



PERMIT

By the Authority Delegated to SRMT under the Clean Water Act §401

Permittee Information

Permit issued to:

St. Lawrence Seaway Development Corp.
PO BOX 520
Massena, NY 13662-0520

Facility:

South Cornwall Channel
International Tangent Section

Principal GPS Coordinates:

Latitude: 45° 00' 15" North

Longitude: 74° 40' 10" West

Project Location: The project is located in the northern portion of Tribal Waters in the St. Lawrence River, occurring in a section of the navigational channel between Cornwall Island and the village of St. Regis.

Authorized Activity:

This Water Quality Permit is for the proposed maintenance dredging of the navigational channel in the international tangent section of the St. Lawrence River to remove 3,200 cy of sediments. These are primarily coarse grained materials from four isolated spots of the channel. Environmental dredging techniques will be used due to elevated levels of contaminants in these sediments. Dredged spoils will be dewatered, stored, and characterized at an upland site belonging to the St. Lawrence Seaway Management Corp. (SLSDC), and disposed of in an appropriate landfill.

SRMT Environment Division Approval

Permit Administrator:

Ken Jock, Director
SRMT Environment Division
412 State Route 37, Akwesasne, NY 13655
(518) 358-5937 ext 112; Ken.Jock@srmt-nsn.gov

Authorized Signature: _____

Date: _____



Permittee Conditions

1. **Dredging location** Dredging shall be done within the confines of the sites identified on the attached sheets
2. **Dredging Quantity** Total amount of sediments removed shall not exceed 4,000 cy
3. **Best Uses** No action undertaken by the applicant shall contravene Tribal waters for their best uses.
4. **Best Management Practices** The permittee shall use best management practices (BMPs) to control turbidity and TSS. BMPs include closed clamshell bucket; modifying the speed clamshell; avoiding multiple "bites" on the river bottom; no barge overflow; and adhering to the Action Level criteria below.
5. **Authorized Dredging Methods**
 - a. Closed Clamshell
 - b. Hydraulic
 - c. Other method as approved by the Division
6. **Barge Overflow** Barge overflow is not permitted
7. **Off Loading of Dredged Materials** Offloaded materials and associated liquids shall be done in a manner consistent with Tribe's EPA approved Water Quality Standards, and protective of these water bodies for their best uses.
8. **Sampling and Testing Procedures** The sampling and testing procedures shall be determined by the Region 6 Solid Waste Division, NYS Department of Environmental Conservation.
9. **Classification of Dredge Material** The classification of dredged material shall be determined by the Region 6 Solid Waste Division, NYS Department of Environmental Conservation.
10. **Reporting Condition Exceedances** Exceedances of the conditions of this certification shall be reported to the Division within 24-hrs
11. **Work Schedule** Permittee shall provide a work schedule to the Division 30 days prior to the start of work
12. **Permittee Responsibility** The Permittee is responsible for supervising this project, and shall ensure that necessary measures are taken to prevent environmental degradation and to ensure successful mitigation
13. **Public Documents** Public access to view permit documents will be granted at the SRMT Environment Division office, 449 Frogtown Rd, Akwesasne, NY 13655
14. **Minimize Turbidity** Dredging shall be conducted in a manner to minimize turbidity. There shall be no visible plume of sediment or other substances 300 feet from the



dredging location. If turbidity is observed beyond 300 feet, the water column must be monitored immediately. Real-time data shall be taken at three depths of the water column: 1/4, 1/2, and 3/4 the total depth. Turbidity 300 feet downstream of project shall not exceed 200 ntu over background.

15. **Total Suspended Solids Limit in St. Lawrence River** Total Suspended Solids (TSS) 300 feet downstream of project shall not exceed 200mg/l over background. Real-time data shall be taken at three depths of the water column: 1/4, 1/2, and 3/4 the total depth.
16. **Action Level** The action level is established to prevent exceedances of turbidity and TSS. The action level for stopping work is a result of ≥ 150 ntu over background for turbidity OR ≥ 150 mg/l TSS. Work may resume when values of either parameter falls below 50 ntu or 50 mg/l.
17. **Maintain Daily Records** The Permittee shall maintain daily records of the dredging activities, including the following: areas dredged, volume of material dredged, daily spoils material volume, detention water volume, testing/monitoring results. Permittee shall provide a copy of this material to the Division once per week.
18. **Tribe Not Liable For Damages** The St. Regis Mohawk Tribe shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or resulting from future operations undertaken by the Tribe for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensate shall accrue from such damage.
19. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

General Conditions

1. **Facility Inspection by Division** The permitted site or facility, including records, is subject to inspection at reasonable hours by an authorized representative of the Environment Division to determine whether the permittee is complying with this permit and Tribal Water Quality Standards. The permittee shall provide a person to accompany the Division's representative during an inspection to the permit area when requested by the Division.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Division at all times at the project site or facility.



Failure to produce a copy of the permit upon request by the representative of the Division is a violation of this permit.

2. **Applications for Permit Renewal, Modification, or Transfers** The Permittee must submit a separate written application to the Division for permit renewal, modification, or transfer of this permit. Such application must include any forms of supplemental information the department requires. Submit applications to:

Water Resources Program Manager
SRMT Environment Division
412 State Route 37
Akwesasne, NY 13655

3. **Submission and Renewal Application** The Permittee shall allow thirty (30) days to review applications. Permits must be approved prior to construction.
4. **Permit Modifications, Suspensions, and Revocations by the Division** The Division reserves the right 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 the conditions of the permit
 - c. Exceeding the scope of the project as described in the application
 - d. Newly discovered material information or a material change in the environmental conditions or relevant provisions of the Tribal Water Quality Standards.
 - e. Noncompliance with previously issued conditions, orders by the Division Director, or any provisions of the Mohawk Environmental Review Code.
5. **Transferability** Permits are transferable unless specifically prohibited by tribal law or dictation of Tribal Council. Application for permit transfer must be submitted prior to transfer.

NOTIFICATION OF OTHER PERMITEE OBLIGATIONS

1. **Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Saint Regis Mohawk Tribe, Environment Division, and its representatives, employees, and agents for all claims, suits, actions, and damages to the extent attributable to the permittee's act or omission in connection with the permittee's undertaking of activities in



2. 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 Mohawk Environmental Review Code as those prescribed for the permittee.

3. Permittee Responsible for Obtaining Other Required Permits and Access 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.

4. No Right to Trespass or Interfere with Riparian Rights

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

