

**New York City Department of Environmental Protection
Bureau of Water Supply**

**Section 6.1: DEP will report on progress of the proposed changes to
the Watershed Regulations until adopted.**

October 2017

*Prepared in accordance with Section 6.1 of the NYSDOH
2017 Draft Filtration Avoidance Determination*



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DEP is moving forward with proposed amendments to the Watershed Regulations in accordance with the sequence of actions noted below.

Outreach

DEP met with regulatory agencies (EPA, DOH, and DEC) and with other interested parties, both East and West of Hudson, including select environmental groups and the Coalition of Watershed Towns beginning in spring 2016 thru September of 2017 to explain and discuss the proposed amendments to the Watershed Regulations.

Response

DEP received written comments from regulatory agencies and other interested parties through September 2017. In response to stakeholder feedback, DEP has incorporated, where appropriate, suggested edits and revisions in addition to further refining the proposed amendments. DEP recirculated the revised amendments to all interested parties, including the Office of the Watershed Inspector General, in October 2017.

Environmental Review [tbd]

The potential environmental impacts of the proposed amendments must be reviewed under both SEQRA and City Environmental Quality Review (CEQR). Pursuant to SEQRA/CEQR, DEP must circulate an environmental assessment form and notice of lead agency to other involved agencies. The involved agencies then have 30 days to agree on the designation of lead agency. Once lead agency is established, the lead agency must make a determination of significance. DEP anticipates that it will act as lead agency, as it has done with prior amendments to the Watershed Regulations.

City Administrative Procedure Act (CAPA) Process [tbd]

The CAPA process will commence after SEQRA/CEQR lead agency has been confirmed. Under CAPA, DEP must publish the proposed amendment in the City Record, provide at least 30 days for public comment, and hold a public hearing no sooner than 30 days after the publication. After consideration of the relevant comments received during the comment period and hearing, DEP may adopt final amendments. The final amendments must be published a second time in the City Record. They can become effective no sooner than 30 days after the second publication.

Public Health Law (PHL) Procedures [tbd]

After the CAPA public comment period concludes and DEP considers any comments, DEP will submit the amendments to DOH for approval. Once DOH has approved the amendments, DEP must publish the amended regulations once a week for two consecutive weeks in at least one newspaper with circulation in each watershed county before the amendments can become final. This PHL publication can occur at the same time as the second CAPA publication.