

**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 2018**

*Prepared in accordance with Section 6.1 of the NYSDOH  
2017 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 parties, including interested environmental groups, the Coalition of Watershed Towns and the office of the Watershed Inspector General beginning in spring 2016 through November of 2017, to discuss proposed amendments to the Watershed Regulations. The proposed draft amendments incorporate changes in federal and state law and also address issues that have arisen during administration and enforcement of the Regulations, which were identified by a number of the interested parties.

### **Response**

Based on feedback, including written comments from interested parties, DEP incorporated, where appropriate, suggested edits and revisions to the proposed amendments and circulated a full draft of the revised amendments to all parties in late 2017. DEP continued to receive input from interested parties through March 2017 and has addressed all comments to date as it finalizes the proposed amendments.

### **Environmental Review**

Pursuant to both SEQRA and City Environmental Quality Review (CEQR) process, DEP circulated an environmental assessment form and notice of lead agency to stakeholders and other involved agencies on May 24, 2018. No comments were received during the 30 day review period thus confirming DEP's status as lead agency for this action. DEP must make a determination of significance in accordance with NYCRR Part 617 and the SEQRA Handbook, 3rd Edition, 2010.

### **City Administrative Procedure Act (CAPA) Process ~ Fall 2018**

On September 28, 2018, DEP published the proposed amendments in the City Record thus commencing the CAPA process. Pursuant to CAPA, DEP has scheduled four public hearings between October 30 and November 8, 2018. The public comment period is open until Friday, November 23, 2018. After consideration of the relevant comments received during the comment period and hearings, 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.