



New York State
Department of Environmental Conservation

FINAL
Designation Criteria for Identifying
Regulated Municipal Separate Storm Sewer
Systems (MS4s)

January 2003

DESIGNATION CRITERIA FOR IDENTIFYING REGULATED MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

The universe of small Municipal Separate Storm Sewer Systems (MS4) is quite large. However, only a sub-set of small MS4s, referred to as “regulated” small MS4s, are covered by the Federal stormwater regulations. A small MS4 can be designated as a regulated MS4 through automatic designation by EPA or by meeting designation criteria developed by the NPDES permitting authority, the New York State Department of Environmental Conservation (DEC) in New York State.

Automatic Designation Criteria Required by EPA

The EPA’s automatic designation criteria are based strictly on population and density. An area is automatically designated if the population is at least 50,000 and has an overall population density of at least 1,000 people per square mile based on the 2000 Census. Maps showing the urbanized areas that are automatically designated are available on DEC’s website.

Additional Designation Criteria

EPA requires the DEC to develop a set of criteria for designating additional MS4 areas. The following criteria, using a combination of population and environmental factors, have been adopted to designate additional MS4s in NYS.

Criterion 1: MS4s discharging to waters for which an EPA-approved Total Maximum Daily Load (TMDL) requires reduction of a pollutant associated with stormwater beyond what can be achieved with existing programs (and the area is not already covered under automatic designation).

Criterion 2: MS4s contiguous to automatically designated urbanized areas (town lines) that discharge to sensitive waters classified as AA-Special (fresh surface waters), AA (fresh surface waters) with filtration avoidance determination or SA (saline surface waters).

As of January 2003, Criterion 1 designates MS4s in the entire New York City Watershed - East of Hudson, and Criterion 2 designates most of the eastern end of Long Island and all of the eastern portion of Westchester County. As time passes, other MS4s will be designated under these criteria as population and environmental factors change (e.g. additional TMDLs for stormwater pollutants approved).

For More Information

The DEC website (<http://www.dec.state.ny.us/website/dow/urbanlst.htm>) contains a list of communities which are located either entirely or partially within a coverage area. MS4s located wholly or partially within the Automatically Designated Urbanized Areas or the New York State Additionally Designated Areas will be required to develop Phase II stormwater programs for that portion of the MS4 located within the regulated area.

If you are a municipality, including special districts or “other public entities,” check the interactive map on DEC’s website (www.dec.state.ny.us/website/imsmaps/urbanmap/viewer.htm) of New York State “Urbanized and Designated Areas”) to help determine whether your MS4 is located within the Automatically Designated Urbanized Areas or the Additionally Designated Areas boundaries.

Appendix 1 contains a list of the automatically designated MS4 and the municipalities added under the New York State designation criteria. These lists are believed to be reasonably accurate, however, you are advised to consult the interactive map on the DEC website to be sure.

APPENDIX 1

NEW YORK STATE REGULATED AREAS

New York State Automatically Designated Urbanized Areas

MS4s located wholly or partially within the Urbanized Area portion of these listed municipalities will be required to develop Phase II stormwater programs. To find out more details, or if you are a special district or “other public entity,” check the interactive map on DEC’s website (www.dec.state.ny.us/website/imsmaps/urbanmap/viewer.htm) of New York State “Urbanized Areas”) to help determine whether your MS4 is located within the Urbanized Area boundaries. This list below is believed to be reasonably accurate, however, you are advised to consult the map to be sure.

ALBANY COUNTY

ALBANY(C)
BETHLEHEM(T)
COHOES(C)
COLONIE(V)
COLONIE(T)
GREEN ISLAND(T)(V)
GUILDERLAND(T)
MENANDS(V)
NEW SCOTLAND(T)
VOORHEESVILLE(V)
WATERVLIET(C)

BRONX COUNTY

BRONX(BORO)

BROOME COUNTY

BINGHAMTON(C)
BINGHAMTON(T)
CHENANGO(T)
CONKLIN(T)
DICKINSON(T)
ENDICOTT(V)
FENTON(T)
JOHNSON CITY(V)
KIRKWOOD(T)
MAINE(T)
PORT DICKINSON(V)
UNION(T)
VESTAL(T)
WINDSOR(T)

CHEMUNG COUNTY

ASHLAND(T)
BIG FLATS(T)
CATLIN(T)
ELMIRA(C)
ELMIRA(T)
ELMIRA HEIGHTS(V)
HORSEHEADS(V)
HORSEHEADS(T)
MILLPORT(T)
SOUTHPORT(T)
VETERAN(T)
WELLSBURG(T)

DUTCHESS COUNTY

BEACON(C)
BEEKMAN(T)
EAST FISHKILL(T)
FISHKILL(V)
FISHKILL(T)
HYDE PARK(T)
LA GRANGE(T)
PLEASANT VALLEY(T)
POUGHKEEPSIE(C)
POUGHKEEPSIE(T)
UNION VALE(T)
WAPPINGER(T)
WAPPINGERS FALLS(V)

ERIE COUNTY

ALDEN(T)
ALDEN(V)
AMHERST(T)
ANGOLA(V)
AURORA(T)
BLASDELL(V)
BOSTON(T)
BUFFALO(C)
CHEEKTOWAGA(T)
CLARENCE(T)
DEPEW(V)
EAST AURORA(V)
EDEN(T)
ELMA(T)
EVANS(T)
GRAND ISLAND(T)
HAMBURG(T)
HAMBURG(V)
KENMORE(V)
LACKAWANNA(C)
LANCASTER(T)
LANCASTER(V)
MARILLA(T)
NEWSTEAD(T)
ORCHARD PARK(T)
ORCHARD PARK(V)
SLOAN(V)
TONAWANDA(T)
TONAWANDA(C)
WEST SENECA(T)
WILLIAMSVILLE(V)

HERKIMER COUNTY

FRANKFORT(T)
SCHUYLER(T)

KINGS COUNTY

KINGS(BORO)

MADISON COUNTY

SULLIVAN(T)

MONROE COUNTY

BRIGHTON(T)
BROCKPORT(V)
CHILI(T)
CLARKSON(T)
E.ROCHESTER(V)
FAIRPORT(V)
GATES(T)
GREECE(T)
HENRIETTA(T)
HILTON(V)
IRONDEQUOIT(T)
MENDON(T)
OGDEN(T)
PARMA(T)
PENFIELD(T)
PERINTON(T)
PITTSFORD(T)

PITTSFORD(V)
ROCHESTER(C)
RUSH(T)
SPENCERPORT(V)
SWEDEN(T)
WEBSTER(T)
WEBSTER(V)

NASSAU COUNTY

ATLANTIC BEACH(V)
BAXTER ESTATES(V)
BAYVILLE(V)
BELLEROSE(V)
BROOKVILLE(V)
CEDARHURST(V)
CENTRE ISLAND(V)
COVE NECK(V)
EAST HILLS(V)
EAST ROCKAWAY(V)
EAST WILLISTON(V)
FARMINGDALE(V)
FLORAL PARK(V)
FLOWER HILL(V)
FREEPORT(V)
GARDEN CITY(V)
GLEN COVE(C)
GREAT NECK(V)
GREAT NECK ESTATES(V)
GREAT NECK PLAZA(V)
HEMPSTEAD(T)
HEMPSTEAD(V)
HEWLETT BAY PARK(V)
HEWLETT HARBOR(V)
HEWLETT NECK(V)
ISLAND PARK(V)
KENSINGTON(V)
KINGS POINT(V)
LAKE SUCCESS(V)
LATTINGTOWN(V)
LAUREL HOLLOW(V)
LAWRENCE(V)
LONG BEACH(C)
LYNBROOK(V)
MALVERNE(V)
MANOR HAVEN(V)
MASSAPEQUA PARK(V)
MATINECOCK(V)
MILL NECK(V)
MINEOLA(T)
MINEOLA(V)
MUNSEY PARK(V)
MUTTONTOWN(V)
N HEMPSTEAD(T)
NEW HYDE PARK(V)
NORTH HILLS(V)
OLD BROOKVILLE(V)
OLD WESTBURY(V)
OYSTER BAY(V)(T)
OYSTER BAY COVE(V)
PLANDOME(V)
PLANDOME HGTS(V)

PLANDOME MANOR(V)
PORT WASH NO(V)
ROCKVILLE CENTER(V)
ROSLYN(V)
ROSLYN ESTATES(V)
ROSLYN HARBOR(V)
RUSSELL GARDEN(V)
SADDLE ROCK(V)
SANDS POINT(V)
SEA CLIFF(V)
SO FLORAL PARK(V)
STEWART MANOR(V)
THOMASTON(V)
UPPER BROOKVILLE(V)
VALLEY STREAM(V)
WESTBURY(V)
WILLISTON PARK(V)
WOODSBURGH(V)

NEW YORK

MANHATTAN(BORO)

NIAGARA COUNTY

CAMBRIA(T)
LEWISTON(T)
LEWISTON(V)
NIAGARA(T)
NIAGARA FALLS(C)
NO. TONAWANDA(C)
PENDLETON(T)
PORTER(T)
WHEATFIELD(T)
YOUNGSTOWN(V)

ONEIDA COUNTY

CLAYVILLE(V)
CLINTON(V)
DEERFIELD(T)
KIRKLAND(T)
MARCY(T)
NEW HARTFORD(T)
NEW HARTFORD(V)
NEW YORK MILLS(V)
ORISKANY(V)
PARIS(T)
UTICA(C)
WESTMORELAND(T)
WHITESBORO(V)
WHITESTOWN(T)
YORKVILLE(V)

Continued on Next Page

Key:

C = City

T = Town

V = Village

ONONDAGA COUNTY

BALDWINVILLE(V)
CAMILLUS(V)

CAMILLUS(T)
CICERO(T)
CLAY(T)
DEWITT(T)
E. SYRACUSE(V)
FAYETTEVILLE(V)
GEDDES(T)
LAFAYETTE(T)
LIVERPOOL(V)
LYSANDER(T)
MANILUS(T)
MANILUS(V)
MARCELLUS(V)
MARCELLUS(T)
MINOA(V)
N. SYRACUSE(V)
ONONDAGA(T)
POMPEY(T)
SALINA(T)
SOLVAY(V)
SYRACUSE(C)
VAN BUREN(T)

ONTARIO COUNTY

FARMINGTON(T)
VICTOR(T)
VICTOR(V)

ORANGE COUNTY

BLOOMING GROVE(T)
CHESTER(T)
CORNWALL(T)
CORNWALL-ON-HUDSON(V)
GREENWOOD LAKE(V)
HAMPTONBURGH(T)
HARRIMAN(V)
HIGHLAND FALLS(V)
HIGHLANDS(T)
KIRYAS JOEL(V)
MIDDLETOWN(C)
MONROE(T)
MONROE(V)
MONTGOMERY(T)
MOUNT HOPE(T)
NEW WINDSOR(T)
NEWBURGH(T)
NEWBURGH(C)
OTISVILLE(V)
WALDEN(V)
WALLKILL(T)
WARWICK(T)
WASHINGTONVILLE(V)
WAYANDANDA(T)
WOODBURY(T)

OSWEGO COUNTY

CENTRAL SQUARE(V)
HASTINGS(T)
PHOENIX(V)
SCHROEPEL(T)
WEST MONROE(T)

PUTNAM COUNTY

BREWSTER(V)
CARMEL(T)
KENT(T)
PATTERSON(T)
PHILIPSTOWN(T)
PUTNAM VALLEY(T)
SOUTHEAST(T)

QUEENS COUNTY

QUEENS(BORO)

RENSELAER COUNTY

BRUNSWICK(T)
CASTLETON(V)
EAST GREENBUSH(T)
NASSAU(T)
NO. GREENBUSH(T)
POESTENKILL(T)
RENSELAER(C)
SAND LAKE(T)
SCHAGHTICOKE(T)
SCHODACK(T)
TROY(C)

RICHMOND COUNTY

STATEN ISLAND(BORO)

ROCKLAND COUNTY

AIRMONT(V)
CHESTNUT RIDGE(V)
CLARKSTOWN(T)
GRANDVIEW-ON-HUDSON(V)
HAVERSTRAW(T)
HAVERSTRAW(V)
HILLBURN(V)
KASER(V)
MONTEBELLO(V)
NEW HEMPSTEAD(V)
NEW SQUARE(V)
NYACK(V)
ORANGETOWN(T)
PIERMONT(V)
POMONA(V)
RAMAPO(T)
SLOATSBURG(V)
SO. NYACK(V)
SPRING VALLEY(V)
STONY POINT(T)
SUFFERN(V)
UPPER NYACK(V)
WEST HAVERSTRAW(V)
WESLEY HILLS(V)

SARATOGA COUNTY

BALLSTON(T)
BALLSTON SPA(V)
CHARLTON(T)
CLIFTON PARK(T)
GREENFIELD(T)
HALFMOON(T)
MALTA(T)
MILTON(T)
MOREAU(T)
ROUND LAKE(V)
S. GLENS FALLS(V)
SARATOGA(T)
SARATOGA SPRINGS(C)
WATERFORD(T)
WATERFORD(V)
WILTON(T)

SCHENECTADY COUNTY

GLENVILLE(T)
NISKAYUNA(T)
PRINCETOWN(T)
ROTTERDAM(T)
SCHENECTADY(C)
SCOTIA(V)

SUFFOLK COUNTY

AMITYVILLE(V)
ASHAROKEN(V)
BABYLON(T)

BABYLON(V)
BELLE TERRE(V)
BELLPORT(V)
BRANCH(V)
BRIGHTWATERS(V)
BROOKHAVEN(T)
HEAD OF HARBOR(V)
HUNTINGTON(T)
HUNTINGTON BAY(V)
ISLANDIA(T)
ISLIP(T)
LAKE GROVE(V)
LINDENHURST(V)
LLOYD HARBOR(V)
NISSEQUOGUE(V)
NORTHPORT(V)
OLD FIELD(V)
PATCHOGUE(V)
POQUOTT(V)
PORT JEFFERSON(V)
QUOGUE(V)
RIVERHEAD(T)
SHINNECOCK BAY
SHOREHAM(V)
SMITHTOWN(T)
SOUTHAMPTON(T)
SOUTHAMPTON(V)

SULLIVAN COUNTY

MAMAKATING(T)

TIOGA COUNTY

OWEGO(T)

TOMPKINS COUNTY

CAROLINE(T)
CAYUGA HEIGHTS(V)
DRYDEN(T)
ITHACA(C)
ITHACA(T)
LANSING(V)(T)
NEWFIELD(T)
ULYSSES(T)

ULSTER COUNTY

ESOPUS(T)
HURLEY(T)
KINGSTON(T)
KINGSTON(C)
LLOYD(T)
MARBLETOWN(T)
MARLBOROUGH(T)
PLATTEKILL(T)
ROSENDALE(T)
SAUGERTIES(T)
SAUGERTIES(V)
SHAWANGUNK(T)
ULSTER(T)

WARREN COUNTY

GLENS FALLS(C)
QUEENSBURY(T)

WASHINGTON COUNTY

FORT EDWARD(T)
FORT EDWARD(V)
HUDSON FALLS(V)
KINGSBURY(T)

WAYNE COUNTY

MACEDON(T)
MACEDON(V)

ONTARIO(T)
WALWORTH(T)

WESTCHESTER COUNTY

ARDSLEY(V)
BEDFORD(T)
BRIARCLIFF MANOR(V)
BRONXVILLE(V)
BUCHANAN(V)
CORTLANDT(T)
CROTON-ON-HUDSON(V)
DOBBS FERRY(V)
EASTCHESTER(T)
ELMSFORD(V)
GREENBURGH(T)
HARRISON(T)(V)
HASTINGS-ON-HUDSON(V)
IRVINGTON(V)
LARCHMONT(V)
LEWISBORO(T)
MAMARONECK(V)
MAMARONECK(T)
MOUNT KISCO(V)(T)
MOUNT PLEASANT(T)
MOUNT VERNON(C)
NEW CASTLE(T)
NEW ROCHELLE(C)
NORTH CASTLE(T)
NORTH SALEM(T)
NORTH TARRYTOWN(V)
SLEEPY HOLLOW(V)
OSSINING(T)
OSSINING(V)
PEEKSKILL(C)
PELHAM(T)
PELHAM MANOR(V)
PLEASANTVILLE(V)
PORT CHESTER(V)
POUND RIDGE(T)
RYE(T)
RYE BROOK(V)
SCARSDALE(V)(T)
SOMERS(T)
TARRYTOWN(V)
TUCKAHOE(V)
WHITE PLAINS(C)
YONKERS(C)
YORKTOWN(T)

Key:
C = City
T = Town
V = Village

New York State Additionally Designated Areas (as of January 2003)

Criterion 1 - Entire NYC Watershed East of Hudson

(any portion(s) of these municipalities that lie within the NYC Watershed)

PUTNAM COUNTY

Brewster (V)
Carmel(T)
Kent(T)
Patterson(T)
Putnam Valley(T)
Southeast(T)

DUTCHESS COUNTY

Beekman(T)
East Fishkill(T)
Pawling(V)
Pawling(T)

WESTCHESTER COUNTY

Bedford(T)
Cortlandt(T)
Lewisboro(T)
New Castle(T)
North Salem(T)
Pound Ridge(T)
Somers(T)
Yorktown(T)

Criterion 2 -Eastern Long Island and Eastern Westchester County

(coverage extended to town lines)

LONG ISLAND

Brookhaven(T)
Quogue (V)
Riverhead(T)
Sag Harbor(V)
Southampton(T)
Westhampton Beach (V)

WESTCHESTER COUNTY

Lewisboro(T)
Pound Ridge(T)
Northcastle(T)

APPENDIX 2

Definitions

Note to Reader: Definitions are listed in the order that they appear in the Designation Criteria.

1. Summary of EPA Requirements¹

Small MS4s that are designated as *regulated MS4s* are required to seek coverage under the general permit for stormwater discharges. Under its Stormwater Phase II Final Rule USEPA has established three ways a small MS4 can be designated as a regulated MS4.

1. Automatic Nationwide Designation: “All operators of small MS4s that are located within the boundaries of a Bureau of Census defined ‘urbanized area’ (UA) based on the latest decennial Census.”
2. Designation by the NPDES Permitting Authority (New York State DEC): “An operator of a small MS4 located outside of a UA may be designated as a regulated small MS4 if the NPDES permitting authority determines that its discharges cause or have the potential to cause an adverse impact on water quality. The Phase II Final Rule requires the NPDES permitting authority to develop a set of designation criteria and apply them, at a minimum, to all small MS4s located outside of a UA serving a jurisdiction with a population of at least 10,000 people and a population density of at least 1000 people/square mile....” EPA recommends that the NPDES permitting authority use a balanced consideration of the following designation criteria on a watershed or other local basis:
 - Discharge to sensitive waters;
 - * High population density;
 - * High growth or growth potential;
 - * Contiguity to an Urbanized Area;
 - * Significant contributor of pollutants to waters of the United States; and
 - * Ineffective protection of water quality concerns by other programs.”
3. Designation by the NPDES Permitting Authority: “...NPDES permitting authority is required to designate any small MS4 located outside of a UA that contributes substantially to the pollutant loadings of a physically interconnected MS4 regulated by the NPDES storm water program.”

2. Total Maximum Daily Load (TMDL): A numerical limit on how much of a specified pollutant can enter a waterbody each day from all sources combined. Examples of pollutants associated with stormwater that might have limits include silt/sediment and Phosphorus. For more information on TMDLs, see <http://www.dec.state.ny.us/website/dow/tmdl.html>

3. Surface Water Classifications²

AA-Special (fresh surface water): The best usages are a source of water supply for drinking, culinary or food processing purposes. There shall be no discharge or disposal of sewage, industrial wastes or other wastes into these waters. Waters designated AA-Special are: Lake George, Brant Lake, Loon Lake and waters within Connecticut water supply drainage basin within Westchester County.

¹ Excerpts from EPA’s Fact Sheet 2.1

² Definitions of the sensitive waters are excerpted from *Surface Water and Groundwater Classifications and Standards, New York State Codes, Rules and Regulations, Title 6, Chapter X, Parts 700-706* (August 1999)

AA (fresh surface water): The best usages are a source of water supply for drinking, culinary or food processing purposes. For purposes of the designation criteria, the double AA waters must also be the subject of a filtration avoidance determination. Waters designated “AA with filtration avoidance” are the Skaneateles Watershed and the Catskill and Delaware Reservoirs of the NYC Watershed.

SA (saline surface waters): The best usages are shellfishing for market purposes. Waters designated “SA” are certain coastal waters bordering Westchester, Nassau, Suffolk and portions of New York City (the Rockaways and southern end of Staten Island).