

New York State Department of Environmental Conservation

Assistant Commissioner

Office of Water Resources, 14th Floor

625 Broadway, Albany, New York 12233-1010

Phone: (518) 402-2794 • Fax: (518) 402-8541

Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

December 8, 2009

Mr. David Naftzger
Executive Director, Great Lakes-St. Lawrence River Basin Water Resources Council
Secretary, Great Lakes-St. Lawrence River Water Resources Regional Body
c/o Council of Great Lakes Governors
35 East Wacker Drive, Suite 1850
Chicago, Illinois 60601

Subject: Water Management Program Report and Water Conservation and Efficiency Program
Report Submitted on behalf of New York State

Dear Mr. Naftzger:

On behalf of the State of New York State, the Department of Environmental Conservation has electronically submitted to you a Water Management Program Report and a Water Conservation and Efficiency Program Report, pursuant to and in satisfaction of the obligations included in Section 3.4 of the Great Lakes-St. Lawrence River Basin Water Resources Compact.

If you have any questions, please do not hesitate to contact me.

Sincerely,

James M. Tierney
Assistant Commissioner, Office of Water Resources
New York Department of Environmental Conservation
Alternate of Governor Paterson, Member, Great Lakes-St. Lawrence River Basin Water
Resources Compact Council

cc: Peter Johnson, Program Director, Council of Great Lakes Governors
Jennifer Kozlowski, Special Assistant for the Environment, Office of the Governor of
New York State
Mark Klotz, NYSDEC, Director, Division of Water
Don Zelazny, NYSDEC, Great Lakes Programs Coordinator
Mike Holt, NYSDEC, Chief, Water Supply Permits Bureau

Water Management Program Review
New York State

The following information shall be included in the reports submitted by the States and Provinces to the Regional Body and Compact Council pursuant to the requirements in the Agreement Article 300 and the Compact Section 3.4.

1. Lead agency/agencies and contact person(s).

*NYSDEC Division of Water – Bureau of Water Resources Management
Michael Holt P.E. – Chief of Water Quantity Management Section – (518) 402-8099
Richard Kruzansky – (518) 402-8182*

2. Citations to State/Provincial Water management program implementing laws, regulations and policies.

*NYS Environmental Conservation Law (ECL) and NY Codes Rules and Regulations
ECL 15-1501: Water Supply Permitting – NYCRR Part 601
ECL 15-1605: Registration of Water Withdrawals – NYCRR Part 675
ECL 21-1001: The Great Lakes - St. Lawrence River Basin Water Resources Compact*

3. Summary description of the State's or Province's Water management program scope & thresholds, including the current status of program implementation and a description of which New or Increased Withdrawals, Consumptive Uses and Diversions will be subject to the program. The summary should include information on registration (if applicable), management and regulation, and reporting elements of the program.

Describe specifically how Water Withdrawals in the State or Province are managed by:

- a. Sector (public water supply, self-supply commercial and institutional, self-supply irrigation, self-supply livestock, self-supply industrial, self supply thermoelectric power production (once-through cooling), self-supply thermoelectric power production (recirculated cooling), off-stream hydroelectric power production, in-stream hydroelectric power production (voluntary), and other self-supply;

All community public water supplies in NYS are required to have a public water supply permit. All non-potable water supplies within the great lakes basin that withdraw more than 100,000 gallons per day (gpd) must register that withdrawal and report water use annually. All registered water withdrawals are sorted by water use sector.

- b. Water source (groundwater, surface water (Great Lakes-St. Lawrence River), surface water other than Great Lakes-St. Lawrence River);

All water supply permits and registrants must specify their sources of supply. These withdrawals are sorted by the three above referenced categories.

- c. Quantity (regulatory thresholds, volumes, rates, and reporting requirements);

Each water supply permit specifies a withdrawal limit. All water suppliers with the capacity to withdrawal greater than 100,000 gpd must report this information on an annual basis. All registrants must also report water usage on an annual basis.

- d. Location (Statewide/Province-wide or Great Lakes-St. Lawrence River Basin); and,

All water supply permits and registrants must specify the location of their sources of supply. These withdrawal locations can be sorted by Great Lakes sub-basins.

- e. Any specific exemptions as allowed in the Agreement and the Compact.

Not Applicable

Note: Address all sectors and sources in your descriptions even if one or more sector or source is not currently managed by your State or Province.

- 4. Description of how the provisions of the Standard of Review and Decision are applied. The description should include information on how each criterion of the Decision Making Standard and Exception Standard is addressed.

- a. Decision Making Standard for Withdrawals, Consumptive Uses.

Public water supply applications for new or increased withdrawals must adequately demonstrate:

1. *the need for the water,*
2. *the availability of the water through pump tests and hydrologic analyses,*
3. *that the withdrawal will not adversely impact other public or private potable water supplies,*
4. *that the withdrawal will not cause any adverse environmental impacts,*
5. *that all reasonable alternatives have been evaluated,*
6. *and that adequate water conservation measures are taken to minimize water use and losses.*

It is the intent of the Department to expand these requirements to all great lakes basin water withdrawals greater than 100,000 gpd within five years of the effective date of the Compact.

- b. Exception Standard for Diversions.

The Department will adhere to the Compact's prohibition of interbasin diversions for all but limited exceptions for public water supply purposes. In the event of a proposed diversion within NYS, the exception standards will be followed.

- 5. Overview of State/Provincial reporting and database of Withdrawals, Consumptive Uses and Diversions including implementation status and database elements and capabilities, and

reporting mechanisms (e.g. electronic submission, etc.). The overview should include methods of measurement (e.g. flow volume or rate meters, flow gauging, timing devices, etc.) approved by the State/Province for measuring Water volumes.

Registrants submit monthly water withdrawal data on an annual basis. This reporting includes data on consumptive usage and any existing water diversions into or out of the great lakes basin. Water supply permittees with a capacity to withdrawal greater than 100,000 gpd will be required to submit similar annual reports as February 1, 2010. The reports must indicate the methods used to measure withdrawals such as: metered readings; flow through a weir or flume; flow through a pump or pump run time; estimation.

6. Attach a copy of the State or Province's Withdrawal application form(s). Copies of related regulations, policies, and manuals with the application for may be included to provide a more complete program description.

Copies Attached

7. Summary description of the State's or Province's initiatives to support an improved scientific understanding of the Waters of the Basin and an improved understanding of the groundwater of the Basin and the role of groundwater in Basin water resource management. A description of State or Provincial initiatives or mechanisms to support an improved understanding of individual or cumulative impacts of Withdrawals, Consumptive Uses and Diversions on the Basin ecosystem should also be provided.

All water supply permit applications for new or increased groundwater withdrawals must submit the results of a pumping test: <http://www.dec.ny.gov/lands/5003.html>. All water supply applications for new or increased surface withdrawals must submit hydrological data to confirm dependable water supply yields while adequately protecting water levels and in-stream flows for habitat.

8. Additional information.



Facility Information

Return Completed Form, Check or Money Order to:

 New York State Department of Environmental Conservation
 625 Broadway, Albany, New York 12233-3505

Telephone (518) 402-8099

TRANSACTION TYPE		AMOUNT ENCLOSED		FEDERAL FARM ID NUMBER (If applicable)	
NAME OF OWNER			TITLE		
OWNER COMPANY				TELEPHONE NUMBER ()	
OWNER ADDRESS (Line 1)					
OWNER ADDRESS (Line 2)					
CITY, TOWN OR VILLAGE				STATE	ZIP CODE +4
FACILITY NAME				TAX PARCEL ID	
FACILITY MAILING ADDRESS (Line 1)					
FACILITY MAILING ADDRESS (Line 2)					
CITY, TOWN OR VILLAGE				STATE	ZIP CODE +4
NAME OF TECHNICAL CONTACT			TELEPHONE NUMBER ()		
COUNTY		TOWN OR COUNTY			
PERMIT NUMBER: SPDES (If applicable)		PETROLEUM BULK STORAGE (If applicable)		CHEMICAL BULK STORAGE (If applicable)	
IF FACILITY IS NOT 100% SUPPLIED, LIST NAME(S) AND ADDRESS(ES) OF OTHER SUPPLIER(S)					
I hereby affirm under of penalty or perjury that the information provided on this form and any attached supplemental information is true to the best of my knowledge and belief. False statements are punishable as a Class A misdemeanor pursuant to section 210.45 of the Penal Law					
PRINT NAME AND TITLE OF AUTHORIZED REPRESENTATIVE				TELEPHONE NUMBER ()	
SIGNATURE OF AUTHORIZED REPRESENTATIVE				DATE	
OFFICIAL USE ONLY					
REGISTRATION ID		AMOUNT RECEIVED		DATE RECEIVED	
DATE PROCESSED		STATUS		EXPIRATION DATE	
COMMENTS				PROCESSED BY:	

INSTRUCTIONS

Transaction Type Enter one of the following codes:

- E) Existing Water Withdrawal Site Registration (Fee Required).
- N) New Water Withdrawal Site (Fee Required).
- R) Renewal (Fee Required).
- M) Modification of a currently registered site or withdrawal point (No Fee Required).
- C) Corrections of a currently registered site or withdrawal point (No Fee Required).
- D) Delete registration (No Fee Required).

Amount Enclosed:

Enclose \$100 for optional yearly registration (Agricultural Sites only) or \$200 for two year business registration.

Federal Farm ID Number:

Federal identification number assigned to the farm for agricultural reporting purposes.

Agricultural Irrigators:

Use Great Lakes Water Withdrawal Registration Handbook) Agricultural Irrigators (green booklet).

Owner Information:

Information about the person who has legal or equitable title to the property from which the water withdrawal is made.

Facility Information:

Information about the land on which an owner has located one or more water withdrawal points.

Tax Parcel ID:

The number assigned by the county to identify the parcel of land on which the facility is located. If you do not know your Tax Map Identification Number, please contact your local tax assessor's office or the local receiver of taxes (usually located in the town hall).

Name of Technical Contact:

Name of person to be contacted for questions about registration information.

If facility is NOT 100% . . .:

Name and address of other supplier.



FOR DEPARTMENT USE ONLY
APPLICATION NUMBER
WSA NUMBER

WATER SUPPLY APPLICATION

Supplement W-1 for Public Water Supply Permit

READ THE INSTRUCTIONS ON PAGE 2 BEFORE COMPLETING THIS FORM

PLEASE TYPE OR PRINT CLEARLY IN INK

1. PROJECT DESCRIPTION (INCLUDE LOCATION - for multiple well heads, identify and attach additional coordinates)	COORDINATES								
2. PROJECT PURPOSE									
3. THIS PROJECT INVOLVES: (Check all that apply and, for each item checked, provide a brief description or identification) <p>ACQUISITION of existing facilities _____</p> <p>INSTALLATION of new facilities _____</p> <p>CHANGES in capacities of existing facilities _____</p> <p>ABANDONMENT of existing facilities _____</p>									
4. This project will involve the taking of up to _____ gallons of water (per minute) (per day) from _____ (Name of source) Figure given represents _____ increase in taking, _____ total taking.									
5. If certain exhibits are omitted or reduced in scope because of reference to documents submitted with prior applications, list the exhibits so affected, identify the prior application (by Water Supply Application Number and name of applicant) and specify the document(s) to be referenced. <table border="0"> <tr> <td>EXHIBIT</td> <td>WSA NO.</td> <td>APPLICANT'S NAME</td> <td>REFERENCED DOCUMENT(S)</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>		EXHIBIT	WSA NO.	APPLICANT'S NAME	REFERENCED DOCUMENT(S)				
EXHIBIT	WSA NO.	APPLICANT'S NAME	REFERENCED DOCUMENT(S)						
6. PROJECT AUTHORIZATION This application must be accompanied by proof of adequate authorization for the proposed project. List below all exhibits documenting such authorization, such as resolutions, certificates of incorporation, contracts, referendum results, etc. (See <i>Public Water Supply Program, Applicant's Guide</i> for further details.)									
7. PROJECT JUSTIFICATION By the act of signing this application, the applicant certifies that each of the following statutory conditions is or will be satisfied, AND that a proper justification for each is given in the specified exhibits attached to this application: <p>A. The proposed project is justified by the public necessity See Exhibit(s) _____</p> <p>B. The proposed project takes proper consideration of other sources of supply that are or may become available. See Exhibit(s) _____</p> <p>C. All work and construction connected with the proposed project will be proper and safe See Exhibit(s) _____</p> <p>D. The supply will be adequate See Exhibit(s) _____</p> <p>E. There will be proper protection of the supply and watershed or proper treatment of any additional supply. See Exhibit(s) _____</p> <p>F. The proposed project is just and equitable to all affected municipalities and their inhabitants and in particular with regard to their present and future needs for sources of water supply See Exhibit(s) _____</p> <p>G. There is provision for fair and equitable determinations of and payments of any direct and indirect legal damages to persons or property that will result from the acquisition of any lands in connection with the proposed project or from the execution of the proposed project See Exhibit(s) _____</p> <p>H. The applicant has developed and implemented a water conservation program in accordance with local water resource needs and conditions See Exhibit(s) _____</p>									
8. SEQR STATUS									
9. SIGNATURE	10. DATE								

INSTRUCTIONS

1. **Before** completing this form, review carefully the *Public Water Supply Program Applicants' Guide*. If more room is needed to complete any item, an additional sheet may be used.
2. **Four (4) copies** of this form (*WATER SUPPLY APPLICATION: Supplement W-1 for Public Water Supply Permit*) **and** four (4) copies of Form 95-19-3 (*JOINT APPLICATION FOR PERMIT*) must be completed, signed, and submitted with all Water Supply Applications.
3. Applications must be in the name of the owner (or, in the case of acquisitions, the prospective owner) of the water supply system involved; except that applications from town or county water districts (or equivalents) should show the name of the **district** as the applicant. (See the detailed instructions for completing Supplement W-1 in the *Applicants' Guide*.)
4. For applications submitted by counties, cities, towns, and villages, forms must be signed by the Chief Executive Officer thereof or by a specifically authorized deputy.
5. All Water Supply Applications must include a completed *Water Conservation Program Form* demonstrating that the applicant has developed and implemented a **water conservation program** in accordance with local water resource needs and conditions.
6. Locate and describe all facilities and service areas on appropriate maps and plans. **If your application involves groundwater wellhead(s) and/or surface water intake(s), record the coordinates in Item No.1 of this form.** Include coordinates for as many wellheads or intakes as will exist. Location coordinates are expressed in New York Transverse Mercator units, or NYTMs (UTM Zone 18 expanded to encompass the entire state). These are based on the North American Datum 1983. If you are unable to supply accurate coordinates, attach a separate location map with this application. Choose a scale for this location map that allows you to accurately define the wellhead or intake position, and permits you to identify the overall project area within the county or township.
7. All facts and opinions expressed in the application must be documented in appropriate legal, engineering, or other papers attached as **exhibits**.
8. In a separate **transmittal letter**, the following information must be provided:
 - a) Name and location of a suitable place in which to hold a public hearing should one prove necessary.
 - b) Names, titles, mailing addresses, and phone numbers of other concerned officials, including at least:
 1. Applicant's attorney;
 2. Applicant's engineer;
 3. Other consultants (planners, geologists, etc.) serving the applicant;
 4. For non-municipal projects, the Chief Executive Officer of the municipality in which the project is located; and
 5. For projects taking a supply of water from another water system, an appropriate contact official for that system.
 - c) A list of all maps and exhibits accompanying the application
9. **Copies** of the required water conservation program (See No. 5), maps (See No. 6), exhibits (See No. 7), and transmittal letter (See No. 8) shall be submitted as follows:
 - a) Municipal applicants -- 3 copies
 - b) Non-municipal applicants -- 4 copies
 - c) EXCEPTION: Municipality applying to acquire existing non-municipal system -- 4 copies.