PERMIT
Under the Environmental Conservation Law (ECL)

GENERAL PERMIT GP-9-26-001
Region 9 Soil and Water Conservation District

Permittee and Facility Information

Permit Issued To:
Applicant listed on the Request for Authorization

Facility:
Facility listed on the Request for Authorization

Applicable DEC Region(s): 9

General Permit Authorized Activity: This General Permit authorizes the Allegany, Cattaraugus, Chautauqua, Erie, Niagara, and Wyoming County Soil and Water Conservation Districts (SWCD), and their registered cooperating landowners (cooperators), to conduct one or more of the activities listed below within a State-protected or navigable stream. With the exception of Authorized Activity #10, this authorization is limited to disturbances of less than 500 linear feet within any 1,000 feet of stream.

1. The installation, maintenance, or replacement of streambank stabilization structures using vegetative bioengineering methods (e.g., toe-wood structures, fascines, root-wads, brush-mattresses, live staking, etc.), anchored tree revetments, conifer revetments, stone rip-rap, or any combination of these methods. The use of precast reinforced concrete block may be authorized where the application demonstrates that the alternative methods/materials listed above would be ineffective.

2. The installation, maintenance, or replacement of streambank stabilization structures using a combination of native streambed/bank material and biodegradable bank covering materials or vegetative bioengineering methods.

3. The excavation of up to 250 cubic yards of gravel/streambed material, to remove blockages and restore natural stream channel dimensions and flow.

4. The removal of trees and/or debris, other than streambed material, that is blocking or impeding drainage or navigation, and/or jeopardizing the banks of a stream, streambank stabilization structures, or nearby structures.

5. The installation of up to two separate culverts (double culverts are prohibited), for non-public (private) use as a single-lane roadway.

6. The maintenance, repair and replacement of existing culverts, designed in accordance with Natural Resource Conditions 25 & 26 of this permit.

7. The installation, maintenance, or replacement of drainage tile outfall structures and/or outfall ditches for tiles of up to 12 inches inside diameter.

8. The installation, maintenance, or replacement of dry hydrants for fire protection, with intake pipes screened with mesh no larger than ¼ inch square.

9. The installation or maintenance of a stone or gravel ford, up to 25 feet in width, in any 500 linear feet of stream for agricultural activities or property access. Impoundment of water is prohibited.

10. Stream channel realignment of up to 200 linear feet in any 1,000 feet of stream, with no more than a 50-foot decrease in stream length. Realignment will only be considered for the purpose of minimizing erosion or protecting local flood control structures, where the application demonstrates that streambank stabilization methods and other alternatives would be ineffective.

11. Stream feature or habitat restoration projects involving the scattered placement of rocks or the installation of in-stream stabilization, grade control, and/or habitat structures (e.g., stream barbs, bendway weirs, lunker structures, rock or cross vanes, etc.), in any combination.

EXCLUDED JURISDICTIONS
This General Permit is not applicable to:

- Locations within Sovereign Indian Nation territories in New York State;
- Locations within a designated Coastal Erosion Hazard Area;
- Locations within State-owned lands or where the State has acquired public fishing rights unless approval from the New York State Department of Environmental Conservation (NYSDEC or DEC) has been obtained;
- Activities requiring a permit under 6 NYCRR Part 182 (Endangered/Threatened Species), 6 NYCRR Parts 420-426 (Mined Land Reclamation), or 6 NYCRR Part 673 (Dam Safety);
- Any proposal within an area identified by this Department as supporting freshwater mussel species designated by the New York State Natural Heritage Program as S1 or S2, unless department staff have determined the proposal will not affect such species;
- Any activity connected to private or commercial timber harvesting/logging operations.
- Any activity occurring in a location where a proposed project may adversely affect a property listed on the National or State Registers of Historic Places or has been determined by the New York State Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.

Permit Authorizations

Excavation & Fill in Navigable Waters - Under Article 15, Title 5
Effective Date: 06/18/2026 Expiration Date: 06/17/2031
Stream Disturbance - Under Article 15, Title 5
Effective Date: 06/18/2026 Expiration Date: 06/17/2031
Freshwater Wetlands - Under Article 24
Effective Date: 06/18/2026 Expiration Date: 06/17/2031

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.

General Permit Authorized by
Permit Administrator: LISA M CZECHOWICZ , Regional Permit Administrator
Address: NYSDEC Region 9 Headquarters
700 Delaware Ave
Buffalo, NY 14209

Authorized Signature: Lisa M. Czechowicz Date: 06/18/2026

This permit is not effective without the signature below:

Validation under this General Permit
Authorized By: _____
_____
_____
_____
_____

Authorized Signature: _____ Date ___/____/____

Permit Components

NATURAL RESOURCE PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: FRESHWATER WETLANDS; STREAM DISTURBANCE; EXCAVATION & FILL IN NAVIGABLE WATERS

1. **Request for Authorization** Prior to use of this General Permit, the Applicant must submit a site-specific application for permit and required attachments to the Regional Permit Administrator. Upon review of the project, the Regional Permit Administrator will determine if the project can be authorized under this General Permit. No work is authorized until the DEC issues a countersigned General Permit.

To qualify for this General Permit, the project must first avoid and then minimize any potential avoidable impacts in accordance with regulations 6 NYCRR Part 608 and 6 NYCRR Part 663.

DEC retains the right to exclude a proposed activity from authorization under this General Permit and to require the applicant to obtain an individual permit.

2. Conformance With Plans All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the County SWCD and/or Natural Resource Conservation Service (NRCS).

3. Notice of Intent to Commence Work The permittee shall submit a Notice of Intent to Commence Work to dep.r9@dec.ny.gov, r9beh@dec.ny.gov, and fwfish9@dec.ny.gov at least 5 days in advance of commencing work and shall also notify them promptly within 5 days of project completion.

4. Prior Approval of Changes If the Permittee desires to make any changes in construction techniques, species to be planted, the site plan, any mitigation plan, scheduling or staging of construction, or any other aspect of this project, the Permittee shall submit a written request to the Regional Permit Administrator to make such proposed changes and shall not make such changes unless authorized in writing by DEC.

5. Design & Performance Standards All project specifications shall conform with NRCS and/or SWCD design and performance standards, as well as all applicable permit conditions contained herein. If any of the permit conditions are unclear, the permittee shall contact the DEC for clarification to preclude the possibility of permit violations.

6. Time of Year Restriction - Fisheries All instream work, as well as any work that may result in the suspension of sediment, is prohibited during the fish spawning and incubation period specified in the description of specific activities authorized by this permit. The restriction period(s) that shall apply, when specified, are as follows:

Specification	Time of Year Restriction
A	None
B	Natural spawning brook and brown trout, commencing September 15 & ending May 15
C	Natural spawning rainbow trout, commencing January 1 & ending June 15
D	Natural spawning brook, brown, and rainbow trout, commencing September 15 & ending June 15
E	Natural spawning brown and rainbow trout, commencing October 15 & ending June 15
F	Coolwater and warmwater fish spawning, commencing March 1 & ending June 30
G	Warmwater fish spawning only, commencing May 1 & ending June 30

At written request of the permittee, work windows may be temporarily modified by the Regional Permit Administrator to address extenuating circumstances.

7. **Time of Year Restriction - Tree Removal** Tree removal is prohibited between April 1 and October 31 of any calendar year to protect threatened and endangered bat species, unless otherwise authorized by the Regional Permit Administrator.

8. **Disturbance Limits** Temporary and permanent disturbances to State-regulated freshwater wetlands and freshwater wetland adjacent areas authorized under this General Permit are incidental to proposed stream activities. As stated in Natural Resource Permit Condition #1, disturbances to these areas shall be authorized at DEC's discretion.

Other than the impact authorized by this permit, the waterbody/wetland shall be left in an undisturbed condition. All work shall be performed in a manner that minimizes impacts to wetlands, wildlife, water quality, and other natural resources.

9. **Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

10. **Erosion and Sediment Controls** Appropriate soil erosion and sediment controls (such as silt fences, turbidity curtains, straw bales, and other appropriate measures) shall be installed, used, and maintained in effective operating condition during all work. Controls shall be installed prior to ground disturbance, inspected periodically to ensure that they are not damaged, repaired promptly when needed, and remain in place until the site is stabilized by the regrowth of suitable vegetation. Erosion controls shall be removed after the site is stabilized by the regrowth of suitable vegetation.

11. **Site Access** Site access roads shall not be constructed parallel to the stream unless located a sufficient distance from the bank to prevent collapse. Where stream crossing is required, dry stream crossing methods shall be used (e.g. passive flow bypass, cofferdam, pump around, and/or flume). Any pump intakes must be screening or otherwise protected to prevent fish impingement and entrainment.

12. **Equipment Cleaning and Storage** Equipment/machinery shall be cleaned before entering the project area in an effort to prevent introduction of invasive species. Equipment/machinery shall be stored, refueled, and safely contained greater than 50 feet landward of the waterbody/wetland at the end of each work day. This will serve to avoid the inadvertent leakage of deleterious substances into the regulated area.

13. **Heavy Equipment** Heavy equipment must be operated such that the following conditions are met:

- Heavy equipment shall be operated from dry land rather than from the stream bed or flowing water;
- With backhoes and similar equipment, the bucket may enter the water if necessary and called out in the approved site plans;
- Heavy equipment working in wetlands shall be placed on equipment mats, or other measures shall be taken, to minimize soil disturbance and compaction to the extent practicable. Mats or other temporary measures shall be removed when access is no longer needed and the area restored to pre-project conditions.

14. Best Management Practices for In-water Work Work is prohibited during high water conditions or during periods of high water flow. Sufficient flow of water shall be maintained at all times to sustain aquatic life downstream of the work area and stream reaches downstream shall always remain as clear (non-turbid) as the reaches upstream. Whenever practicable, work shall proceed to completion without interruption between work operations.

15. Materials Stored at Upland Site Any debris, excess construction materials, and/or excess excavated materials shall be stored at least 50 feet back from the mean high water level or above the reach of typical annual high water levels, whichever distance is greater. Materials shall be suitably stabilized so as not to re-enter any waterbody/wetland.

Submitted application materials must specify whether material storage is intended to be permanent or temporary, with on-site storage areas depicted on plans. In instances of temporary material storage, materials must not remain on-site past project completion. Materials permanently placed must be stabilized within a maximum of one (1) week after placement.

16. Cofferdams If a cofferdam is proposed, the materials to be used shall be depicted on the plans and described in the project narrative. The cofferdam shall be constructed out of materials such as sheet piling, sandbags, or clean gravel that will not contribute to turbidity.

17. Bypass Channels The following requirements apply to projects involving bypass channels:

a. Any new channel or bypass channel(s) shall be excavated in-the-dry without disturbing the existing streambanks until the last possible moment. When the bypass channel between the undisturbed streambanks has been completed, the final breakthrough of those bank sections shall commence at the downstream end, then proceed to the upstream end.

b. During construction of a stream channel or bypass channel, special effort shall be made to save rooted woody vegetation.

c. A well built grade control device, keyed into the banks at the upstream end of the temporary bypass, shall be installed immediately after bypass installation and before work commences.

d. No turbid water resulting from dewatering operations shall be discharged directly to or allowed to enter the waterbody. Such water shall be pumped to settling basins or to an upland vegetated area prior to any discharge to the waterbody. All necessary measures shall be implemented to prevent any visible increase in turbidity or sedimentation downstream of the work site.

e. Immediately following project completion, the grade control structure shall be reinstalled slightly above the finished upstream bed elevation, within the temporary bypass. The temporary bypass shall then be filled in, covering the grade control structure, to prevent the stream from taking over the bypass in the future.

18. Return Stranded Fish To the maximum extent practicable, any fish trapped within the work area shall be netted and placed, alive and unharmed, in the water outside the work area.

19. Material Disposal Excess materials excavated from the streambed/banks shall remain on the property and be disposed of in accordance with the plans referenced by this permit. Berming is prohibited.

20. Restore Streambed The streambed shall be returned to its original condition whenever it is disturbed. Final elevations and contours shall match as uniformly as possible with the surrounding undisturbed streambed.

21. Grade, Seed, Mulch Disturbed Areas The work area shall be graded to match as uniformly as possible with the elevations and contours of the undisturbed land immediately adjacent. Graded areas shall be seeded immediately with an appropriate native seed mix and mulched with straw or hydro-mulched. The mulching material shall be maintained until suitable vegetative cover is established.

22. Community Risk and Resiliency Act (CRRA) For projects involving a critical bridge or culvert, the applicant must address the recommended flood risk management guidelines for transportation infrastructure contained in "New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act", August 2020 (page 35 of the guidance also describes "critical transportation infrastructure"). The structure design must incorporate the flood risk management guidelines, or the applicant must demonstrate that the guidelines were considered and determined infeasible.

23. Streambank Erosion Protection Structure Requirements The following requirements apply to projects involving streambank stabilization structures (Authorized Activities # 1 and 2):

a. The streambank stabilization structure shall be constructed with a slope of 1 foot vertical to 2 feet horizontal. A modified slope may be authorized where the applicant demonstrates that it is necessary.

b. The streambank stabilization structure shall be entrenched (i.e., keyed or toed) below the streambed at the base of the streambank at a depth of 3 - 6 feet or sufficient depth to prevent undermining or shall be substantially pinned into the stream's bedrock substrate, depending on site conditions.

c. To prevent failure from erosion, both the upstream and downstream ends of the streambank stabilization structure shall be keyed back into the streambank at least 10 feet or tied into adjacent erosion protection structures, depending on site conditions.

d. For stone rip-rap streambank stabilization structures, clean angular stone shall be placed rather than dumped. Stone shall be of sufficient size to remain in place during severe weather events.

e. Armor stone may not be consolidated with concrete or by any other means.

f. For streambank stabilization structure involving the use of vegetation-based bioengineering, a mixture of appropriate upland, riparian, and/or wetland species shall be planted, and native species shall be used to the extent possible. The area and density of plantings shall be sufficient for long-term stabilization of the streambank.

24. Streambed/bank Excavation Requirements The following requirements apply to projects involving streambed/bank excavation (Authorized Activities # 2 and 3):

a. For projects involving the use of excavated material to construct a streambank stabilization structure, streambed/bank material shall be excavated from the same or opposite side of the streambank stabilization structure, lateral to the streambank stabilization structure. Excavation is limited to the amount of material required for the streambank stabilization structure. An alternative or additional source of material may be authorized where the application demonstrates that it is necessary.

b. For projects involving permanent material removal, excavation is limited to 250 cubic yards. Excavated material shall be disposed of per Natural Resource Permit Condition #19.

c. Material shall be excavated by "skimming" the surface of the gravel bar to a depth no lower than six inches above the summer water level of the stream. Before carrying out any gravel removal below summer water elevation, the SWCD shall consult with the DEC Region 9 Habitat Manager at (716) 851-7010 or r9beh@dec.ny.gov.

d. Excavated materials shall be carried over stream flows to minimize turbidity. Pushing materials across or through stream flows is prohibited.

25. Bridge and Culvert Requirements The following requirements apply to projects involving bridges and culverts (Authorized Activies #5 and #6):

a. Culvert rehabilitation projects that involve double-culvert installation, or invert paving, slip-lining, or similar treatments are prohibited.

b. All culverts with closed bottoms (including round culvert pipes) shall be appropriately embedded. Round culverts shall be installed so that at least 20% of the culvert's vertical height is embedded below the existing streambed at the outlet end of the culvert.

c. Appropriately sized substrate shall be brought in, or the streambed material that was excavated to accommodate culvert placement shall be used, for culvert embedding (where appropriate) and spread evenly throughout the bottom of the new culvert. The substrate or material shall be thoroughly wetted prior to returning flow through the culvert.

d. The width of the structure shall be a minimum of 1.25 times the width of the active channel at the Mean High Water level, generally measured bank-to-bank between the edges of terrestrial, rooted vegetation, unless otherwise described in the approved plans.

e. The culvert bed slope shall remain consistent with the slope of the adjacent stream channel. For slopes greater than 3%, an open bottom culvert shall be used.

f. Bridges and culverts and any associated scour protection shall be installed in a manner so that they do not constitute a barrier to upstream movement of fish and other aquatic species under normal flow conditions or constrict the stream channel.

g. Stone aprons and scour protection placed in streams or rivers shall be installed flush with the invert elevation.

h. Both the up and downstream side of the culvert structure shall be riprapped to prevent damage from erosion.

26. Publicly Owned Bridges and Culvert Requirements In addition to the Bridge and Culvert requirements listed in the previous condition, publicly owned bridges and culverts shall be designed as follows (Authorized Activity #6):

a. Open-bottom culverts, box culverts, and culvert pipes shall be designed to pass the peak flow from a storm event with an annual chance of 2% or less (i.e., 50-year storm or greater) such that the water surface remains below the top of the inlet opening.

b. Bridges shall be designed to pass the peak flow from a storm event with an annual chance of 1% or less (i.e., 100-year storm or greater) such that all flow passes beneath the lowest chord of the structure without going into pressure flow.

c. The peak design flows applied in items a. & b. above shall be adjusted by the appropriate design flow multipliers in Table 3 and Figure 3 of the "New York State Flood Risk Management Guidance for Implementation of the Community Risk and Resiliency Act", August 2020.

27. Stream Channel Realignment Requirements The following requirements apply to projects involving stream channel realignment (Authorized Activity #10):

a. Projects shall be designed to include suitable grade control measures, except where the application demonstrates that such measures are inappropriate.

b. All new stream channels shall be designed to provide a "V"-shaped bottom or be otherwise designed to concentrate flows during periods of low water.

28. No Interference With Navigation There shall be no unreasonable interference with navigation by the work herein authorized.

29. Permit Enforcement Any failure of a cooperator to comply precisely with all of the terms and conditions of approval, unless authorized in writing by the Department, shall be treated as a violation of the Environmental Conservation Law (ECL). The SWCD shall have no formal power of enforcement over violations of the terms of this permit and/or the ECL. All such violations shall be referred to the Department's Division of Fish & Wildlife and/or Division of Law Enforcement by the SWCD. Nothing in this General Permit shall be construed to limit the authority of the Department to investigate any violations of and seek remedies pursuant to the ECL.

30. Permit Administration The SWCD shall, as part of its responsibilities for administration of the General Permit:

a. Maintain a register of cooperators.
b. Receive and review project proposals from cooperators for applicability under this General Permit.
c. Maintain files of all requests for authorization under the General Permit.
d. Obtain technical assistance from NRCS (as necessary) to bring individual proposals into compliance with the terms of this General Permit.
e. Provide each authorized cooperator with a copy of the countersigned permit, a copy of the completed permit application form, project location map (portion of appropriate U.S.G.S. 7.5 Min. Quad Sheet), project plans (top-view and cross-section, if applicable), and any other information necessary to facilitate compliance with the terms of this Permit, including any special SWCD conditions required to reduce adverse environmental impacts to water quality and prevent soil erosion.
f. Inspect the authorized project during the work operation (or as soon afterwards as possible) to ensure compliance with all work specifications, including any final grading and seeding requirements.
g. Notify any cooperator of any failure to comply with the terms of this General Permit and, where possible, request corrections necessary to bring the action into compliance. Any failure of a cooperator to respond satisfactorily within thirty days to such a request shall be referred to the Department's Division of Fish & Wildlife and/or Division of Law Enforcement.
h. Provide the Regional Permit Administrator with an annual Summary Report noting each cooperator's name, a project description, the status of all work (not begun, in progress, completed) and any problems with the project by December 31 of each calendar year.
i. Provide the Regional Permit Administrator, or Department Staff, upon reasonable request, any file material maintained regarding this General Permit or specific projects thereunder.
j. Declare ineligible for further consideration for actions under this General Permit any cooperator who demonstrates repeated or significant failures to comply with the terms of this permit.

31. State Not Liable for Damage The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.

32. **State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.

33. **State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

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:

Regional Permit Administrator

_____
_____
_____
_____

4. **Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Excavation & Fill in Navigable Waters, Stream Disturbance, Freshwater Wetlands.

5. **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.

6. **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

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.