



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
VILLAGE OF GREENWOOD LAKE
18 CHURCH ST
PO BOX 7
GREENWOOD LAKE, NY 10925-0007
(845) 477-9215

Facility:
GREENWOOD LAKE
TUXEDO RD
GREENWOOD LAKE, NY 10925

Facility Location: in WARWICK in ORANGE COUNTY

Facility Principal Reference Point: NYTM-E: 559.6 NYTM-N: 4563.9
Latitude: 41°13'27.5" Longitude: 74°17'20.1"

Authorized Activity: This permit authorizes treatment of the northern portion of Greenwood Lake (WIN NJ-P 1026, Class B, and within NYS Freshwater Wetland GR-5, Class 2) with Rodeo (active ingredient: Glyphosate) to manage Water Chestnut (*Trapa natans*). Up to 3 acres is authorized for treatment, through spot treatment methods.

Permit Authorizations

Freshwater Wetlands - Under Article 24

Permit ID 3-3354-00141/00007

New Permit Effective Date: 6/13/2018 Expiration Date: 9/15/2020

Aquatic Pesticides - Under Article 15, Title 3

Permit ID 3-3354-00141/00009

New Permit Effective Date: 6/13/2018 Expiration Date: 9/15/2020

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: JOHN W PETRONELLA, Regional Permit Administrator
Address: NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY 12561

Authorized Signature: _____

Date 6 / 13 / 2018



Distribution List

Laurie Lawrence, Bureau of Pesticides
 Colleen Darcy, Bureau of Pesticides
 Michael Fraatz, Bureau of Habitat
 Bob Schindler, Solitude
 Jesse Dwyer, Mayor

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Permit Attachments

Permit Sign
 Pesticide Treatment Area Map

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS; AQUATIC PESTICIDES

1. **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 Solitude Lake Management or in conjunction with the Article 15 Aquatic Pesticide application approved by the Bureau of Pesticide Management, and according to the approved treatment plan (attached).

2. Authorized Pesticides Authorized Pesticide	EPA Registration Number	Name, % or Weight of Active Ingredient	Total Amount of Pesticide Authorized	Not To Exceed Dosage Rate	Shall Be Applied Not Later Than
Rodeo	62719-324	53.8%	4.5 gal/calendar yr	1.5 ppm	September 15

3. **Habitat Year End Reports** No later than December 1 of each year this permit is in effect, the permittee must submit a year end report to Michael Fraatz in the Bureau of Habitat (Michael.Fraatz@dec.ny.gov), which includes a quantitative discussion of chemical treatment including a through description of the effectiveness of treatment on target species, noticeable impacts to non target



species, and pre & post photodocumentation.

4. Final Report Required The permittee/applicator shall submit a Final Report to the Pesticide Control Specialist no later than December 1 of each year. The Final Report shall identify all pesticides used to control aquatic vegetation by product name, active ingredient and EPA Registration Number, the total quantity of each pesticide used during the season, the areas of treatment and any additional information, which has been made a part of this permit, as determined by the Department.

This permit requirement does not relieve the permittee, pesticide applicator, registered agency, or registered pesticide business of the statutory obligation to comply with annual reporting requirements set forth in Article 33, Section 1205 of the Environmental Conservation Law.

5. Follow Product Label Directions The applicator must follow all pesticide label directions. Where label and labeling directions, permit conditions and regulations address the same point, the more prohibitive requirements must be complied with. A copy of the product labeling, including any applicable Special Local Need (SLN) labeling, must be on site during all treatments. The applicator, and all others handling the product, must wear appropriate personal protective clothing as required by label directions.

6. Posting Requirements All public access sites including public boat launch sites, shall be posted with suitable signs, no more than 100 ft apart, prior to treatment and for the required number of days thereafter, bearing the water use restrictions. These signs shall state:

WARNING! These waters have been treated with a pesticide for algae control. Do not bathe or swim in treated areas, or use water from treated areas for domestic animals or for domestic purposes for 24 hours.

DATE OF TREATMENT: _____

For more information contact: _____ Phone: _____

7. Target Species This permit authorizes treatment for: Water Chestnut (*Trapa natans*)

8. Authorized Area To Be Treated The following areas are authorized to be treated: up to 3 acres, through spot treatment methods

9. No Right to Treat Non-Target Waters This permit does not authorize the treatment of pesticides to non-target water or water lying on or passing through the property of others without their consent. The permittee or applicator must obtain landowner consent before treatment. The permittee and applicator are responsible for damages suffered by riparian owners or others as a result of their activities conducted under this permit.

10. Department Notification The Permittee or Applicant must notify the following parties in writing within seven (7) to fourteen (14) days before the time of pesticide treatment(s), and within 24 hours after treatment:

- a. Pesticide Control Specialist;



- b. The appropriate County Department of Health; and
- c. The New York City Department of Environmental Protection, if the treatment is within the NYC Watershed area.

11. Rescheduling Notification

- a.) In the event that pesticide treatment must be rescheduled, the permittee/applicator must contact the Pesticide Control Specialist a minimum of 24 hours prior to the date of the original treatment date.
- b.) In the event that a pesticide application is not conducted during a year authorized by this permit, the permittee or their representative must provide notification to the Pesticide Control Specialist annually, no later than December 1, for each year this permit is valid.

12. Riparian Owner and User Notification The permittee must provide prior actual notice of the date(s) of treatment and of the water use restrictions to any affected riparian owner, riparian user and known users.

13. Pesticide Control Specialist When used in this permit, the Pesticide Control Specialist is:

Pesticide Control Specialist
NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY12561

Colleen Darcy, 845-256-3125

14. Certified Pesticide Applicator ("Applicator") and Identification Number This permit authorizes the following applicator(s): the Applicator(s) listed in conjunction with the Article 15 Aquatic Pesticide application approved by the Bureau of Pesticide Management.

The applicator must possess a valid Commercial Pesticide Applicator Certification identification card in Category 5A issued by the Department, and must have the card with him/her at the time of treatment. The certified applicator must be on site during all treatments. However, "Pesticide Technicians" and/or "Pesticide Apprentices," may apply the pesticides under this permit to the extent allowed by 6 NYCRR Part 325.7.

15. 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.

16. 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.

17. 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.

18. 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.

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 3 Headquarters



21 S Putt Corners Rd
New Paltz, NY12561

4. **Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Aquatic Pesticides, Freshwater Wetlands.

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.

Item E: SEQR Type I Action, EIS, Findings Under the State Environmental Quality Review Act (SEQR), the project associated with this permit is classified as a Type I Action with Department of Environmental Conservation designated as the lead agency. It has been determined that the project may have a significant effect on the environment and, accordingly, Draft and Final Environmental Impact Statements (EIS) have been prepared, filed and reviewed. As a result of the Department's review, findings supporting this decision have been prepared.

HERBICIDE APPLICATION PLAN

Greenwood Lake: 1,920 acres

Target Vegetation: Greenwood Lake supports nuisance densities of *Trapa natans* in the most northern basin of the lake.

TREATMENT AREAS:

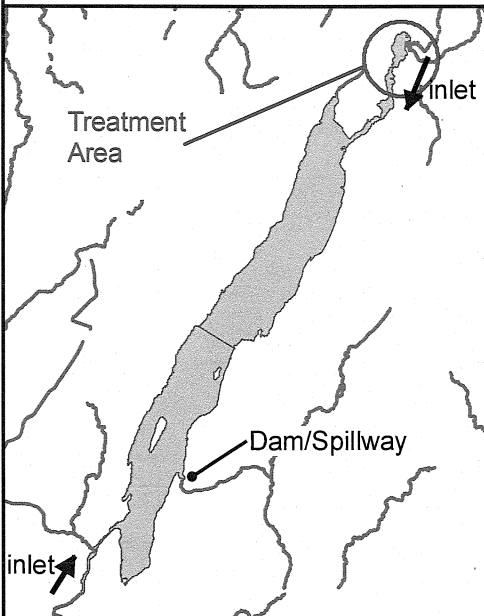
☐ Northern Basin: 31 acres, 3 ft AD

Rodeo: Spot Rodeo treatments of up to 3 acres, 3 ft AD anywhere in the Northern Basin.

Target: Water Chestnut (*Trapa natans*)
TA length of shoreline: 1,125 ft
TA width from shore: 25 ft

Littoral zone: 100%
Vegetated Littoral zone: 90%

- ⬡ Beach
- ▲ gated access
- ▲ kayak launch
- ▲ boat launch (fee)



2018 Rodeo Treatment Map



SOLITUDE
LAKE MANAGEMENT

888.480.5253
www.solitudelakemanagement.com

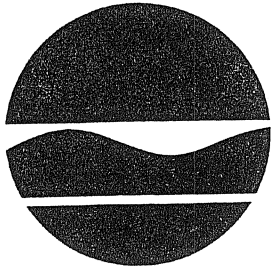
GREENWOOD LAKE
Village of Greenwood Lake, New York



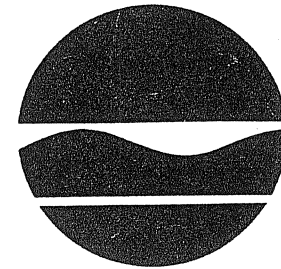
0 145 290 580 Feet

Date: 2/28/18
File: GreenwoodNY_RodeoPermitMap_2018.mxd
Prepared by: KM

New York State
Department of Environmental Conservation



NOTICE



The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Department conditions on it, contact the DEC at 845/256-3054. Please refer to the permit number shown when contacting the DEC.

Permittee: Village of Greenwood Lake Permit No. 3-3354-00141 / 00007.9

Effective Date: 6/13/2018 Expiration date: 9/15/2020

Applicable if checked. No instream work allowed between October 1 & April 30

NOTE: This notice is **NOT** a permit.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



Department of
Environmental
Conservation

IMPORTANT NOTICE TO ALL PERMITTEES

The permit you requested is enclosed. Please read it carefully and note the conditions that are included in it. The permit is valid for only that activity expressly authorized therein; work beyond the scope of the permit may be considered a violation of law and be subject to appropriate enforcement action. Granting of this permit does not relieve the permittee of the responsibility of obtaining any other permission, consent or approval from any other federal, state, or local government which may be required.

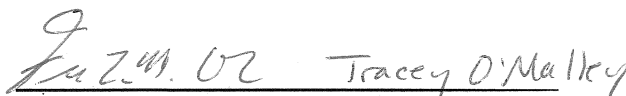
Please note the expiration date of the permit. Applications for permit renewal should be made well in advance of the expiration date (minimum of 30 days) and submitted to the Regional Permit Administrator at the above address. For SPDES, Solid Waste and Hazardous Waste Permits, renewals must be made at least 180 days prior to the expiration date.

The DEC permit number & program ID number noted on page 1 under "Permit Authorization" of the permit are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

If a permit notice sign is enclosed, you must post it at the work site with appropriate weather protection, as well as a copy of the permit per General Condition 1.

If the permit is associated with a project that will entail construction of new water pollution control facilities or modifications to existing facilities, plan approval for the system design will be required from the appropriate Department's regional Division of Water or delegated local Health Department, as specified in the State Pollutant Discharge Elimination System (SPDES) permit.

If you have any questions on the extent of work authorized or your obligations under the permit, please contact the staff person indicated below or the Division of Environmental Permits at the above address.


Division of Environmental Permits, Region 3
Telephone (845) 256-3059

- Applicable only if checked. Please note all work authorized under this permit is prohibited during trout spawning season commencing October 1 and ending April 30.
- Applicable only if checked for STORMWATER SPDES INFORMATION: We have determined that your project requires coverage under the General Stormwater SPDES Permit. You must file a Notice of Intent to obtain coverage under the General Permit. This form can be downloaded at: <http://www.dec.ny.gov/chemical/43133.html>
- Applicable only if checked - MS4 Areas: This site is within an MS4 area (Municipal Separate Storm Sewer System), therefore the SWPPP must be reviewed and accepted by the municipality. The MS-4 Acceptance Form must be submitted in addition to the Notice of Intent.

Send the completed form(s) to: NYS DEC, Stormwater Permitting, Division of Water, 625 Broadway, Albany, New York 12233-3505; in addition, DEC requests that you provide one electronic copy of the approved SWPPP directly to NYS DEC, 100 Hillside Avenue - Suite 1W, White Plains, NY 10603-2860.



Department of
Environmental
Conservation