



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

**Applicant's Guide  
to  
Individual Residential Stormwater Permits**

**January 2022**

**Applicant’s Guide  
to  
Individual Residential Stormwater Permits**

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## 1.0 INTRODUCTION

The “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, 2</sup> provide standards for the design of plans for the construction of individual residences and paved driveways that are within a certain limiting distance to watercourses or State wetlands. In order to protect the quality of drinking water supplied by the City of New York, the Watershed Regulations require that an applicant obtain an Individual Residential Stormwater Permit (**IRSP**) from the New York City Department of Environmental Protection (**DEP**) for such individual residences and driveways.

This guide was developed to assist in preparing an application for DEP review and to outlines the provisions of the Watershed Regulations that apply to the construction of individual residences and paved driveways. The guide also describes the process for obtaining an IRSP from DEP to construct such a residence or driveway and includes control practices suggested by DEP in its exercise of professional judgment and enforcement discretion in implementing the Watershed Regulations. Such recommendations are described using the words “may” or “should,” while regulatory requirements are described using mandatory language such as “shall” or “must.”

A copy of the Watershed Regulations may be obtained from the DEP offices listed in this guide, or on DEP’s website: <https://www1.nyc.gov/site/dep/environment/regulations.page>. The Watershed Regulations are referred to throughout this document. If any discrepancies exist between this guide and the Watershed Regulations, the Watershed Regulations will prevail.

Construction of an individual residence within 100 feet of a perennial stream is prohibited in subdivisions which have received preliminary plat approval on or after October 16, 1995. Construction of an individual residence within those limiting distances is also prohibited in subdivisions that received preliminary plat approval before October 16, 1995, if: (1) the person who owned the subdivision on October 16, 1995 was the same person, or a principal or affiliate of the person, who owned the subdivision when preliminary plat approval was granted, and (2) construction of infrastructure for the subdivision had not begun as of October 16, 1995. That is, if no work or transfer of ownership has taken place for an “old” (pre-October 16, 1995) subdivision, it will be treated as a “new” subdivision for these purposes.

An IRSP is required when a house is proposed within 100 feet of a perennial stream or New York State designated wetland on a lot that is not part of a subdivision, or that is part of a subdivision approved prior to October 15, 1995.

An IRSP is also required for paved driveways serving an individual residence that has obtained all discretionary approvals necessary for construction on or after March 1, 2010, located within 50 feet of an intermittent stream or State wetland or within 100 feet of a perennial stream; except that no IRSP is required if the driveway is included in an activity requiring DEP approval of a SWPPP.

Section 2.0 identifies activities requiring an IRSP review and approval and the requirements for IRSPs. Appendix A provides an application checklist and Appendix B includes the application form which must be completed and submitted to DEP for review and approval and. Appendix C identifies activities that may be

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

<sup>2</sup> The 2019 Watershed Regulations are pending amendment in the New York State regulations (Title 10 NYCRR Part 128). The DEP website listed below will state when the Watershed Regulations are updated in the State regulations.

associated with individual residences and driveways that are also regulated within certain limiting distances to reservoirs, reservoir stems, controlled lakes, wetlands and watercourses.<sup>3</sup>

## APPLICATION REQUIREMENTS

The goal of an IRSP is to protect the quality of the City's water supply during and after construction of individual residences and paved driveways located near wetlands and watercourses. IRSPs must include measures which prevent erosion and sedimentation during construction. IRSPs must also include permanent stormwater controls to ensure that the quality of post-construction stormwater runoff is not substantially altered from pre-development conditions.

The following sections identify the information that will be considered by DEP in its review of applications for IRSPs.

**Note:** The following documents provide recommended standards for the design of erosion and sediment control practices and stormwater management measures which will be considered by DEP in its review of your application:

- "New York State Standards and Specifications for Erosion and Sediment Control (Blue Book)," (November, 2016). A copy of the ESC standards is available at the DEC website: <https://www.dec.ny.gov/chemical/29066.html>
- "New York State Stormwater Management Design Manual," (January, 2015). 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/chemical/29072.html>

### 2.1 ACTIVITIES REQUIRING AN INDIVIDUAL RESIDENTIAL STORMWATER PERMIT

IRSPs are intended to control erosion during construction and post-construction increases in pollutant loading from individual residential sites. IRSPs are required for the following proposed activities:

1. Construction of a new individual residence not in a subdivision, or in certain subdivisions approved before October 16, 1995,<sup>4</sup> within the limiting distance of 100 feet of a perennial stream or wetland.<sup>5</sup>
2. Construction of an impervious surface for a driveway serving an individual residence that has obtained all discretionary approvals necessary for construction on or after March 1, 2010, located within the limiting distances of 50 feet of an intermittent stream or wetland or within 100 feet of a perennial stream.<sup>6</sup>

**Note:** Construction of an impervious surface for a driveway serving an individual residence constructed or having obtained all discretionary approvals necessary for construction prior to March 1, 2010 is allowed regardless of proximity to reservoirs, reservoir stems, controlled lakes, watercourses, or wetlands.

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<sup>3</sup>For definitions of these and other key terms used in this Guide, refer to the Glossary, Appendix D.

<sup>4</sup>Refer to Section 1.0 for an explanation of which subdivisions qualify.

<sup>5</sup>Watershed Regulations § 18-39(e)(1)(i) and (ii).

<sup>6</sup>Watershed Regulations § 18-39(e)(1)(iii).

## 2.2 SUBMISSION REQUIREMENTS

Applications to DEP for review and approval of IRSPs should consist of four (4) copies of a completed DEP application form (attached as Appendix B), and the following information (see Application Checklist, attached as Appendix A):

### Project Description

The project description should include:

1. A description of the activity;
2. The location and topography of the area of the activity;
3. Identification of any existing structures at the location;
4. 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;
5. A map indicating the location of the property and a north arrow;
6. An application for an individual residence or accessory structure in a Designated Village Center in the Croton System that is within 100 feet of a watercourse or wetland, or within 300 feet of a reservoir, reservoir stem or controlled lake, must also include information necessary to justify a determination that: (1) there is no reasonable alternative to the creation of the proposed impervious surface and (2) the best available measures are being proposed to prevent adverse impacts on the quality of the drinking water supply.

### Narrative Report

The following should be provided in the narrative:

7. A description of proposed erosion controls that shows that they are sufficient to prevent sediment from entering watercourses or wetlands during construction. Erosion controls typically consist of sediment barriers, such as hay bales, silt fencing, and temporary stormwater diversions;
8. The schedule for construction, including implementation of erosion and sediment controls, grading, and site stabilization;
9. The maintenance schedule for erosion and sediment controls from construction through final stabilization and a description of the maintenance activities to be performed;
10. A description of proposed stormwater best management practices designed to filter, detain, or infiltrate runoff from the individual residence or driveway, thereby minimizing the post-construction increase in pollutant loading to the receiving watercourse or wetland; and
11. The maintenance schedule for stormwater best management practices and a description of the maintenance activities to be performed.

### Plans, Details, and Specifications

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

12. The proposed individual residence and/or driveway;
13. The location of any watercourses, wetlands, reservoirs, reservoir stems, or controlled lakes on or adjacent to the property;
14. The approximate area of site disturbance;
15. When requested by the Department, proposed topography at two foot contour intervals;<sup>7</sup>
16. The proposed erosion controls described in the narrative, including the locations, designs, and details of the proposed controls; and
17. The proposed stormwater best management practices described in the narrative, including the locations, designs, and details of the proposed practices.

### **2.3 STORMWATER CONTROLS PAID FOR BY THE CITY**

The Department will fund certain costs relating to the design, implementation and maintenance of stormwater measures required by the Watershed Regulations that are not otherwise required by state and/or federal law, regulation, or enforceable standards. An application for funding has been included as Appendix F. The projects eligible for funding are:

§ In the West of Hudson watershed, the Catskill Watershed Corporation (CWC), on behalf of the City, will pay the entire costs of designing, implementing and maintaining stormwater pollution prevention measures pursuant to IRSPs required by the Watershed Regulations for new individual residences and driveways constructed within the limiting distances described above.

**Note:** With regard to all payments described in this paragraph, please contact CWC for more information at (845) 586-1400, or write to: Catskill Watershed Corporation, 669 County Highway 38, Suite 1, Arkville, NY 12406. Information may also be obtained from CWC's website: [www.cwconline.org](http://www.cwconline.org).

§ In the East of Hudson watershed, the City will pay 50 percent of the costs of designing, implementing, and maintaining stormwater pollution prevention measures pursuant to IRSPs required by the Watershed Regulations for new individual residences and driveways constructed within the limiting distances described above.

**Note:** All payments described in this paragraph will be made by the City directly to an eligible applicant receiving an approval for an IRSP required by the Watershed Regulations. Payment is contingent upon the City entering into an agreement with the applicant to pay for such costs. A form for this agreement may be obtained from the Department.

### **2.0 APPLICATION PROCESS**

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<sup>7</sup>It is the Department's intention not to require proposed topography for the majority of IRSPs. Applicants will be advised of the need for proposed topography during pre-application conferences.

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>8</sup> At the pre-application conference, an applicant may also request that DEP visit the applicant's site. Because distances from a watercourse, as 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. For projects in the West of Hudson Watershed, the Catskill Watershed Corporation will also be invited to attend. 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**

Regulatory and Engineering Programs  
DEP  
465 Columbus Avenue  
Valhalla, NY 10595  
Phone (914) 749-5266

#### **Kingston Region** (Projects in Greene, Schoharie &

#### Ulster Counties)

Regulatory and Engineering Programs  
DEP  
71 Smith Avenue  
Kingston, NY 12401  
Phone (845) 340-7214

#### **Arkville Region** (Projects in Delaware & Sullivan Counties)

Regulatory and Engineering Programs  
DEP  
County Highway 38, Suite 2  
Arkville, NY 12406  
(845) 771-1119

#### **Requests to Flag Reservoir, Reservoir Stem, Controlled Lake or Watercourse(s)**

Under the Watershed Regulations, the property owners or applicants may request that DEP flag the presence of any watercourse(s), reservoir, reservoir stem, or controlled lake on the property. 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 map, which includes representations of watercourses, reservoirs, reservoir stems or controlled lakes flagged by DEP. DEP will review the surveyor's map and confirm or amend 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 DEP for five (5) years following the date of confirmation. Contact DEP at the appropriate telephone number provided for the appropriate offices listed above to request watercourse determinations.

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<sup>8</sup> Watershed Regulations § 18-25.

The Watershed Regulations address only those wetlands mapped by the NYSDEC. Applicants should consult with the United States Army Corps of Engineers (ACOE) and local authorities to determine if there are federally and/or locally designated wetlands, and if so, what restrictions may apply. The Department does not delineate wetlands. To establish the boundaries of a wetland, property owners must contact DEC, ACOE, or local authorities.

## **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; at that time the 20 calendar day period is suspended. 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 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.

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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).



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 a Final Environmental Impact Statement 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 subject to an Environmental Impact Statement.

#### **STEP 5 - STORMWATER CONTROLS PAID FOR BY THE CITY**

In the East of Hudson Watershed, the City will pay certain costs related to the design, implementation, and maintenance of stormwater controls. In the West of Hudson watershed, the Catskill Watershed Corporation, pursuant to an agreement with the City, will reimburse the entire costs of designing and implementing stormwater pollution prevention measures pursuant to IRSPs required by the Watershed Regulations for new individual residences constructed within the limiting distances described in Section 2.0, where lot constraints prevent the construction of the home outside the limiting distances. In the East of Hudson watershed, the City will pay 50% of these costs.

**APPENDIX A**  
**APPLICATION CHECKLIST FOR INDIVIDUAL RESIDENTIAL STORMWATER PERMITS**

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

Project Description:

- A description of the activity
- The location and topography of the area of the activity
- Identification of any existing structures at the location
- A list of any enforcement actions commenced against the applicant and their status
- A map indicating the location of the property
- Where required, a copy of a municipal MS4 Letter of Acceptance and the Notice of Intent filed with the New York State Department of Environmental Conservation in order to gain coverage under the latest SPDES General Permit for Stormwater Discharges from Construction Activity.

Narrative Report:

- A description of proposed erosion controls
- A description of permanent stormwater controls to ensure that the amount and quality of post-construction stormwater runoff is not substantially altered from pre-construction conditions
- The schedule for construction, including implementation of erosion and sediment controls, grading, and site stabilization
- The maintenance schedule for erosion and sediment controls from construction through final stabilization and a description of the maintenance activities to be performed
- A description of proposed stormwater best management practices
- The maintenance schedule for stormwater management facilities and a description of the maintenance activities to be performed

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

- The proposed individual residence and/or driveway
- The location of any watercourses, wetlands, reservoirs, reservoir stems, or controlled lakes on or adjacent to the property
- The approximate area of site disturbance
- If requested by the Department, proposed topography at two foot contour intervals
- Depictions of proposed erosion controls including:
  - locations
  - designs
  - details
- Depictions of proposed stormwater best management practices including:
  - locations
  - designs
  - details



APPENDIX B
NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
APPLICATION FOR REVIEW AND APPROVAL OF INDIVIDUAL RESIDENTIAL
STORMWATER PERMITS

You are encouraged to participate in an optional pre-application conference to discuss your proposal and any specific requirements for Department review and approval. Please contact the appropriate Department office listed in the accompanying Applicant's Guide to arrange a pre-application meeting.

Applicant/Designated representative: Name: Address: Phone:
Design Professional (if involved): Name: Address: Phone:

Project Location: Address: Tax Map Parcel:
Town: County:
Subdivision name: Lot number:
Reservoir Basin:

Submissions must include four copies of all plans and supporting documents, and the following information:

- Project Description
Plans and Details
Narrative Report
Specifications

Also, see Appendix A for a checklist of items to be included in the submission.

Notice of Cost-Sharing Funds

Certain costs incurred in the design, implementation, and maintenance of Individual Residential Stormwater Permits may be eligible for Department funding. Refer to Section 3 and Appendix F of the accompanying Guide.

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

(Signature)

(Filing Date)

(Print Name)

Return completed form to: NYCDEP Regulatory and Engineering Programs

**APPENDIX C  
LIMITING DISTANCES**

**Limitations on New Impervious Surfaces  
associated with residences and driveways located anywhere within the Watershed**

	<b>Within 300 feet of a reservoir, reservoir stem, or controlled lake</b>	<b>Within 100 feet of a perennial stream</b>	<b>Within 100 feet of an intermittent stream</b>	<b>Within 100 feet of a DEC wetland</b>
<b>Single family homes not in subdivisions §18-39(a)(2)(i), (a)(5)(i) and (ii)</b>	<b>Prohibited</b>	<b>Requires Individual Residential Stormwater Permit</b>	<b>No limitations</b>	<b>Requires Individual Residential Stormwater Permit</b>
<b>Single family homes in subdivisions §18-39(a)(2)(i), (a)(5)(i) and (iii)</b>	<b>Prohibited</b>	<b>Prohibited in new subdivisions and in old subdivisions where work has not begun; requires Individual Residential Stormwater Permit in other old subdivisions*</b>	<b>Prohibited in new subdivisions and in old subdivisions where work has not begun; no limitations in other old subdivisions*</b>	<b>Prohibited in new subdivisions and in old subdivisions where work has not begun; requires Individual Residential Stormwater Permit in other old subdivisions*</b>
<b>New Driveways</b>	<b>Prohibited</b>	<b>Requires an Individual Residential Stormwater Permit (IRSP)</b>	<b>Within 50 feet, requires an Individual Residential Stormwater Permit (IRSP)</b>	<b>Within 50 feet, requires an Individual Residential Stormwater Permit (IRSP)</b>
<b>Non-commercial ancillary improvements or additions to an individual residence §18-39(a)(2)(i)</b>	<b>No limitations</b>	<b>No limitations</b>	<b>No limitations</b>	<b>No limitations</b>

## APPENDIX D GLOSSARY

***East of Hudson Watershed:*** East of Hudson watershed means West Branch, Boyd's Corner, Bog Brook, East Branch, Croton Falls, Diverting, Titicus, Amawalk, Muscoot, New Croton, Cross River, Middle Branch, and Kensico Reservoirs, Kirk Lake, Lake Gleneida and Lake Gilead, and their respective drainage basins. The East of Hudson watershed includes parts of Dutchess, Putnam, and Westchester Counties.

***Construction or construction activity:*** means any building demolition, renovation, replacement, restoration, rehabilitation or alteration of any new or existing structure or road, or land clearing, land grading, excavation, filling or stockpiling activities that result in soil disturbance.

***Driveway:*** means a route accessible by a motor vehicle between an individual residence and a public or private road to provide ingress and egress from the individual residence.

***Impervious Surface:*** means an area which is either impervious to water or which substantially prevents the infiltration of water into the soil at that location. Impervious surfaces include, but are not limited to, paving, concrete, asphalt, rooftops, or other hard surfacing materials, and do not include dirt, crushed stone or gravel surfaces or other surfacing materials detained by the Department to be pervious for their intended purpose.

***Individual Residence:*** means a building consisting of one or two residential units.

***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 snow melt shall not be considered to be an intermittent stream.

***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 stream 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.

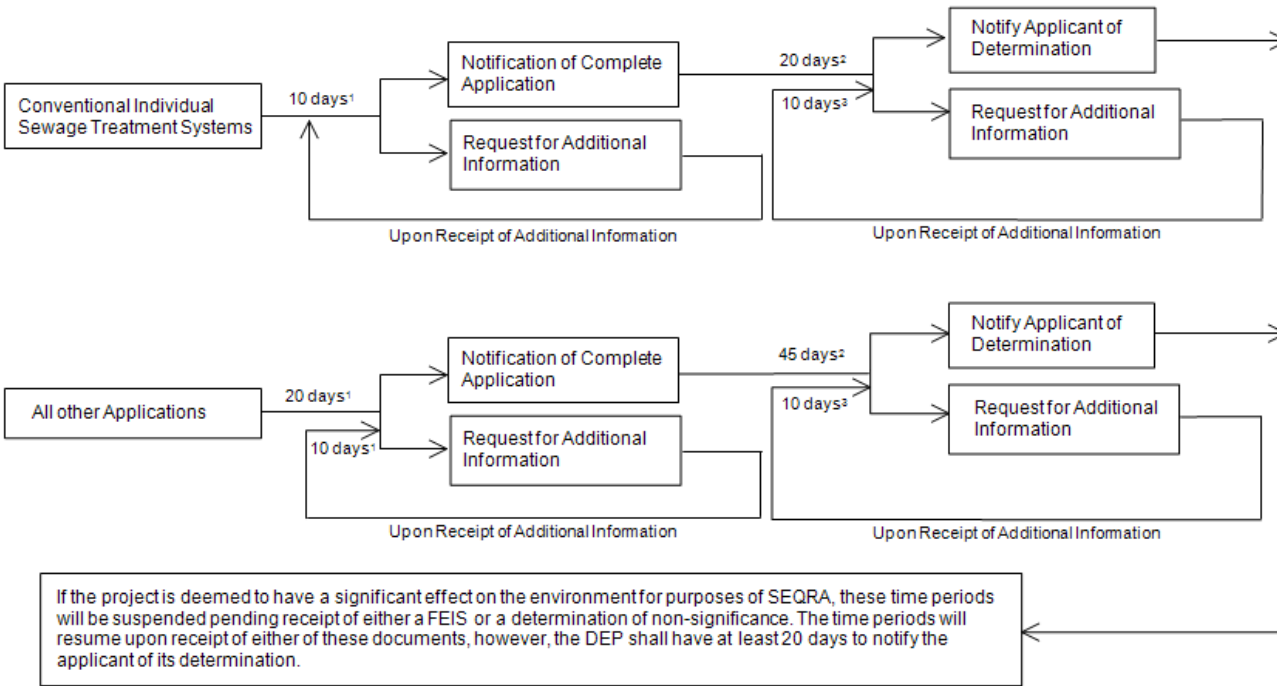
***Subdivision:*** Any tract of land which is divided into five or more parcels of five acres or less, along an existing or proposed street, highway, easement, or right-of-way, for sale or rent as residential lots. A tract of land shall constitute a subdivision upon the sale, rental, or offer of sale or lease of the fifth residential lot therefrom within any consecutive three year period.

***Watercourse:*** Visible path 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.

***West of Hudson Watershed:*** West of Hudson watershed means the Ashokan, Cannonsville, Pepacton, Neversink, Roundout, and Schoharie Reservoirs and their drainage basins. The West of Hudson watershed includes parts of Delaware, Greene, Sullivan, Ulster, and Schoharie Counties.

***Wetlands:*** means any area 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.



**APPENDIX F**  
**STORMWATER CONTROLS PAID FOR BY NEW YORK CITY**  
**IN THE EAST OF HUDSON WATERSHED**

**DEP APPLICATION FOR CITY FUNDS TO PAY THE COSTS OF STORMWATER**  
**CONTROLS REQUIRED BY THE WATERSHED REGULATIONS**

Use this form to apply for cost reimbursement only for single-family residences requiring an Individual Residential Stormwater Permit (IRSP) and small businesses and low-income housing projects that require a Stormwater Pollution Prevention Plan (SWPPP). New York City will pay for design, implementation and maintenance of stormwater control measures required by the Watershed Regulations that are not otherwise required by federal, state, or local laws or regulations.

1. Applicant/owner name & address: \_\_\_\_\_  
\_\_\_\_\_
2. Type of project:  
 Single-family dwelling     Low-income housing     Small business
3. Project location: \_\_\_\_\_
4. Date of IRSP or SWPPP approval: \_\_\_\_\_
5. Design professional name & address: \_\_\_\_\_
6. DEP Project Log Number: \_\_\_\_\_
7. Local, State or federal stormwater approvals required: \_\_\_\_\_
8. Funds requested for (check one):  
 For Individual Residences: 50% of costs  
 For Small Businesses: 50% of costs  
 For Publicly Subsidized Low-Income Housing: 100% of costs
9. Attach the following:  
Approved plans  
Invoices  
Documentation that applicant is a qualified small business  
Documentation related to qualified publicly subsidized low-income housing  
Other (please specify) \_\_\_\_\_
10. Expenses for which payment is being requested:



<b>Invoice for Stormwater Controls</b>			
	<b>Costs Associated With</b>		
<b>Item</b>	<b>City Regulations</b>	<b>Federal/State Regulations</b>	<b>Incremental Costs</b>
Design	\$	\$	\$
BMP Implementation	\$	\$	\$
Maintenance	\$	\$	\$
<b>Total:</b>	\$	\$	\$

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

**Return completed form to:** Regulatory and Engineering Programs

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