

NYC Stormwater Management Program

Construction and Post-Construction

What is the new City Construction and Post-Construction Program?

New York State Department of Environmental Conservation (NYSDEC) requires projects disturbing an acre or more of soil to obtain coverage for stormwater discharges under the State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002)(NYSDEC CGP). The City's Construction and Post-Construction (C/PC) Program will complement the NYSDEC CGP program in the municipal separate storm sewer system (MS4) area by reviewing and approving stormwater pollution prevention plans (SWPPPs), and inspecting construction activities for stormwater impacts and post-construction stormwater management practices (SMPs).

What types of projects will be affected by the C/PC Program?

The C/PC Program applies only to certain new and redevelopment projects, referred to as covered development projects. Covered development project means development activity, private or public, that involves or results in a soil disturbance within the MS4 area in an amount greater than or equal to one acre, including disturbances of less than one acre that are part of a larger common plan of development or sale that will ultimately disturb one or more acres of soil. The one acre threshold that triggers construction and post-construction stormwater management requirements will be reduced in the future.

How does the C/PC Program work?

The C/PC Program requires two types of stormwater permits for covered development projects:

- 1) Stormwater Construction Permits** for all covered development projects, and
- 2) Stormwater Maintenance Permits** for projects requiring post-construction SMPs.

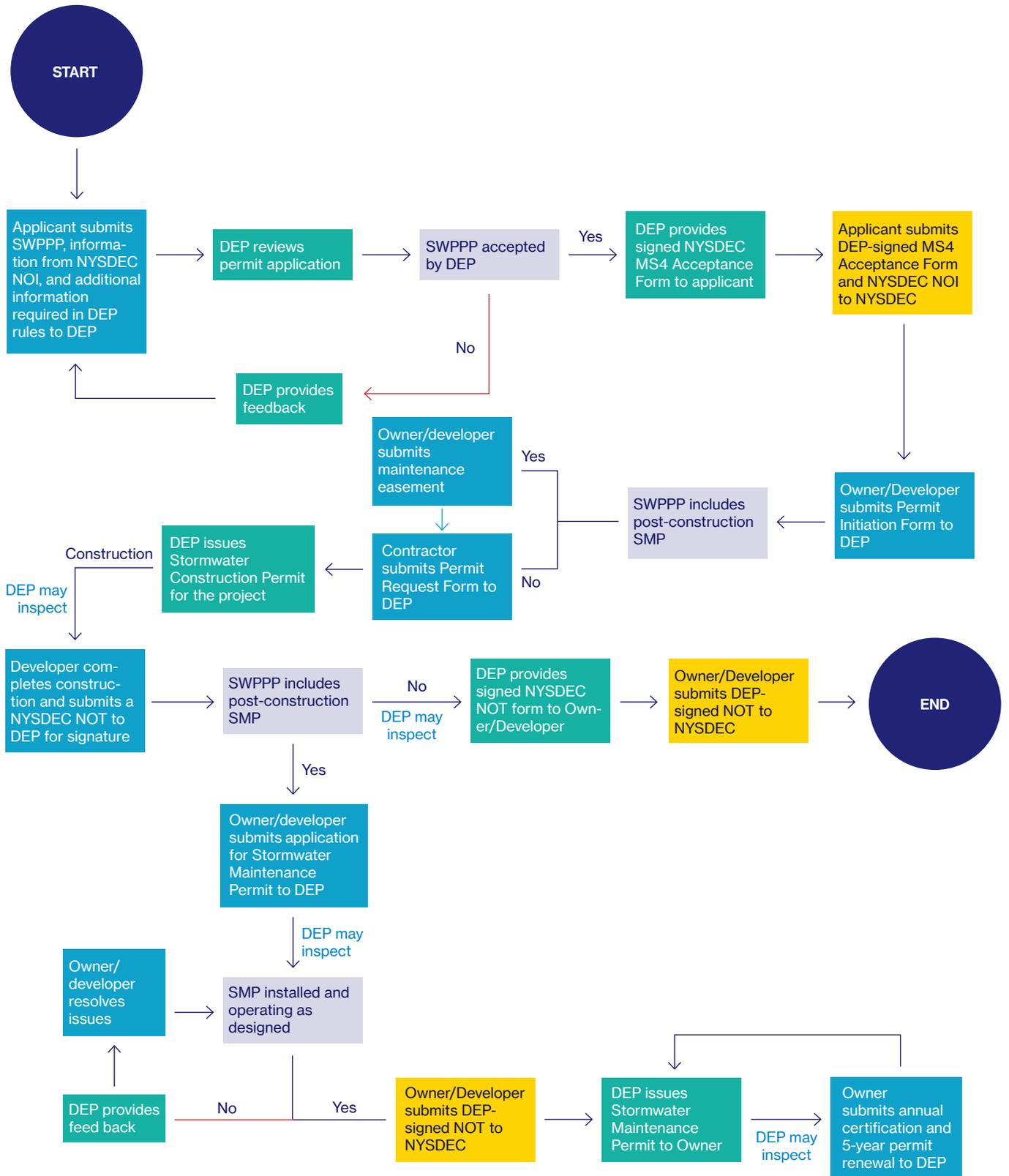
The first step in applying for these stormwater permits is submittal of a permit application to DEP. The permit application consists of the information required in NYSDEC's Notice of Intent form, additional information required in DEP's rules, and the plans and reports that together make up the Stormwater Pollution Prevention Plan (SWPPP). DEP will review and approve SWPPPs. If DEP approves the SWPPP, the developer then submits the Permit Initiation Form and a copy of the maintenance easement (if required) to DEP, and the contractor with primary responsibility for the project site submits the Permit Request Form to DEP for a Stormwater Construction Permit. DEP may inspect a site during construction.

After construction, the developer or owner submits a completed NYSDEC Notice of Termination (NOT) form to DEP for review and signature. If post-construction SMPs are required for the covered development project, then the developer or owner must also submit a Stormwater Maintenance Permit application with the completed NYSDEC NOT to DEP. DEP may inspect post-construction SMPs. If DEP issues a Stormwater Maintenance Permit, then the owner must submit an annual certification and renew the permit every five years.



The NYC Stormwater Management Program Plan describes the ways in which the City will satisfy the requirements of the MS4 Permit by managing stormwater discharges into and from the City's separate storm sewers. For more information on the new C/PC Program, refer to Chapter 6: Construction and Post-Construction in the NYC Stormwater Management Program Plan available on the DEP website at www.nyc.gov/dep/ms4.

Overview of the C/PC Permitting Process



- Applicant/Owner/ Developer Action
- Applicant/Owner/ Developer goes to DEC
- DEP Action
- Decision Point