STATE OF NEW YORK

8620

IN SENATE

February 22, 2024

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to protection of water reservoirs and impoundments that serve as potential inter-municipal sources of potable water supplies

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 15-1301 of the environmental conservation law is amended to read as follows:

2. "Public water supply system" means the public treatment facilities, transmission facilities and source of supply facilities to provide water for residential, commercial, industrial and fire service needs for areas located in two or more municipalities**, and shall include potential inter-municipal sources of water located in impoundments in the course of a stream**.

§ 2. Subdivision 13 of section 15-1502 of the environmental conservation law, as added by chapter 401 of the laws of 2011, is amended to read as follows:

13. "Public water supply system" shall mean a permanently installed water withdrawal system including its source, collection, pumping, treatment, transmission, storage and distribution facilities used in connection with such system, which provides piped potable water to the public for potable purposes, if such system has at least five service connections used by year-round residents. **It shall include potential inter-municipal sources of water located in impoundments in the course of a stream.**

§ 3. Subdivision 2 of section 15-0501 of the environmental conservation law, as amended by chapter 233 of the laws of 1979, is amended to read as follows:

2. For the purposes of this section, stream shall mean that portion of any fresh surface watercourse, except lakes or ponds having a surface area greater than ten acres at mean low water level, for which the department has adopted or may hereafter adopt pursuant to section

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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17-030l **of this chapter**, any of the following classifications or standards:

AA and AA (T),

A and A (T),

B and B (T),

C (T)

Small ponds or lakes with a surface area at mean low water level of ten acres or less, located in the course of a stream, shall be considered a part of the stream and subject to regulation under this section. **Potential inter-municipal water supplies located in impoundments in the course of a stream, and their immediate watersheds, shall be classified as AA and are to be accorded the protection of water quality provided for in subdivision one of section 15-1501 of this article.**

§ 4. Subdivision 6 of section 15-1503 of the environmental conservation law, as added by chapter 401 of the laws of 2011, is amended to read as follows:

6. A new permit for a water withdrawal system and any subsequent renewal thereof shall be valid for a period of time not to exceed ten years from the date of issuance. A new permit or permit modification must be obtained from the department prior to any transfer or change of ownership of a water withdrawal system. **These permit requirements apply to potential inter-municipal water supplies located in impoundments in the course of a stream.**

§ 5. This act shall take effect immediately.