

**New York City  
Department of Environmental Protection  
Bureau of Water Supply**

**Applicant's Guide  
to  
Crossing, Piping or Diversion Permits**



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**Prepared by: Bureau of Water Supply  
Regulatory & Engineering Programs**



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Crossing, Piping or Diversion Permits**

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## 1.0 INTRODUCTION

Sections 18-39(a)(2)(vi) & (ix) and (a)(9) of “The New York City Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources” (“**Watershed Regulations**”)<sup>1</sup> are intended to ensure that bridges, crossings and watercourse diversions are constructed in a manner that prevents adverse water quality impacts to the New York City water supply. To that end, the Watershed Regulations require that under certain circumstances, Crossing, Piping or Diversion Permits (“**CPDPs**”) be reviewed and approved by the New York City Department of Environmental Protection (“**DEP**”) before construction may commence.

This guide was developed to assist in determining when DEP review and approval is necessary, and expediting the approval process. Section 2.0 identifies activities that require DEP’s review and approval and the requirements for CPDPs. Appendix B provides an application checklist, and Appendix C includes the application form. A copy of the Watershed Regulations may be obtained from the DEP offices listed on page 2 of this guide, or on DEP’s website: [www.nyc.gov/html/dep/html/watershed\\_protection/watershed\\_regulations.shtml](http://www.nyc.gov/html/dep/html/watershed_protection/watershed_regulations.shtml). Where discrepancies exist between this guide and the Watershed Regulations, the Watershed Regulations will prevail.

## 2.0 APPLICATION REQUIREMENTS

The goal of a CPDP is to protect the quality of the City’s water supply by preventing erosion and sedimentation during and after construction, and ensuring that the design of the crossing, piping or diversion does not substantially alter the stability of the watercourse from pre-construction conditions.

The following sections identify the information that must be included in applications for review and approval. A checklist and an application form are contained in Appendices B and C, respectively. The design of the crossing and erosion and sediment control plans must be consistent with the standards set forth in the following references:

- “New York State Standards and Specifications for Erosion and Sediment Control,” (August, 2005). A copy of the ESC standards is available at the DEC website: <http://www.dec.ny.gov/>
- “New York State Stormwater Management Design Manual,” (August, 2010). A copy of the Design Manual is available at the New York State Department of Environmental Conservation’s (“**NYSDEC**”) website: <http://www.dec.ny.gov/>

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<sup>1</sup> Chapter 18 of Title 15, of the Rules of the City of New York (“Watershed Regulations”)

## **2.1 GENERAL REQUIREMENTS**

### **2.1.1 REQUIREMENTS FOR APPLICATIONS**

Applications to DEP for review and approval of a CPDP must consist of four (4) copies of the following and the applicable information set forth in this document.

- A completed DEP application form;
- A description of the activity;
- The location and topography of the area of the activity;
- Identification of any existing culverts or bridges at the location;
- An Environmental Assessment Form and any Draft Environmental Impact Statement or Determination of Nonsignificance prepared pursuant to Article 8 of the Environmental Conservation Law;
- A list of any enforcement actions, including lawsuits or administrative proceedings, commenced against the applicant, or any principal affiliate of the applicant, for any alleged violations of law related to the activity for which approval is sought or the facility or site at which the activity is located, in the five years preceding the application, and disposition or status of the actions; and
- Additionally, the application should include a regional locator map, at a scale not to exceed 1:24,000, that identifies the property, adjacent public roadways, all reservoirs, reservoir stems, controlled lakes, watercourses, and wetlands adjacent to the project site, and drainage areas. A linear scale and north reference must be indicated on the map. Copied portions of United States Geological Survey (“USGS”) maps are suitable for this purpose.

## **2.2 CROSSING, PIPING OR DIVERSION PERMITS**

A plan for the proposed Crossing, Piping or Diversion must be approved by DEP before the following activities may commence:

- Construction of a bridge or crossing of a watercourse or wetland which does not require a permit from another regulatory agency. { 18-39(a)(2)(vi) }
- Creation of an impervious surface needed as an integral component of a diversion or piping of a watercourse. { 18-39(a)(2)(ix) }.

## **2.2.1 CROSSING, PIPING OR DIVERSION REGULATIONS**

A CPDP is required to minimize impacts on water quality during and after the construction of a wetland or watercourse bridge or other crossing, or the piping or diversion of a watercourse where an impervious surface, such as a culvert, is an integral component of the piping or diversion. However, a CPDP is required for a bridge or crossing only when it does not require the regulatory review and approval of another governmental agency. An applicant should consult with the Army Corps of Engineers (“**ACOE**”)<sup>2</sup>, NYSDEC<sup>3</sup> and local authorities to determine if federal, state and/or locally regulated wetlands are on the project site, and if so, what restrictions may apply. DEP does not delineate wetlands. To establish the boundaries of a wetland, property owners must contact ACOE, NYSDEC or local authorities.

As set forth in the Watershed Regulations, DEP must review and approve plans for the installation of an impervious surface within certain limiting distances of a watercourse or wetland. Impervious materials include, but are not limited to, paving, concrete, asphalt, roofs, or other hard surfacing material. As such, culverts and bridge abutments constitute impervious surfaces. Therefore, if an impervious surface (such as a culvert or abutment) is part of a watercourse piping or diversion, a CPDP is required.<sup>4</sup>

Diversion and piping of watercourses will not generally be permitted to avoid the limiting distances for regulated activities as set forth in the Watershed Regulations. DEP will consider a proposed diversion or piping of small reaches of watercourses that may affect limiting distances on a case by case basis, and will base its determinations on the potential adverse impacts on water quality resulting from such diversions or pipings.

## **2.2.2 GUIDANCE ON CROSSING, PIPING OR DIVERSION PERMIT APPLICATIONS**

Any disturbance of a stream, wetland, or buffer area has the potential for significant detrimental impacts on water quality primarily as a result of soil disturbance and the uncontrolled discharge of sediment. Through good design, adherence to proper construction practices and use of special mitigation techniques where required, disturbances during construction can be minimized, and the site can be stabilized to prevent long term changes in stream channel stability. Proper planning is critical in order to facilitate the permit process. The following sections present common guidelines for planning and designing a watercourse or wetland crossing. Applicants should follow these recommendations whenever practicable.

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<sup>2</sup> The ACOE website [www.nan.usace.army.mil](http://www.nan.usace.army.mil) can be helpful to locate the pertinent ACOE field office responsible for the area where the project is located to determine whether ACOE permitting is necessary.

<sup>3</sup> NYSDEC website [www.dec.ny.gov](http://www.dec.ny.gov) can be helpful to locate the pertinent DEC regional permitting office to determine if a DEC permit is necessary.

<sup>4</sup> Impervious surfaces do not include dirt, crushed stones or gravel surfaces. Temporary portable bridges are not considered impervious.

## **A. PLANNING**

- All opportunities should be considered to avoid direct disturbance of or impact to the watercourse such as locating bridge abutments outside the channel in an upland area.
- Construction should be scheduled for intervals of low flow, avoiding periods known for seasonal flooding.
- The amount of disturbed area within the riparian corridor should always be kept to a minimum.
- Watercourse crossings should be located on stream banks that are low and stable whenever possible. A preferred site for a crossing is in a rapids/riffle section of a watercourse.
- Crossing approaches should avoid steep slopes and remain fairly level for 50 feet on either side of the crossing, especially when in the vicinity of erodible soils. When the slopes of the approaches to a crossing exceed 10%, provide drainage structures to divert running water off roads and discharge the runoff away from streams to a stable outlet.
- Bridges, arch culverts or open-bottomed box culverts which retain the natural stream bottom and slope are encouraged.
- Twin or multiple parallel culverts are not a preferred practice due to susceptibility to blockage by sediment, ice or debris.

## **B. DESIGN**

- When constructing crossings, the design should reflect the channel characteristics and the physical features of the watercourse with particular attention to width and depth of the channel and its relationship with the flood plain.
- If a culvert is used, the size of the watershed area should be estimated and the culvert properly sized to accommodate, at a minimum, runoff from the 10-year, 24-hour storm event.
- Studying the stream's dynamics is essential. Particular attention should be made to observe the sediment loads being carried within the streambed, the predicted flow velocities, and bank stability. Where appropriate, these factors should be addressed within the design of the crossing.
- Culverts should be placed slightly below the natural stream grade whenever practicable to facilitate the movement of bed load through the pipe, and to

minimize the chance of undercutting at the inlet or outlet. Avoid placing fill above the stream bed or below the culvert to obtain the necessary grade.

### **2.2.3 CONTENTS OF CROSSING, PIPING OR DIVERSION PERMIT APPLICATIONS**

At a minimum, applications for CPDPs must contain the information required in Section 2.1, General Requirements, as well as the following:

#### **A. NARRATIVE REPORT**

The following must be provided in the narrative:

- The schedule for construction, including implementation of the erosion and sediment controls, grading, flow diversion, dewatering, construction, and site stabilization;
- The maintenance schedule for all crossings, piping, or diversions, and a description of the maintenance activities to be performed; and
- All calculations or justification used in siting, sizing, and designing any crossing, piping, or diversion.

#### **B. PLANS, DETAILS, AND SPECIFICATIONS**

Plans must be provided at a scale not to exceed 1" = 50', details and specifications that depict:

- The location of any watercourses, wetlands, reservoirs, reservoir stems, or controlled lakes on or adjacent to the property. The plan must include approximate width and depth of the existing channel; and
- The design of the proposed crossing, diversion, or piping including plan and cross-sectional views.

#### **C. EROSION AND SEDIMENT CONTROL PLAN**

In addition to the general information required under Section 2.1, the construction of a crossing of a watercourse or wetland, or the diversion or piping of a watercourse, may require a Stormwater Pollution Prevention Plan if the land disturbance is greater than two (2) acres<sup>5</sup> (See "Applicants Guide to Stormwater Pollution Prevention Plans"). In most cases this two (2) acre threshold will not be exceeded. However, an erosion and sediment control plan must be included as part of the CPDP for projects that disturb less than two (2) acres in order to demonstrate that there will be no observable impact.<sup>6</sup> The following information must be provided in the Erosion and Sediment Control Plan:

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<sup>5</sup>Watershed Regulations § 18-39(b)(3)(iv)

<sup>6</sup> Watershed Regulations § 18-39(a)(9).

## **1. EROSION & SEDIMENT CONTROL NARRATIVE REPORT**

- A description of proposed erosion controls. The description must include all temporary and permanent, structural and non-structural measures that will be used to prevent a turbid discharge or sedimentation within a receiving wetland, watercourse or waterbody during and after the construction phase of the project;
- The location of proposed erosion control measures, shown relative to the disturbed area and the water resource and including designs, and details;
- The maintenance schedule for erosion and sediment controls with a description of the maintenance activities to be performed;
- The construction schedule, including any phasing plan, construction sequence, and implementation schedules for temporary and permanent erosion and sediment controls.

## **2. EROSION & SEDIMENT CONTROL DRAWINGS, DETAILS AND SPECIFICATIONS**

- The limits of disturbance, including material stockpile areas, borrow areas, and areas where vegetation will be cleared;
- The location of vegetation to be protected on the site; and
- Provisions to prevent erosion of fill material and open sections of culvert inlets and outfalls.

### **3.0 APPLICATION PROCESS**

Applications for review and approval by DEP under the Watershed Regulations are subject to the following process. A flow chart illustrating the time frames and the application process described below is attached as Appendix E.

#### **STEP 1 - OPTIONAL PRE-APPLICATION CONFERENCES**

A prospective applicant may meet with DEP representatives at locations in or near the watershed before submitting an application for review and approval to discuss proposed regulated activities, regulatory requirements, and the application process. DEP has found that a pre-application conference benefits both the applicant and DEP, and therefore encourages each applicant to involve DEP early in the project planning stage.<sup>7</sup> At the pre-application conference, an applicant may also request that DEP visit the applicant's site. Because distances from a watercourse, as

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<sup>7</sup> Watershed Regulations § 18-25.

well as other water bodies, are relevant to the approval process, a site visit will establish whether, or where, a watercourse may be located on or near the site that may affect the project. To request a pre-application conference, contact the appropriate DEP office listed below. The request form for a Pre-Application Conference is attached as Appendix A and should be mailed or faxed to the appropriate office, as listed below.

**East of Hudson**

(Portions of Westchester, Putnam  
Sullivan and Dutchess Counties)  
Regulatory and Engineering Programs  
DEP  
465 Columbus Avenue  
Valhalla, NY 10595  
Phone (914) 742-2028  
Fax (914) 773-0343

**West of Hudson**

(Portions of Delaware, Greene, Schoharie,  
and Ulster Counties)  
Regulatory and Engineering Programs  
DEP  
71 Smith Avenue  
Kingston, NY 12401  
Phone (845) 340-7215  
Fax (845) 338-1371

**Request to Flag a Reservoir, Reservoir Stem, Controlled Lake or Watercourse:**

Under the Watershed Regulations, the property owner or applicant may request that DEP flag the presence of any watercourse(s), reservoir, reservoir stem, or controlled lake on the property.<sup>8</sup> Identification of these features is relevant to the approval process. DEP will fulfill the request as soon as field schedules permit. An owner or applicant may also supply a surveyor's field map that includes representations of flagged watercourses, reservoirs, reservoir stems or controlled lakes flagged by DEP. DEP will review the surveyor's map and confirm it within 20 business days for applicants, and as soon as practicable for other property owners. Following DEP confirmation, the survey map will be valid and binding upon the DEP for five (5) years following the date of confirmation. Contact DEP at the appropriate telephone number provided for the appropriate office listed above to request watercourse determinations.

**Wetlands**

Despite the fact that DEP has no regulatory authority over and does not delineate wetlands, there are certain distances from wetlands that must be maintained under the Watershed Regulations. Only those wetlands that have been mapped by the NYSDEC are relevant for the purposes of the Watershed Regulations. The property owner or applicant must consult with NYSDEC regarding activities that may be separately regulated by NYSDEC that are in addition to activities regulated by the Watershed Regulations. The property owner or applicant should also consult with the ACOE as well as local authorities to determine if there are federally and/or local designated wetlands, and if so, what restrictions apply to activities under each respective regulating authority

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<sup>8</sup>Watershed Regulations § 18-23(b)(5) and (6).

## **STEP 2 - APPLICATION SUBMISSION**

An application for review and approval of an activity governed by the Watershed Regulations, as well as applications for variances, may be submitted to either of DEP offices noted above by mail, or in person between the hours of 8:30am and 4:30pm, Monday through Friday. An application form is attached as Appendix C and a checklist of all elements necessary for DEP approval is attached as Appendix B. An applicant is encouraged to discuss the level of information required with DEP prior to submission of the application. There are no application fees. Where projects require multiple DEP permits or approvals, an applicant is encouraged to submit applications concurrently. As discussed below, when the applicant is not aware of the need for a variance when the application for a proposed project is submitted, the variance application may be submitted at a later date. As noted below in Step 4, where DEP is the Lead Agency for the Environmental Review of a project, or where a project is the subject of an Environmental Impact Statement, DEP cannot complete its review under SEQRA without reviewing all relevant applications.

## **STEP 3 - DETERMINATION OF COMPLETENESS**

When DEP receives an application, DEP will review the application and determine if it contains all information necessary to be considered complete. This determination will be made within 20 calendar days. DEP will either notify the applicant that the application is complete and that DEP has commenced its review, or that the application is incomplete.

If an application is incomplete, DEP will request the specific information that is needed before the application can be considered complete. Within 10 calendar days of receipt of the requested information, DEP will notify the applicant whether or not the application is complete. Once DEP has asked for more information, DEP will request further information only if the additional information submitted by the applicant raises new questions.<sup>9</sup>

If DEP fails to notify the applicant regarding completeness of the application within the specified time periods, the applicant may notify DEP of its failure to do so by writing to the appropriate DEP office (identified in Step 1, above) by United States Postal Service certified mail, return receipt requested. The notice must contain:

1. the applicant's name;
2. the location of the project;
3. the project name (if applicable); and
4. the DEP office where the application was filed.

If DEP does not notify the applicant as to completeness of its application within 10 business days of receiving the applicant's certified letter, the application will be deemed to be complete as of

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<sup>9</sup> DEP may also request further information in the following situations: (1) false or misleading information has been submitted; (2) a change in relevant law has occurred; (3) changes have been proposed for the project; (4) there is a new applicant; or (5) the applicant's owners, principals, shareholders, directors, or offices have changed. Watershed Regulations § 18-23(d)(2)(iii).

the 11th day. In cases where additional information has been requested and received, the amended application is the one that will be deemed complete, as of the 11th day.

After determining that an application is complete, DEP will begin its review to determine whether the CPDP meets the standards in the Watershed Regulations.

#### **STEP 4 - DETERMINATION: APPROVAL OR DISAPPROVAL**

Once DEP notifies the applicant that the application is complete, or once the application is deemed complete as described above, DEP will notify the applicant in writing of its determination to approve, which may include conditions, or disapprove the application. The determination will be made within 45 days. The 45 day time period does not begin until any additional information, if requested by DEP during Step 3 above, has been supplied, and the application is deemed complete. The time period may be extended by mutual written agreement between the applicant and DEP. If during the 45 day review period, DEP requests revisions to the application, the review period is suspended from the date such request is made until the date on which DEP receives such revisions, provided that DEP has no fewer than 10 calendar days from the date of receipt to issue a determination.

If DEP fails to notify the applicant within the specified time periods, the applicant may notify DEP of its failure to do so by writing to the appropriate DEP office (identified above) by certified mail, return receipt requested. The notice must contain:

1. the applicant's name;
2. the location of the proposed project;
3. the project name (if applicable);
4. the DEP office in which the application was filed; and
5. a statement that a decision is sought in accordance with the Watershed Regulations § 18-23(d)(6).

If DEP fails to provide a determination to the applicant in writing within 10 business days of receiving the applicant's notice, the application will be deemed approved subject to the standard conditions for that approval. A notice that does not contain all of the information listed above will not result in an application being deemed approved.

#### **State Environmental Quality Review Act ("SEQRA"):**

If the project is subject to review under SEQRA and the Lead Agency for the project has determined that the project may have a significant impact on the environment pursuant to the SEQRA regulations, the time periods specified above for determinations will be suspended until either a Final Environmental Impact Statement ("FEIS") or a Determination of Non-Significance has been issued by the Lead Agency and submitted to DEP. DEP will consider a project that requires SEQRA review as whole and will attempt to make determinations regarding all applications relating to such a project concurrently. DEP must issue its own Findings Statement before issuing an approval for any project that was the subject to an Environmental Impact Statement.

**APPENDIX A**  
**REQUEST FORM FOR PRE-APPLICATION CONFERENCE**



# Request for Pre-Application Conference

## BUREAU OF WATER SUPPLY

This request is submitted as recommended by the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the NYC Water Supply and its Sources* in anticipation of submission of an application(s) for a regulated activity. New York City Department of

Environmental Protection (DEP) will require "As-Builts" for all regulated activities approved by DEP.

**Applicant Information:** Check One  Owner  Prospective Owner  Owner's Representative

Name: \_\_\_\_\_, Telephone: (\_\_\_\_) \_\_\_\_-\_\_\_\_

Address: \_\_\_\_\_, Email: \_\_\_\_\_

Designated Representative (if other than applicant): \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_-\_\_\_\_

Email: \_\_\_\_\_

**Site Information:** Town: \_\_\_\_\_, County: \_\_\_\_\_, Reservoir Basin: \_\_\_\_\_

Tax Map Number: Section: \_\_\_\_\_, Block: \_\_\_\_\_, Lot: \_\_\_\_\_, Subdivision Name \_\_\_\_\_

Street Address (fire#/road): \_\_\_\_\_ Are there any unfenced or loose animals on site which

DEP employees may encounter on a site visit, if so please describe: \_\_\_\_\_

**Activity Information:**

Residential  Number of Residential Units  Number of Lots  Number of Bedrooms Total

Septic Tank Replacement (only)  Commercial:

Describe proposed project: \_\_\_\_\_

Is there a stream, watercourse or wetland in the vicinity to the proposed construction (Circle One) Y or N

If Yes, then approximate distance from the construction site: \_\_\_\_\_ Feet or Yards (Check One)

If Yes to Wetlands: Check which type: NYSDEC regulated  ACOE regulated  Locally regulated

Approximate Land Disturbance; Size \_\_\_\_\_ Acres or Square Feet (Check One)

New Impervious surface over 40,000 SF; Size \_\_\_\_\_ Acres or Square Feet (Check One)

**Anticipated DEP approvals: (check any that may apply)**

Commercial SSTS  Residential SSTS  SSTS Repair  SSTS Alteration/Modification  SWPPP

IRSP  CPDP  WWTP  Sewer Connection/Collection System  Variance  Other

**I request that DEP contact the designated representative to schedule (check one or more, as applicable):**

Preliminary Site Walk  Watercourse Determination  Pre-application Conference to discuss Proposal

I request that DEP staff be present at the above referenced site to witness soil testing to be conducted on: Date: \_\_\_\_\_, at Time: \_\_\_\_\_. (Seven (7) days' written notice is required)

I understand that DEP will contact me or my Representative to schedule such conference, and that DEP may also request further information regarding my proposed activity. I also understand that this is in no way an Approval Determination. Verbal statements will not be construed as permission to commence construction.

**Owner's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Return To: DEP- Regulatory & Engineering Programs: 71 Smith Avenue, Kingston, NY 12401, Fax 845-338-1371; or 465 Columbus Ave, Valhalla, NY 10595, Fax 914-773-0343; or 20 NYC Highway 30A, Downsville, NY 13755, Fax 607-363-7014; or P.O. Box 26, Grand Gorge, NY 12434, Fax 607-588-6660; or P.O. Box 358, Grahamsville, NY, 12740, Fax 845-334-7175

## APPENDIX B APPLICATION CHECKLIST

Four copies of the following information must be submitted to DEP. For further information regarding submissions, see the text of the Applicant's Guide.

### REQUIREMENTS FOR CROSSING, PIPING OR DIVERSION PERMITS

- \_\_\_ A completed DEP application form
- \_\_\_ A description of the proposed project and the regulated activity
- \_\_\_ The location and existing topography of the area of the activity
- \_\_\_ Identification and location of any existing structures at the location
- \_\_\_ A description of the proposed erosion control measures
- \_\_\_ The schedule for construction, including implementation of erosion and sediment controls, grading, and site stabilization
- \_\_\_ The maintenance schedule for all erosion and sediment controls from construction through final stabilization and a description of the maintenance activities to be performed
- \_\_\_ An Environmental Assessment Form and any Draft Environmental Impact Statement or Determination of Nonsignificance
- \_\_\_ A list of any enforcement actions commenced against the applicant for any alleged violations of law related to the activity for which approval is sought
- \_\_\_ A regional locator map, at a scale not to exceed of 1:24,000, that identifies the property, adjacent public roadways, all reservoirs, reservoir stems, controlled lakes, watercourses, and wetlands on and adjacent to the project site, and drainage areas contributing to the project site
- \_\_\_ If the application relates to an impervious surface in a Designated Village Center, information necessary to justify that: (1) there is no reasonable alternative to the creation of the proposed impervious surface and (2) the best applicable measures are being proposed to prevent adverse impacts on water quality

#### Narrative Report:

- \_\_\_ The maintenance schedule for all crossings, pipings, or diversions, and a description of the maintenance activities to be performed
- \_\_\_ All calculations used in siting, sizing, and designing any crossing, piping, or diversion

#### Plans, at a scale not to exceed 1" = 50', details and specifications:

- \_\_\_ The location of any watercourses, wetlands, reservoirs, reservoir stems, or controlled lakes on or adjacent to the property
- \_\_\_ The proposed crossing, diversion, or piping
- \_\_\_ The approximate area of site disturbance
- \_\_\_ The proposed erosion controls including:
  - \_\_\_ locations
  - \_\_\_ designs
  - \_\_\_ details

**APPENDIX C**  
**NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION APPLICATION FOR**  
**REVIEW AND APPROVAL OF CROSSING, PIPING OR DIVERSION PERMITS**

Applicant/Designated Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Design Professional:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Project Location: Address: \_\_\_\_\_

Town: \_\_\_\_\_

Subdivision name: \_\_\_\_\_

Reservoir Basin: \_\_\_\_\_

Tax Map Parcel: \_\_\_\_\_

County: \_\_\_\_\_

Lot number: \_\_\_\_\_

Type of Approval Sought:     Watercourse or Wetland Crossing Permit  
    Piping or Diversion Permit

Submissions must include four copies of all plans and supporting documents. All applications must include narratives, plans, details, and specifications providing the following information:

- Project Description
- Description of Existing Conditions
- Description of Proposed Conditions
- Operations and Maintenance Plans

General Requirements for submission are set forth in Section 3.1 of the accompanying Guide. Required supplemental information for each type of approval is described in Sections 3.2. Also see Appendix B for a checklist of items to be included in the submission.

I believe this application to be complete and in compliance with the Watershed Regulations.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Print Name)

**Return Completed form to:                    DEP – Regulatory & Engineering Programs Section**

\_\_\_\_\_  
\_\_\_\_\_

## APPENDIX D GLOSSARY

***Impervious Surfaces:*** Impervious surfaces are areas which are either impervious to water or which substantially prevent the infiltration of water into the soil at that location. Impervious materials include, but are not limited to, paving, concrete, asphalt, rooftops, or other hard surfacing material. Impervious surfaces do not include dirt, crushed stones or gravel surfaces.

***Intermittent Stream:*** A watercourse that during certain times of the year goes dry or whose lowest annual mean discharge during seven consecutive days with a recurrence interval of ten years (MA7CD/10) is less than 0.1 cubic foot per second and which periodically receives groundwater inflow. A drainage ditch, swale or surface feature that contains water only during and immediately after a rainstorm or a snowmelt shall not be considered an intermittent watercourse.

***Limiting Distance:*** The shortest horizontal distance from the nearest point of a structure or object to the edge, margin, or steep bank forming the ordinary high water mark of a watercourse, wetland, reservoir, reservoir stem, or controlled lake or the contour line coinciding with the reservoir spillway elevation.

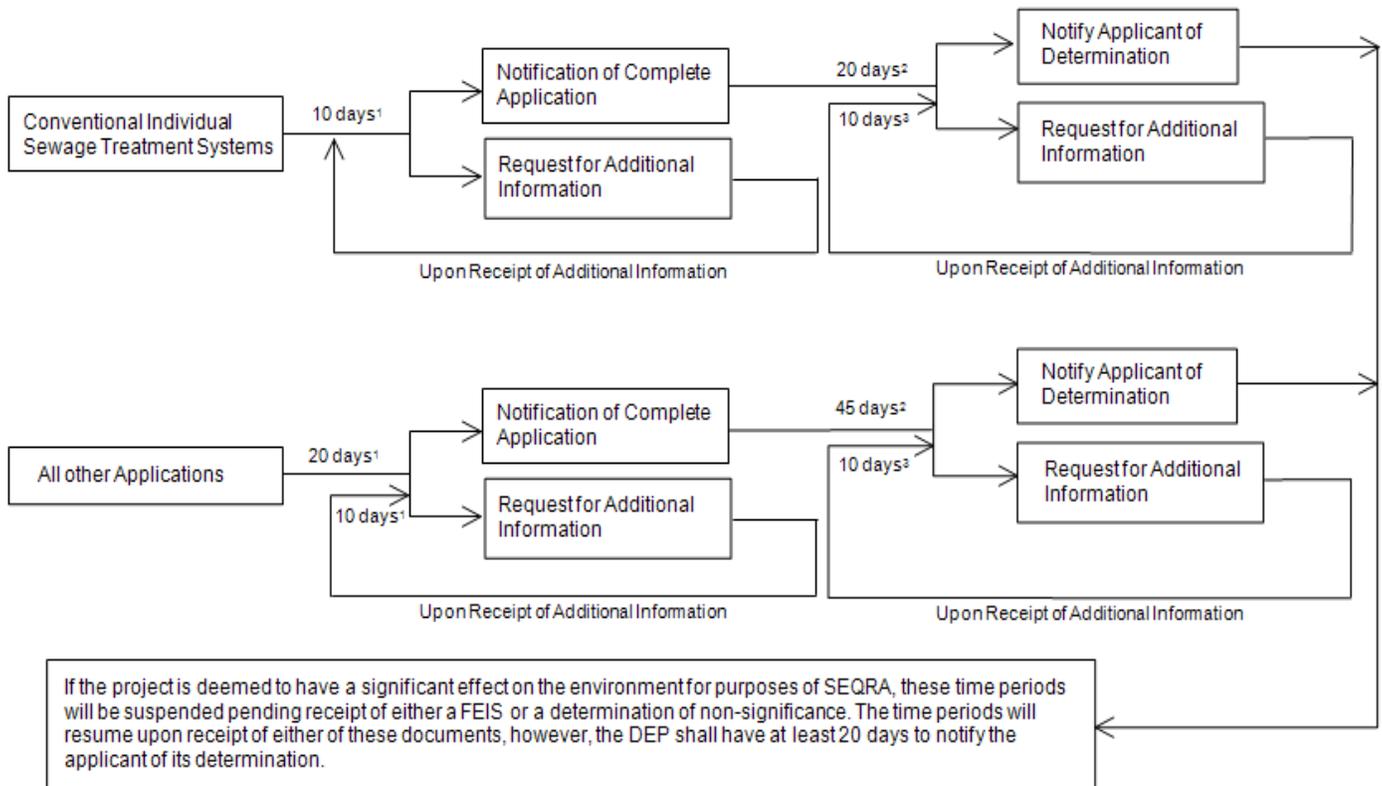
***Perennial Stream:*** A watercourse that flows throughout the year from source to mouth.

***Reservoir Stem:*** Any watercourse segment which is tributary to a reservoir and lies within 500 feet or less of the reservoir.

***Watercourses*** are visible paths through which surface water travels on a regular basis, including an intermittent stream, which is tributary to the water supply. A drainage ditch, swale or surface feature that contains water only during and immediately after a rainstorm or a snow melt shall not be considered to be a watercourse.

***Wetlands*** are any areas mapped as a wetland by the New York State Department of Environmental Conservation pursuant to the Environmental Conservation Law, which is at least 12.4 acres in size or has been designated as a wetland of unusual local importance.

## APPENDIX E PROJECT REVIEW TIMELINES



1. If the DEP fails to notify the Applicant in writing within these time periods, the Applicant may inform the DEP of its failure to do so, and request a determination of completeness in writing. The DEP then has 10 business days to notify the Applicant of the status of the application. If the DEP fails to act within those 10 days, the application will be deemed complete as of the eleventh day, For further information, refer to the guide.
2. If the DEP fails to notify the Applicant in writing within these time periods, the Applicant may inform the DEP of its failure to do so, and request a determination of completeness in writing. The DEP then has 10 business days to notify the Applicant of the status of the application. If the DEP fails to act within those 10 days, the application will be deemed approved, subject to standard conditions. For further information, refer to the guide.
3. If, during the review period, the DEP requests revisions to the application, the review period shall be suspended from the date such request is made until the date on which the DEP receives such revisions, provided that the DEP shall have no fewer than 10 days from the date of receipt to issue a determination. Refer to the Guide and §18-23(d)(4) and (5) for more information.