

# WATER WITHDRAWAL

Water Management and Stream  
Protection in New York

# DEC's Role in Managing Water Supply

## ECL Article 15, Title 15

- allocation of a limited resource among competing users
- DEC "shall make a reasonable effort to meet the needs of the applicant, with due regard to the actual or prospective needs, interests and rights of others that may be affected by the project." ECL §15-1503(4)
- Water Resources Commission folded into DEC in 1970
- Significantly amended eff. 2/15/12

# DEC's Role in Managing Water Supply

Article 15, Title 15 requires a permit for:

- withdrawal from an existing or new source
- increased withdrawal from permitted source
- taking of land
- construction of water works
- extension of a water supply system
- provision of water to other states
- significant change in permitted use

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ECL §15-1503(2) -- determinations required:

- a. Have other sources been considered
- b. Is the quantity of supply adequate
- c. Is the project just and equitable to all affected municipalities
- d. Is there a water conservation program;
- e. Can the need be lessened through conservation
- f. Is it limited to reasonable quantities
- g. Will it have no adverse impacts on quantity or quality
- h. Is it environmentally sound and economically feasible
- i. Is it consistent with regional agreements

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2012 amendments directed DEC to promulgate regulations:

- to establish a regulatory threshold
- minimum standards for water withdrawal systems
- monitoring, reporting and recordkeeping
- protections for present and future needs
- quantitative standards that maintain stream flows protective of aquatic life

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## DEC Regulations -- Part 601

- Effective April 1, 2013
- Threshold volume -- 100,000 GPD
- Withdrawal Permit -- § 601.6
- Plans subject to review by DOH
- As-built subject to DEC approval

# DEC's Role in Managing Water Supply

## Interbasin Diversions - §15-1505

- Registration required for diversion of 1,000,000 GPD
- not required for permitted system
- must be renewed every year

No person may make a new or increased interbasin diversion which results in a significant adverse impact on the water quantity of a New York major drainage basin.

# DEC's Role in Managing Water Supply

## Interbasin diversion

- transfer of water or wastewater from one New York major drainage basin to any other drainage basin.

## New York major drainage basin

- one of 17 designated watersheds
- Lower Hudson River Watershed is all considered to be one watershed



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