

PERMIT PROFILE: WATER SUPPLY

TECHNICAL PROGRAM: Division of Water

STATUTORY AUTHORITY: Article 15, Title 15 of the Environmental Conservation Law

APPLICABLE REGULATIONS: 6NYCRR Part 601

LEGISLATIVE INTENT:

To conserve, control, and develop the water resources of the state for the beneficial uses of the state's inhabitants and to ensure that the use of the state's waters for domestic or municipal (potable) purposes shall have priority over all other uses.

REGULATED ACTIVITIES:

- ! Construction of new water supplies - generally consisting of wells and reservoirs.
- ! Acquisition, taking, or development of new or additional sources of water supply in connection with new or existing water supply system including drilling of wells.
- ! Purchasing, taking or condemnation of any water supply system or any land to acquire for the utilization of water supply.
- ! Construction of any projects in connection to water supply systems.
- ! Construction of any extension of water supply mains which will extend the boundaries of a water district.
- ! Supplying water for the use in any municipality or civil division of the state by another person or public corporation.
- ! Entering into a contract for a water supply.
- ! Increasing amount of water diverted from a water supply by enlargement of conduits, storage.
- ! Exercising any franchise to supply water.
- ! Transportation water from state resources to any location outside the state.
- ! Transportation water by vessel of more than 10,000 gal/day of water.

EXEMPT ACTIVITIES:

- ! Extension of supply or distribution mains or pipes for supplying water to territories within the boundaries of a municipal district or private company's service area.
- ! Reconstruction or replacement of existing facilities in connection with an existing water supply system.
- ! Construction of filtration or other treatment facilities.
- ! Transportation, carrying or use of water for fire fighting emergencies.

MINOR PROJECTS:

- ! Extension of a water district supply area to an existing or approved facility.
- ! In-kind replacement of a well.
- ! Changes in ownership of a water supply system.
- ! Enlargement of existing facilities with an increase of not more than 45 gal/minute for groundwater and 150 gal/minute for surface sources.
- ! Acquisition and use of a supplemental supply taken from a system with a surplus.

All other projects are considered major.

PROGRAM SPECIFIC COMPLETENESS REQUIREMENTS:

- ! Supplement WS-1.
- ! Project authorization.
- ! Maps as specified in 6NYCRR 601.5.
- ! Engineer's report.
- ! Cost estimate.
- ! Water analysis.
- ! Treatment methods.
- ! Project justification.
- ! Near term and long range water conservation program.

PUBLIC NOTICE REQUIREMENTS:

- ! Environmental Notice Bulletin and newspaper publication required for major projects.

(Cont.)

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STANDARDS FOR ISSUANCE:

- ! Proposed project is justified by public necessity.
- ! Proper consideration of alternate sources of water.
- ! All work and construction will be proper and safe.
- ! Water supply will be adequate for proposed service area.
- ! Proper treatment and protection of the water supply and watershed.
- ! Project is just and equitable to all affected municipalities.
- ! Provision for fair and equitable determinations of and payments of legal damages to persons resulting from the acquisition of land.
- ! Development and implementation of a water conservation program.

REFERENCE MATERIALS/SOURCES OF INFORMATION:

- ! Applicants' Guide, Public Water Supply Program, 6NYCRR Part 601

SPECIAL PROCEDURES AND EXCEPTIONS:

- ! Formation or extension of a Water District or Water Improvement Area does not need a permit. However, in order to take or serve water, it does require a permit.
- ! The permit allows (1) the taking of water from specific sources at specific rates and (2) the serving of water to a specific district or service area.
- ! New York State Department of Health is a statutory party to all applications.
- ! New York State Department of Public Service is a statutory party to all private applications (for rate-setting and franchise purposes).
- ! Notice of Application should be provided to Delaware or Susquehanna River Basin Commission if project is located in either basin.
- ! See Long Island Wells permit profile for further details on Long Island groundwater sources development.
- ! Water supply issued on Long Island require an expiration date. No date is required elsewhere.