

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3

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## Re: **Department Response to Comments Crossroads Ventures Individual SPDES Permit**

Two comments on the draft State Pollutant Discharge Elimination System (SPDES) permit for Crossroads Ventures, LLC – Belleayre Resort at Catskill, were received during the public comment period on the draft permit and draft environmental impact statement (DEIS) for the Modified Belleayre Resort at Catskill Park. All comments were addressed in the final environmental impact statement and final issued permit. The Department's response on the two specific comments below follow:

### Comments from Daniel Ruzow representing the Applicant, Crossroads Ventures, LLC

Comment 1: Draft SPDES Permit should be revised to reflect the new address.

Response: The change has been made.

Comment 2: Item 3h on page 7 should be revised to require a description and photos. This should be consistent with the requirements under 3k on page 8 for practices needing corrective action. Providing photographs will be more accurate and less time consuming than sketches.

Response: Photographs will not be more accurate in showing site features, therefore, this change was not made. The Department feels that the plan view sketches can more accurately depict site information such as the development completed, areas disturbed, areas stabilized, and areas to be stabilized. The Department recommends that the Qualified Inspector use the already developed construction drawings as the base for the sketches.

Comment 3. Please consider clarifying the language found in II.B.4 Construction Phasing and III.A. Notification of Project Completion to insure that the language is referring to each phase covered by the SWPPP rather than the project as a whole. It is our understanding that the III.A language should mimic the language which allows for implementation of temporary stabilization measures before moving onto the next phase (with its approved SWPPP). If III.A applies to the entire project and not just what is covered by the SWPPP for that phase then the language is acceptable.

Re: **Department Response to Comments Crossroads Ventures Individual SPDES Permit**

Response: Part III.A does apply to the entire project. The Department has revised the permit to provide clarification.

Comment 4: Please also examine the language under III.B termination of Permit Coverage, in light of the multiple, sequential SWPPPs being implemented for different phases. Currently, Part III requires that permit coverage remain in place for one year following work being completed. It is our understanding that this is a reference to the very end of the project where no additional construction work will take place. It is our intention to close our phases of the SWPPP as work goes forward but the SWPPP clearly provides for more than one phase of the construction to be open at one time. We assume, however, that the one year period referenced in this section will be applied to the last phase of the SWPPP and the construction of the facility. If we are interpreting this incorrectly please revise the language to address this concern.

Response: Your understanding is correct, Part III applies to the completion of the total project. The close out and acceptance of the different phases of the project is addressed by the requirements in Part II.B. of the final SPDES permit.

NYC Department of Environmental Protection Comment

Comment: Final SPDES permit should reference parts 20 and 21 of the AIP...

Response: Parts 20 and 21 of the AIP are referenced in the final SWPPP. The permit requires compliance with the provisions of the SWPPP, therefore, parts 20 and 21 of the AIP are included by reference in the final issued permit.

Daniel T. Whitehead  
Regional Permit Administrator