NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Encourage Innovative Stormwater Practices

Implemented
Chapter 31 of Title 15 of the Rules of the City of New York

Summary

Modern stormwater control systems incorporate both civil engineering strategies, such as underground detention tanks, and landscape-based strategies, such as green roofs and natural landscaping. New York City’s regulations, however, do not properly account for the impact of landscape-based strategies.

This law amends the chapter of the Rules of New York City governing house & site connections to the sewer system to expand the scope of allowable stormwater management techniques, and encourages the use of new techniques by directing the DEP to provide specific runoff coefficients for them.

New Requirements or Changes

Effective: July 4, 2012. These changes do not apply retroactively; they are only triggered for new developments or alteration of existing developments in combined sewer areas of the city.

Amendments to Chapter 31 of Title 15 of the Rules of the City of New York, Sections 2, 3, & 6:

- DEP will accept applications that minimize the runoff coefficient of the entire site by maximizing open areas and areas with grass or vegetative cover, green roofs, permeable pavements with suitable infiltration, or other techniques. Calculations must be based on individual runoff coefficients published by DEP unless lower values are substantiated by soil borings and permeability tests performed at the site.
- The DEP will publish new runoff coefficients specific to areas of landscaping, porous pavement and similar techniques, and will accept for review applications that reduce the overall runoff coefficient for sites that maximize the areas where the new coefficients apply. The applicable coefficients may even be reduced beyond the ones published by DEP if lower coefficients are substantiated by on-site soil borings and permeability tests.
- DEP will also allow a reduction in stormwater volume that must be detained in tanks or similar engineered devices when stormwater is recycled for on-site uses. The DEP must find that the recycling system will retain stormwater and will not result in total site discharge to the sewer system greater than the Stormwater Release Rate. Neither current nor future owners may modify or disconnect the recycling system without written approval from the DEP.
- The rule changes include a requirement for ongoing maintenance as proposed in SW 6, which will ensure effective operation for the life of the system. Please see the SW 6 write-up for more details.
The new requirements are reflected in the DEP’s “Guidelines for the Design and Construction of Stormwater Management Systems,” issued in July 2012, with the new runoff coefficients listed on p. 16.

**Enforcement**

Most of these changes are opportunities for property owners and project managers and are therefore optional within the stated constraints. The Department will enforce these changes in the same manner as any other element of this rule.

**Implementation**

There are no known issues for the implementation of this rule. Techniques for the detention and retention of stormwater are widely known and practiced.