



DRAFT 8-5-2022

PERMIT

Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

NYS OLYMPIC REGIONAL DEVELOPMENT
AUTHORITY
OLYMPIC CENTER
2634 MAIN ST
LAKE PLACID, NY 12946

Facility:

MT VAN HOEVENBERG SPORTS COMPLEX
220 Bobsled Run Ln
Lake Placid, NY 12946

Facility Location: in NORTH ELBA in ESSEX COUNTY

Facility Principal Reference Point: NYTM-E: 585.993221889911
4896.708827375121

NYTM-N:

Latitude: 44°13'06.7" Longitude: 73°55'24.5"

Authorized Activity: This permit authorizes the withdrawal of a supply of water up to 234,822 gallons per day (GPD) for the purposes of snow making and potable water at the Mount Van Hoevenberg Olympic Sports Complex from the sources listed in Condition No. 1 of this permit and in accordance with the terms and conditions of this permit.

Permit Authorizations

Water Withdrawal Public - Under Article 15, Title 15

Permit ID 5-1540-00337/00002

New Permit

Proposed Effective Date: _____

Proposed Expiration Date: **10 years**

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: {CC_PERMADMIN}

Address: {DISTRICT_DISTRICT_NAME}
{LOCATIONAL_ADDRESS_LOCATION_DIRECTIONS}
{LOCATIONAL_ADDRESS_CITY}, {LOCATIONAL_ADDRESS_STATE}
{LOCATIONAL_ADDRESS_ZIP} {CC_ZIPEXT}

Authorized Signature: _____

Date ___/___/___

Permit Components



WATER WITHDRAWAL PUBLIC PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

WATER WITHDRAWAL PUBLIC PERMIT CONDITIONS

1. Source Approval Table

Well Field or Source of Water Supply	Status	Past WWA Number	Individual Source Capacities (gpm)	Maximum Permitted Well Field or Supply of Water (GPD)
Lamy Lodge Well	Active	This Permit	15 gpm	13,062 gpd
Cross Country Lodge Well	Active	This Permit	15 gpm	
Biathlon Building Well	Active	This Permit	30 gpm	
Van Hoevenberg House Well	Active	This Permit	5 gpm	
Bobrun Garage Well	Active	This Permit	6 gpm	
Lot #4 Well	Active	This Permit	18 gpm	25,920 gpd
North Meadow Brook Pump #1	Active	This Permit	85 gpm	132,480 gpd ¹
North Meadow Brook Pump #2	Active	This Permit	85 gpm	195,840 gpd ²
Total Approved				234,822 gpd

1. During the operational season for the facility, throughout the month of October the maximum authorized withdrawal from the North Meadow Brook shall be 92 gpm, or 132,480 gpd.
2. During the operational season for the facility, from November 1 through April 30 the maximum authorized withdrawal from the North Meadow Brook shall be 136 gpm, or 195,840 gpd.

2. Stream Flow Monitoring Throughout the operating season, streamflow in the North Meadow Brook shall be monitored manually at a minimum daily frequency during withdrawals. Streamflow data shall be retained for the duration of this permit term. Streamflow data shall be provided to the Department upon request. This system must be installed by September 30, 2022 and proof of installation sent to Region 5 Fish and Wildlife. Streamflow data shall be submitted electronically to Region 5 Fish and Wildlife on a monthly basis during snowmaking withdrawals:

Region 5 Fisheries Office
 New York State Department of Environmental Conservation
 1115 NYS Rt. 86, P.O. Box 296
 Ray Brook, NY 12977-0296
 fwfish5@dec.ny.gov

3. Stream Flow Requirements Any withdrawals from the North Meadow Brook must also comply



with any stream flow requirements in the Cooperative Agreement between NYSDEC and ORDA and the Mount Van Hoevenberg Unit Management Plan (UMP).

4. Approval of Plans by NYS DOH Contract plans and specifications, or changes thereto, for a public water supply system for which a permit has been issued by the Department are subject to review and approval by the Department of Health prior to the commencement of construction.

5. Approval of Completed Works from NYSDOH The water withdrawal permittee shall submit to the Department a copy of the Approval of Completed Works issued by the Department of Health before the commencement of final operation of the water withdrawal system.

6. Permit Expiration and Renewal Any permittee who intends to continue to operate a water withdrawal system beyond the period of time covered in the applicable water withdrawal permit must apply for a renewal of the permit at least 30 days prior to its expiration.

7. Transfer of Ownership of Water Withdrawal Systems Unless otherwise specified in this permit, a new water withdrawal permit application is required for the acquisition or condemnation of the approved water withdrawal system.

8. Meter All Sources The permittee must install and maintain meters or other appropriate measuring devices on all sources of supply used in the system. Source master meters or measuring devices are to be read, and records kept of those readings, on at least a weekly basis. The permittee must maintain records of water withdrawn and consumptive use for each calendar year.

9. Source Meter Calibration All source meters or measuring devices shall be calibrated for accuracy at least once each year.

10. Permittee Must Maintain Records The permittee must retain records of production and consumption, reports of audit results, and summaries of leaks detected and repaired for at least ten years. The permittee must provide copies of such of these records, reports, and summaries as might be requested in writing by the Department within one month of receiving such a request.

11. Conduct Water Audits At least once annually, the permittee must conduct a system-wide water audit that utilizes metered water production and consumption data to determine unaccounted-for water.

12. Leak Detection and Repair The permittee must develop and implement a leak detection and repair program using visual inspection of above ground piping and fittings and sonic detection equipment, meter-to-meter readings reconciliation or other methods acceptable to the Department for the inspection of the facility's underground piping in a systematic fashion. Leaking pipes and fittings shall be repaired in a timely manner.

13. Annual Water Withdrawal Reports The permittee must submit a Water Withdrawal Reporting Form to the Department's Division of Water, Albany, NY by March 31st of each year. The form is available on the Department's website and includes information regarding approved sources of water supply, source capacities, average and maximum day water use data and water conservation and efficiencies employed during the past calendar year.

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:

[RPA for General Conditions]

4. 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.

5. 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
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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.