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DEP Adopts Updated Regulations to Protect NYC Watershed

Amendments Will Align DEP's Watershed Regulations with Federal and State Laws

Environmental Protection Commissioner Cas Holloway today announced updated Watershed Regulations for the protection of New York City's water supply. The new regulations, which will become part of the New York State Health Code, will amend existing DEP regulations covering the upstate watershed to align them with changes made in federal and state law over the past ten years, and address issues that have been raised during the City's administration and enforcement of the regulations since their adoption. The prior regulations were adopted in 1997 as part of the Filtration Avoidance Determination issued by the Environmental Protection Agency, which allowed the City to continue operating its unfiltered drinking system from the Catskill and Delaware watersheds.

"More than nine million New York State residents depend on New York City's three upstate reservoirs systems for clean drinking water," said Environmental Protection Commissioner Holloway. "To protect this vital resource, the City has purchased land or easements on more than 108,000 acres upstate. And we work closely with our upstate partners to prevent impacts on water quality from agricultural uses or other development. These updated regulations are another step to ensure that projects in the City's watershed are designed and constructed in ways that protects water quality."

Fourteen sections of the Watershed Regulations have been updated to prevent contamination to and degradation of the City's surface water supply. Highlights of the provisions include:

- ▶ Enhanced standards for the control of stormwater runoff from certain construction sites. For example, in commercial areas with a large amount of impervious surfaces, the revised regulations will require additional stormwater treatment, such as construction of larger or

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secondary detention basins. DEP has also adopted the requirements of the State Pollutant Discharge Elimination System permit for construction activities to ensure complementary enforcement of the latest regulatory standards for stormwater runoff.

- ▶ New provisions to allow for sewage treatment plants in certain areas of the Croton watershed. This will authorize DEP to grant variances for new or expanded surface discharging wastewater treatment plants in closer proximity to the Croton reservoir.
- ▶ Updated criteria defining the quality of drinking water reservoirs consistent with state and federal standards, specifically concerning stricter phosphorus limits for select basins.

These changes take effect on April 4, 2010 and will apply to all counties located within the Croton, Delaware and Catskill watersheds. DEP started the process of revising the Watershed Regulations more than five years ago. The revised regulations that will go into effect on April 4 were published for public review and comment in the City Record in 2008. Public hearings on the proposed changes were held that same year. After carefully reviewing all comments, DEP made revisions and the updated regulations were submitted to the New York State Department of Health in 2009. DEP received approval in February 2010 for final publication in the City Record, which occurred on March 3, 2010. Pursuant to the City Administrative Procedures Act, the regulations will become effective 30 days after final publication.

DEP manages the City's water supply, providing more than 1 billion gallons of water each day to more than 9 million residents, including 8 million in New York City, and residents of Ulster, Orange, Putnam and Westchester counties. Approximately 1,000 DEP employees live and work in the watershed communities as scientists, engineers, surveyors, and administrative professionals, and perform other critical responsibilities.

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