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DEP Announces Public Hearings for Proposed Changes to Watershed Regulations

The New York City Department of Environmental Protection (DEP) today announced four public hearings to solicit input on proposed changes to its watershed regulations. The regulations seek to protect public health by preventing contamination and degradation of New York City's water supply. They largely focus on wastewater treatment, stormwater runoff, and the protection of watershed streams that feed the City's reservoirs. The City first established watershed regulations in 1917, modified them significantly during the 1990s, and last updated them in 2010.

The latest round of updates comes after approximately two years of consultation with watershed communities who sought changes that would protect water quality while lifting some unnecessary burdens from local homeowners, business owners and developers. Most of the regulatory updates simply reflect changes in state and federal law, or improve the clarity of language in existing rules. The more substantive changes include:

- The amended regulations would establish a category of small, limited-impact projects for which stormwater pollution prevention plans can be simpler, similar to the existing framework for individual residential stormwater permits. This will make the stormwater approval process more efficient for many small business owners.
- The draft regulations replace the existing approach for evaluating alterations and modifications of septic systems, and for determining whether systems that have not been used in some time can be brought back into service. The new, more streamlined process will focus primarily on how well the septic system will serve the proposed use, consistent with public health and water quality concerns.
- DEP would no longer review or approve holding tanks or portable toilets. Rather, the revised rules will establish standards consistent with guidance from the state.
- The proposed amendments will eliminate the "hardship" criterion necessary for obtaining a variance from the regulations. Each variance application will now be reviewed on its merits without the requirement to prove a specific hardship.
- The amendments would eliminate the description of an East-of-Hudson phosphorus offset program for wastewater plants. That program had a limited term and has already ended.
- In addition, the amendments incorporate the most recent versions of various New York State publications cited in the watershed regulations, including those related to stormwater discharges, design standards for intermediate-sized wastewater treatment systems, and the latest standards of wastewater treatment for residential onsite systems.

More Information

NYC Department of Environmental Protection Public Affairs

59-17 Junction Boulevard
19th Floor
Flushing, NY 11373
(718) 595-6600

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The full text of these proposed changes can be found in the [City Record](#).

Opportunities for public comment

DEP welcomes and encourages public comments on the draft amendments to our watershed regulations. Comments may be submitted via email to nycrules@dep.nyc.gov, or in writing by Nov. 23 at the following address:

Dan Mulvihill
NYC Department of Environmental Protection
Bureau of Legal Affairs, 19th Floor
59-17 Junction Boulevard
Flushing, NY 11373

Comments may also be submitted in person at one of the four public hearings that DEP will host this fall. Hearing locations, dates and times are as follows:

- Belleayre Mountain Ski Center, Oct. 30 at 6pm in the Longhouse Lodge, 181 Galli Curci Road, Highmount, NY
- SUNY Delhi, Nov. 1 at 6pm, in the Evenden Tour, Room 104, Delhi Drive, Delhi, NY
- Putnam County Emergency Operations Center, Nov. 6 at 6pm, 112 Old Route 6, Carmel, NY
- Department of Environmental Protection offices, Nov. 8 at 10am, 11th floor conference room, 59-17 Junction Boulevard, Flushing, NY

Once the public comment period ends on Nov. 23, DEP will review all written comments and testimony and revise the draft rules as necessary. The final amendments will be published in the City Record and in news outlets in and around the watershed. The amendments will be effective 30 days after the final publication in the City Record. DEP will not adopt the proposed amendments until they are also approved by the New York State Department of Health.

DEP manages New York City’s water supply, providing more than 1 billion gallons of high-quality water each day to more than 9.6 million New Yorkers. This includes more than 70 upstate communities and institutions in Ulster, Orange, Putnam and Westchester counties who consume an average of 110 million total gallons of drinking water daily from New York City’s water supply system. This water comes from the Catskill, Delaware, and Croton watersheds that extend more than 125 miles from the City, and the system comprises 19 reservoirs, three controlled lakes, and numerous tunnels and aqueducts. DEP has nearly 6,000 employees, including almost 1,000 scientists, engineers, surveyors, watershed maintainers and other professionals in the watershed. In addition to its \$70 million payroll and \$166 million in annual taxes paid in upstate counties, DEP has invested more than \$1.7 billion in watershed protection programs—including partnership organizations such as the Catskill Watershed Corporation and the Watershed Agricultural Council—that support sustainable farming practices, environmentally sensitive economic development, and local economic opportunity. In addition, DEP has a robust capital program with \$19.1 billion in investments planned over the next decade that will create up to 3,000 construction-related jobs per year. For more information, visit nyc.gov/dep, like us on [Facebook](#) or follow us on [Twitter](#).

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