NYC GREEN CODES
LEGISLATION AT A GLANCE

GCTF Proposal
Reduce Stormwater Runoff From New Developments

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

Summary

While wastewater discharged by the city into New York Harbor must meet increasingly stringent national and state standards, the city’s own stormwater detention standards have not changed in 25 years. For this reason, DEP is considering increasing detention standards for properties with new or altered sewer connections.

This revised DEP rule substantially decreases the stormwater release rate for new developments and alterations.

New Requirements or Changes

Effective: July 4, 2012. These changes do not apply retroactively; they are only triggered with new development or alteration 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:

- For new development, the Stormwater Release Rate is the greater of 0.25 cubic feet per second or 10% of the Allowable Flow. If the Allowable Flow is less than 0.25 cubic feet per second, the release rate can be no more than the Allowable Flow.
- For alterations (building enlargement or increase in impervious surface), the Stormwater Release Rate of the altered area must be no more than the stormwater release rate of the entire site as calculated above multiplied by the ratio of the altered area to the total site area. No new points of discharge are permitted.
- Owners must provide a deed restriction to DEP that detention and retention systems will be properly maintained throughout the useful life of the system. Systems will need to be inspected by a licensed professional engineer, a registered architect or a licensed master plumber every three years, who will submit certification to DEP that the system is operating properly.

Enforcement

These amendments are a standard part of the rules of the Department of Environmental Protection (DEP). DEP will enforce them in the same manner as any other element of their rules.

Implementation

There are no known issues for implementation of this rule. The technology and materials required to support reductions in stormwater runoff are widely available.
As explained in *SW 5, Encourage Innovative Stormwater Practices*, required stormwater detention capacity is reduced for certain open-bottom detention systems and if stormwater is recycled for on-site uses. In addition, DEP will consider reductions to runoff coefficients for open areas and areas with vegetative cover, green roofs, permeable pavements, and other techniques.