

Summary of GP-0-25-001 as it Relates to Construction Activity on Agricultural Property

Prepared by the NYSDEC Division of Water, Bureau of Water Permits – Revised January 2025

The following is a summary and not an exhaustive list of requirements of the SPDES General Permit for Stormwater Discharges from Construction Activity, Permit No. GP-0-25-001, the Construction General Permit (CGP), hereafter referred to as “the CGP,” as it relates to *construction activities on agricultural property*. If there is inconsistency between this summary document and the CGP, the CGP applies.

- Coverage under the CGP (or under an individual SPDES permit)
 - Required for the following per Part I.A.1. of the CGP:
 - The *owner’s or operator’s construction activities* involve soil disturbances of:
 - one or more acres; or
 - less than one acre which are part of a *common plan of development or sale* that will ultimately disturb one or more acres; or
 - less than one acre where NYSDEC has determined that a SPDES permit is required for *stormwater discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of pollutants to *surface waters of the State*.
 - 5,000 square feet or more, but less than one acre, and are in the New York City Watershed located east of the Hudson River, Appendix C Figure 1; or
 - 20,000 square feet or more, but less than one acre, within the municipal boundaries of the City of New York (NYC); or
 - less than 20,000 square feet which are part of a *common plan of development or sale* that will ultimately disturb 20,000 square feet or more, but less than one acre, within the municipal boundaries of NYC; or
 - that creates 5,000 square feet or more of impervious area within the municipal boundaries of NYC.
 - Not required for:
 - *Construction activities* that meet 40 CFR Section 122.3(e)
 - This includes stormwater discharges from the cultivation of crops.
- Noteworthy requirements of the CGP that apply to *construction activities* that have coverage:
 - A *Stormwater Pollution Prevention Plan (SWPPP)* must be prepared in accordance with Part I.D.2.a. and Part III. of the CGP.
 - Refer to Part III.C. and Appendix B (Tables 1 and 2) to determine whether the *SWPPP* requires erosion and sediment controls only or erosion and sediment controls as well as post-construction stormwater management practices.
 - Site inspections are required during construction per Part IV. of the CGP.
 - Per Part IV.C.1.c, “construction on *agricultural property* that involves soil disturbances of one (1) or more acres but less than five (5) acres” does not require *Qualified Inspector* Inspections.

Note: refer to Appendix A in the CGP for definitions of italicized terms used above.

If there are other questions about the CGP, please contact NYSDEC Regional Office Stormwater staff.