



Legislation Text

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Int. No. 539

By Council Members Feliz and Louis

A Local Law to amend the administrative code of the city of New York, in relation to stormwater pollution prevention permitting

Be it enacted by the Council as follows:

Section 1. Section 24-552 of the administrative code of the city of New York, as amended by local law number 91 for the year 2020, is amended to read as follows:

§ 24-552 Review of stormwater pollution prevention plan or SWPPP. Before the commencement of development activity on the site of a covered development project the developer must submit a stormwater pollution prevention plan, certified by a qualified professional, to the department for review in accordance with the rules of the department and for MS 4 projects a copy of the notice of intent. The department or a qualified professional designated by the department shall review the SWPPP within time periods to be specified in the rules of the department. If the department accepts the SWPPP and all other requested documentation, the department shall issue a stormwater construction permit to the developer and, for MS 4 projects subject to the NYSDEC construction general permit, shall issue an MS4 SWPPP acceptance form for filing with NYSDEC. If the department rejects the SWPPP the department shall send notice of such rejection to the developer indicating the specific deficiencies that caused the department to reject the SWPPP. If the developer does not resubmit the SWPPP with revisions to the department for review within 40 days, the department shall forward the notice of rejection of the SWPPP to the council member in whose district the development activity takes place. The department may require that the SWPPP and other documents be submitted electronically.

§ 2. Subdivision d of section 24-553 of the administrative code of the city of New York, as amended by

local law number 91 for the year 2020, is amended to read as follows:

d. Provide for the regulation of development activity of less than one acre, [based either on total disturbance of soil or on amount of impervious surface created or replaced,] where the total amount of soil disturbed is greater than 20,000 square feet and where there is an increase in the total amount of impervious surface, and where the department determines an appropriate reduction in the threshold is necessary to carry out the purposes of this chapter. In making such determination, the department shall evaluate the potential costs and the anticipated water quality benefits of lowering the threshold.

§ 3. Section 24-553 of the administrative code of the city of New York is amended by adding new subdivisions k and l to read as follows:

k. Establish procedures for prioritizing review of revised permit applications that are submitted within 6 months of the department's rejection of a prior application for a stormwater pollution prevention plan or a stormwater construction permit.

l. Establish a program for less than full examination by the department of filings of stormwater pollution prevention plans or stormwater construction permit applications based on the personal certification of a qualified professional who prepared or supervised the preparation of documents submitted by an applicant and who is registered with the department as a qualified professional, provided that the department audits at least 25 percent of filings made under this program on a monthly basis.

§ 4. This local law takes effect immediately.

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