 1-4728-06078/00001

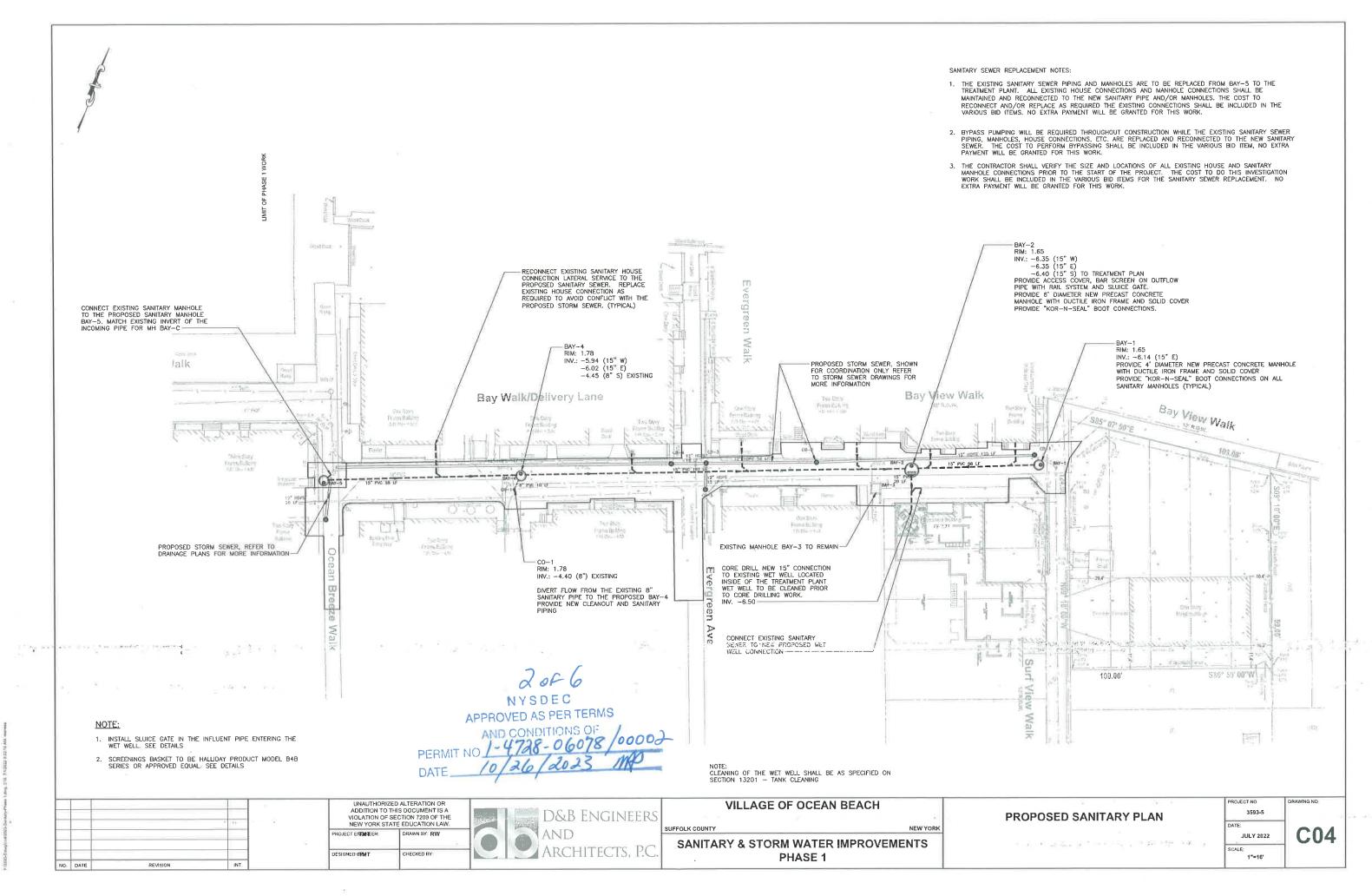
10/25/2024

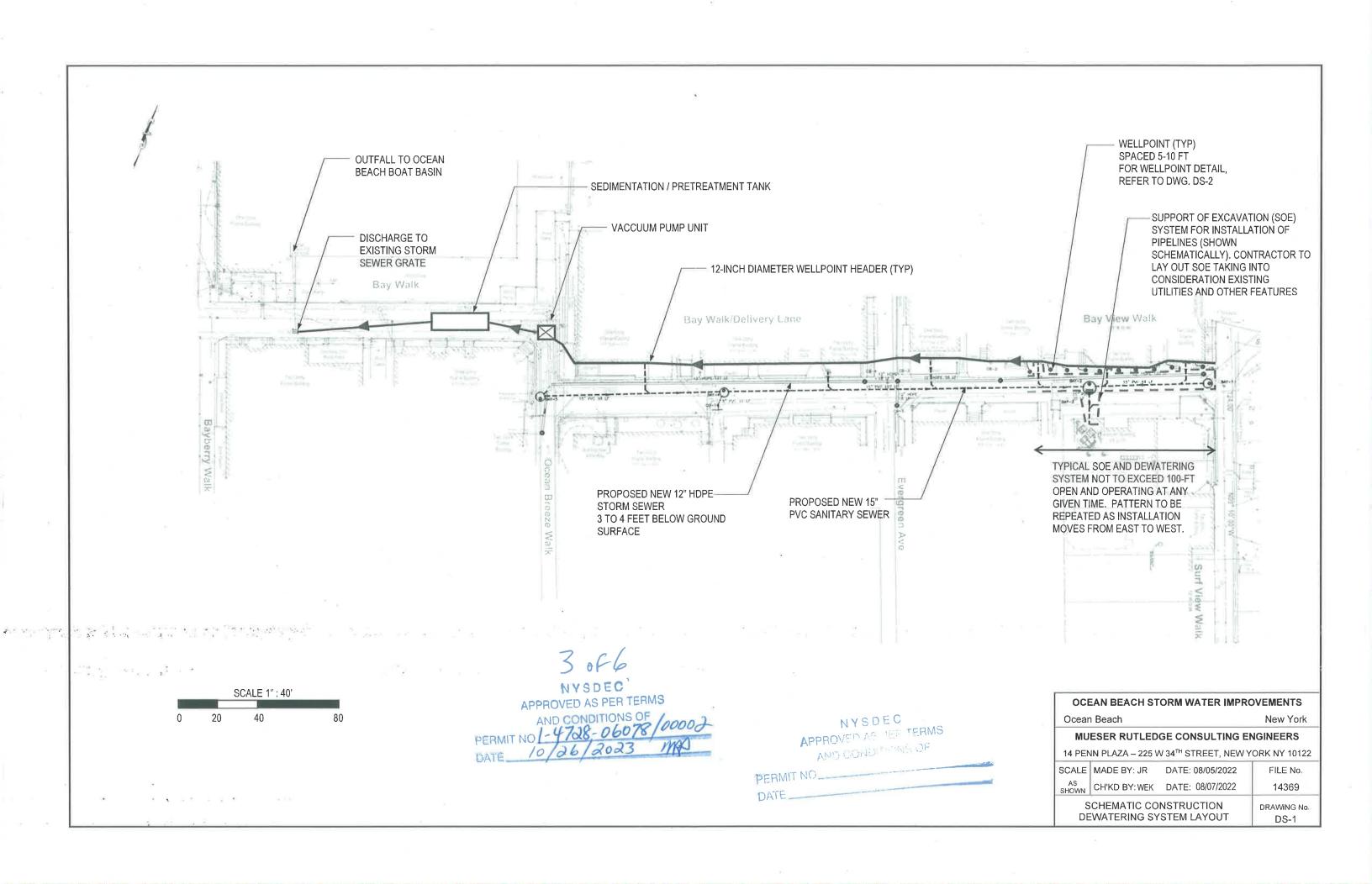
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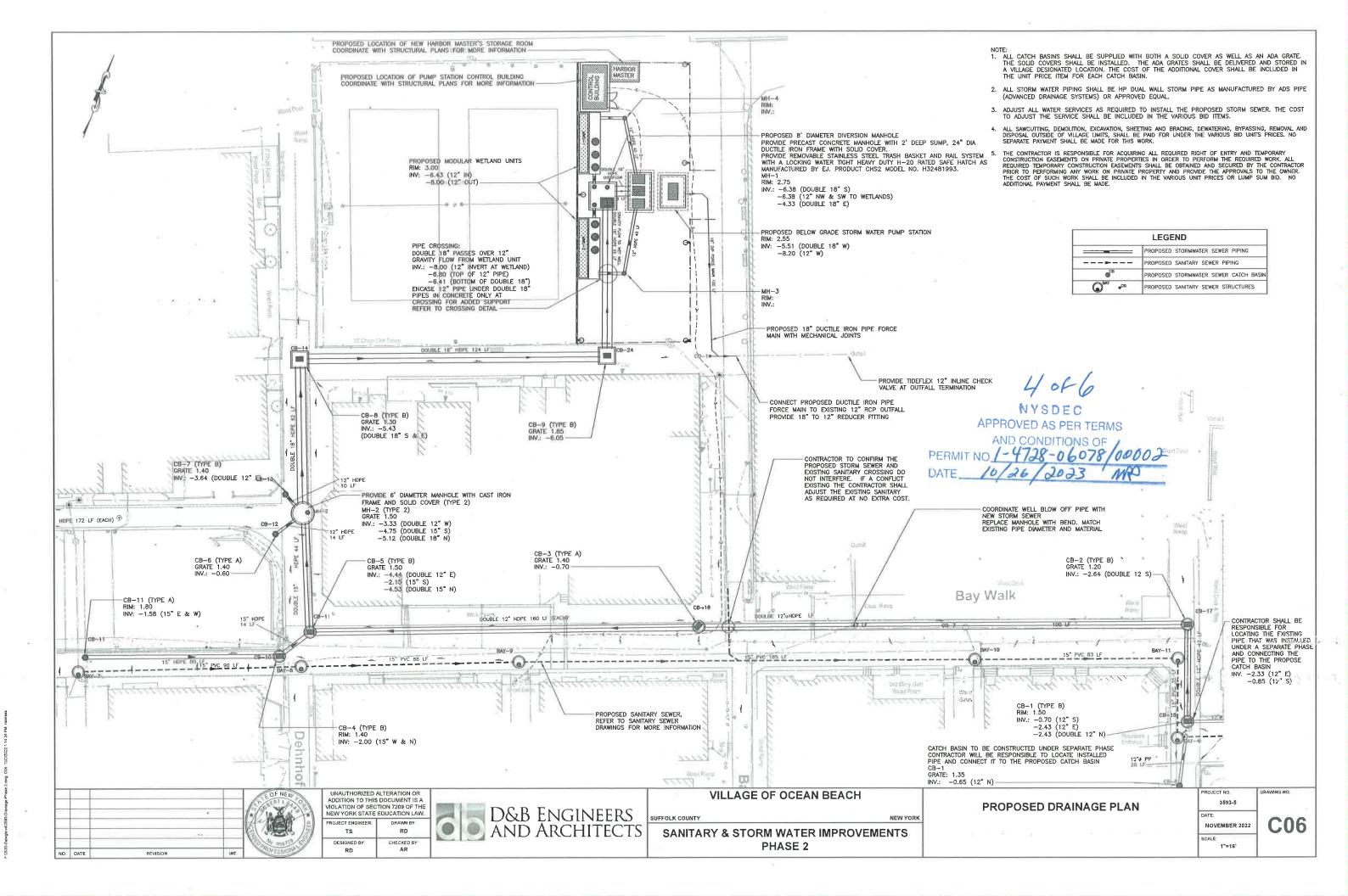
NYSDEC Region 1 Environmental Permits 50 Circle Road Stony Brook, NY 11790-3409 Email: dep.r1@dec.ny.gov

Note: This notice is NOT a permit









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