

**A Report to the Great Lakes-St. Lawrence River Water Resources
Compact Council/Regional Body
Water Conservation and Efficiency Program Review
New York State**

2016

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Status of State’s Program: NYSDEC’s Division of Water currently regulates by permit or registration all water withdrawal systems with the capacity to withdraw 100,000 gallons per day or more within the Great Lakes basin. Since 1988, NYS ECL 15-1501 has required the submittal of a water conservation plan with each new application for a permit for a public water supply system. The main objective of the plans is to promote implementation of the most environmentally sound and economically feasible water conservation measures. Components of these plans must include, at a minimum, 1) customer and source metering, 2) water auditing, 3) leak detection and repair and 4) outdoor water use management.

Amendments to NYSECL 1501, et.al. were passed into law in 2011 and became effective beginning February 15, 2012. The new law extended DEC’s permitting and registration authority throughout the state, and includes registration of existing agricultural withdrawals that are greater than or equal to 100,000 gpd (30 day average) and of major basin water diversions outside of the Great Lakes-St. Lawrence River basin of greater than 1,000,000 gpd. Implementing regulations (NYCRR Part 601) took effect on April 1, 2013 that include a five year schedule to permit all existing withdrawals that meet the threshold volume. Processing of permits greater than 2 mgd have been completed or are underway. The fourth year of applications will be due to the Department by February 15, 2016 for existing, new and additional withdrawals between 0.5 and 2.0 mgd; and the fifth and final year of applications by February 15, 2017 for withdrawals between 0.1 and 0.5 mgd. The statute and regulations strengthen the existing water conservation and efficient use provisions by including two objectives in addition to those stated above, (1) recycling and reuse, and (2) reductions during drought. Specific characteristics of water conservation/efficient use programs required by permittees are described in the table below. On November 20, 2015, the DEC issued Technical & Operational Guidance Series (TOGS) 1.3.12 that proposes procedures to ensure certain water withdrawals will result in no significant or cumulative adverse impacts to the quantity and quality of the water source and water dependent natural resources.

| OBJECTIVES | LEGISLATIVE OR PROGRAM CITATION |
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| <ul style="list-style-type: none"> ○ Guide programs toward long-term sustainable water use. | <p>New NYSECL 1501.8 requires the DEC to adopt a program based on the Compact’s five water conservation goals to assure consistency; NYSECL 1503.2 adopts the Compact’s decision-making criteria for permit approval, including implementation in a manner that incorporates environmentally sound and economically feasible water conservation measures; and 1503.3 requires the DEC to publish a water conservation manual.</p> |

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| | <p>Proposed Flow-related TOGS 1.3.12 considering passby flows and reservoir releases: http://www.dec.ny.gov/docs/water_pdf/togs1312passby.pdf</p> |
| <p>○ Adopt and implement supply and demand management to promote efficient use and conservation of water resources.</p> | <ul style="list-style-type: none"> - An additional Water Conservation Manual (15 ECL 1501.8), has been developed by DEC to address various components of this objective which will be incorporated into conservation plans developed by all new non-potable water permit applicants. - Water conservation plans are required to provide annual water audit data which compares produced water to metered usage. - All water withdrawal permit applications for new or increased groundwater withdrawals must submit the results of a pumping test. - All water withdrawal 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. |
| <p>○ Improve monitoring and standardize data reporting among State and Provincial water conservation and efficiency programs.</p> | <p>All water withdrawers with the capacity to withdraw 100,000 gallons per day or greater are required to report their water withdrawals and types of use on an annual basis. Standard reporting forms for the submittal of this data have been developed. Information required is consistent with guidance developed by Compact Council/Regional Body.</p> |
| <p>○ Develop science, technology and research.</p> | <p>In developing an additional Water Conservation Manual for non-potable uses, the DEC has worked to identify best management practices (BMPs) and state of the art technologies for consideration by various water user categories. This manual will continue to be updated as additional technologies and efficiencies are learned through consultation with entities such as AWWA.</p> |
| <p>○ Develop education programs and information sharing for all water users.</p> | <p>DEC's current public guidance information is available on the Department's website:</p> <ul style="list-style-type: none"> - Annual Water Withdrawal Reporting: http://www.dec.ny.gov/lands/86940.html - Water Conservation Tips for the Public: http://www.dec.ny.gov/lands/5009.html <p>The Water Conservation Manuals have been designed specifically to enhance public understanding and user access to best management practices for assisting various water users in developing their required plans. The manuals currently used to develop these plans can be found at: http://www.dec.ny.gov/lands/86945.html</p> |

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| | <p>All permitted and registered water withdrawals are included in a Google Earth data layer within the NYS GIS Clearinghouse: http://www.dec.ny.gov/pubs/42978.html#waterwith</p> |
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