

NYSDEC'S HURRICANE SANDY GENERAL PERMITS

Following Hurricane Sandy NYSDEC issued two general permits that allow repair work to begin immediately. The permits allow stabilization and repair work that would normally require a permit and application fee. Work can begin upon submission of a Notice of Intent.

General Permit 0-13-006 is effective in coastal areas of Long Island. This permit expires October 31, 2014. This General Permits allows:

1. Stabilizing existing dwellings, decks and walkways with temporary bracing and pilings.
2. Constructing a four-foot-wide walkway to access damaged dwellings.
3. Installing four rows of sandbags or sand-cubes at the toe of storm-damaged structures or eroded escarpments.
4. Replacing sand (or other material) equal to that lost to the storm at the toe of eroded escarpments.
5. Repairing or reconstructing stairways that were functional before the storm.
6. Re-grading eroded dunes.
7. In-kind in-place repair or reconstruction of bulkheads and erosion-control structures that were functional before the storm. Seaward extension of bulkheads or other structures is prohibited.
8. Repair or reconstruction of existing public roads, bridges, utilities and other public infrastructure.

General Permit 2-12-002 is effective in New York City, only. This permit expires October 31, 2014. This General Permits allows the above and the following additions:

1. Repairing or rebuilding existing fences, or installing new temporary fences, in the regulated adjacent areas of freshwater wetlands and tidal wetlands.
2. Removal of debris from waterways and tidal wetlands.
3. Removal of debris from certain freshwater wetlands and adjacent areas on Staten Island.
4. In-kind/in-place repair or reconstruction of docks, catwalks and floats that were functional before Hurricane Sandy.

All other work requires a permit from NYSDEC. If you are unclear whether what you want to do is allowed by one of NYSDEC's general permits, please contact the Regional Permit Administrator for your region listed at the end of this document.

HURRICANE SANDY GENERAL PERMITS FAQs

WHAT IS A GENERAL PERMIT?

It is a permit that allows certain work to be done without paying application fees and going through the usual permit application procedure.

WHAT CAN I DO UNDER THE HURRICANE SANDY GENERAL PERMITS?

See the above description of allowed work for each General Permit.

Carefully read the list of activities covered by the General Permit to be sure your work is allowed. If you send an NOI for an activity that is not covered by the General Permit, NYSDEC will inform you that no work can be done until you have applied for and received an individual permit.

WHAT WORK CANNOT BE DONE UNDER THE GENERAL PERMIT?

New structures, or work in the Coastal Erosion Hazard Area (areas near a beach or eroding shoreline) except that allowed by GP-2-13-003 in New York City. If you are unsure, contact the Regional Permit Administrator for your area listed at the end of this document.

WHAT IF I WANT TO DO SOMETHING THAT IS NOT COVERED BY THE GENERAL PERMIT?

If the work you need to do is not allowed by the General Permit, you will have to obtain an individual permit to do it. You should contact the Regional Permit Administrator for your area to learn how to begin that process.

WHAT IF MY PROJECT HAS SOME ACTIVITIES THAT ARE COVERED BY THE GENERAL PERMIT AND SOME THAT ARE NOT?

To be covered by a General Permit, all parts of your project must be on the list of covered activities. If your project has elements that are not covered by the General Permit, you will have to obtain an individual permit to do it. You should contact the Regional Permit Administrator for your area to learn how to begin that process.

HOW DO I GET THE GENERAL PERMIT?

General Permit instructions are at NYSDEC's website.

GP-0-13-006 (Long Island) is at

http://www.dec.ny.gov/docs/permits_ej_operations_pdf/noiformgp013006.pdf

Note: General Permit GP-0-13-006 issued on July 16, 2013 replaces General Permit GP-0-12-006. This General Permit is now valid for Nassau and Suffolk Counties only (New York City and Lower Hudson Valley areas are excluded), and it extends the permit's expiration date until October 31, 2014. The Notice of Intent for this General Permit must be submitted no later than April 30, 2014 and work must be completed by October 31, 2014.

DEC is emailing GP-0-12-006 permittees to ask if they have completed their work or if they require additional time beyond October 31, 2013 and require coverage under GP-0-13-006. Such permittees should reply to:

For DEC Region 1 - sandyr1@gw.dec.state.ny.us

For DEC Region 2 – sandyr2@gw.dec.state.ny.us

For DEC Region 3 – sandyr3@gw.dec.state.ny.us

GP-2-13-003 (New York City only) is at

http://www.dec.ny.gov/docs/permits_ej_operations_pdf/gp213003noi.pdf

You will be directed to send NYSDEC a Notice of Intent via email. The instructions contain a link to the form. General project information, including a project drawing, is required.

Note: General Permit GP-2-13-003 issued on July 16, 2013 replaces General Permit GP-2-12-002, and extends the permit's expiration date until October 31, 2014. The Notice of Intent for this General Permit must be submitted no later than April 30, 2014 and work must be completed by October 31, 2014.

DEC is emailing GP-2-12-002 permittees to ask if they have completed their work or if they require additional time beyond October 31, 2013 and require coverage under GP-2-13-003. Such permittees should reply to:

For DEC Region 2 – sandyr2@gw.dec.state.ny.us

HOW LONG DOES IT TAKE TO GET THE GENERAL PERMIT?

You can begin work once you have sent in the NOI. NYSDEC will send you a confirmation email and a copy of the General Permit. Keep these for your records.

CAN I START WORK AS SOON AS I SUBMIT THE NOI WITHOUT PLAN APPROVAL?

Yes. All that is required is that the plans conform to the authorized project types and conditions that are listed in the permit.

DOES A REBUILT BULKHEAD HAVE TO BE IDENTICAL TO THE DAMAGED ONE?

Small variations in length, height and material are allowed, however you need to adhere to the following:

- The rebuilt bulkhead can be no closer to the water than the damaged bulkhead. It must be built in the same place as, or behind, or landward, of the original.
- A new bulkhead may be 18 inches higher than the previous one. The General Permit allows new bulkhead returns of up to 10 feet, or extensions of existing returns up to 10 feet.
- Bulkhead materials may be replaced by new material so long as it is legal in your locality or under New York State law. For example, although many bulkheads are made of CCA-treated wood, the use of CCA-treated wood is now prohibited in many areas.

HOW DOES THE GENERAL PERMIT RELATE TO FEMA FUNDING?

The General Permit will satisfy FEMA's funding requirement that you have a NYSDEC permit for your work.

WILL SOMEONE FROM NYSDEC INSPECT MY WORK?

Yes. The shoreline and wetlands are valuable natural resources; NYSDEC staff will check your project. If unpermitted work has been done, enforcement action will be taken.

NYSDEC CONTACT INFORMATION**Long Island: Nassau and Suffolk Counties****NYSDEC Region 1**

Regional Permit Administrator

New York State Department of Environmental Conservation

SUNY Stony Brook, 50 Circle Road, Stony Brook, NY 11790-3409

631-444-0365

r1dep@gw.dec.state.ny.us

New York City (all Boroughs)**NYSDEC Region 2**

Regional Permit Administrator

New York State Department of Environmental Conservation

1 Hunter's Point Plaza, 47-40 21st Street, Long Island City, NY 11101-5407

718-482-4997

r2dep@gw.dec.state.ny.us