

Lot Number: _____; Date: _____
 Applicants Name: _____
 Signature: _____

This Request is for Lake bottom work	Check Box
Dredging - gravel or silt removal	
Weed/Debris Removal,	
Sand or Gravel Covering.	

[Reference reverse side, Section 3 and NYSDEC Requirements]

Define specific work intended:

Identify who will do the work? (contractor, self—name, address, phone):

Who is bearing the cost of the project?

What type of equipment will be used in the process?

What is the means of equipment access to the lake bed?

What will be done with the material removed? And/or, What is the source of material intended to be added?

Confirm the date application for permit has been made to the DEC/Army Corps of Engineers and any other applicable authority: _____ If permit is available, provide a copy with this application.

A Width of Lot: _____ ft;

B Total width to be worked on: _____ ft.

C Distance from shoreline, Starting point: _____ ft; Ending Point: _____ ft.

D Maximum depth of working into the lake bed _____ inches.

E Maximum depth of gravel and lake bed removal _____ inches.

Attach a map or plan with dimensions to scale (1/4 inch per foot minimum scale) showing the area to be worked.

Excerpts from the Cuba Lake District Land Use Restrictions & Controls:

Section 3: Applicability

Prior to any change of use of any lease lot, land or structure within the District, or prior to the commencement of any work which:

- (a) alters any part of the lake (for example – dock, break wall or dredging work);

NYSDEC Requirements [Cuba Lake is in Region 9 of the NYSDEC]

<http://www.dec.state.ny.us/website/dcs/streamprotection/>

Protection of Waters: Disturbance of The Bed or Banks of a Protected Stream or Other Watercourse

More information from this division:

- Division of Environmental Permits
- UPA Permits

Regulated Activities

A Protection Of Waters Permit is required for disturbing the bed or banks of a stream with a classification and standard of C(T) or higher (disturbance may be either temporary or permanent in nature).

"Banks" means that land area immediately adjacent to and which slopes toward the bed of a watercourse and which is necessary to maintain the integrity of the watercourse. A bank will not be considered to extend more than 50 feet horizontally from the mean high water line; with the following exception: Where a generally uniform slope of 45 degrees (100%) or greater adjoins the bed of a watercourse, the bank is extended to the crest of the slope or the first definable break in slope, either a natural or constructed (road, or railroad grade) feature lying generally parallel to the watercourse.

Some examples of activities requiring this permit are:

1. placement of structures in or across a stream (i.e., bridges, culverts or pipelines);
2. fill placement for bank stabilization or to isolate a work area (i.e., rip-rap or coffer dams);
3. **excavations for gravel removal or as part of a construction activity;**
4. lowering stream banks to establish a stream crossing;
5. **utilization of equipment in a stream to remove debris or to assist in-stream construction.**

Exempt Activities

1. The most common activities which are exempt from the requirement to obtain a Protection of Waters Permit for Protected Streams are:
2. Disturbance of a protected stream conducted by a town or county government which enters into a written agreement with DEC for specified categories of work undertaken in compliance with performance criteria that are protective of stream resources.
3. Agricultural activities involving the crossing and recrossing of a stream by livestock or farm equipment at an established crossing.
4. Withdrawal of irrigation waters where no alteration of the stream bed or banks is required.
5. Removal of fallen tree limbs or tree trunks where material can be cabled and pulled from the stream without disruption of the stream bed or banks, utilizing equipment placed on or above the stream bank (i.e., no in-stream use of equipment is necessary).

Is Your Project Minor or Major?

Review time frames, procedures and requirements for public notice for applications are different for Minor and Major projects under the Uniform Procedures Act requirements (6NYCRR Part 621). Generally, Minor projects have shorter review time frames and require less public review.

Minor Protected Stream projects include:

1. Repair or in-kind replacement of existing structures.
2. Disturbances of less than 50 linear feet along any 1,000 feet of watercourse.

All other activities are considered Major Protected Stream projects for purposes of review and public notice as required by the Uniform Procedures Act. For additional information, see Time Frames.