

STATE OF NEW YORK

8025

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

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:

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

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

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

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

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

23 2. For the purposes of this section, stream shall mean that portion of
24 any fresh surface watercourse, except lakes or ponds having a surface

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

LBD13140-01-5

1 area greater than ten acres at mean low water level, for which the
2 department has adopted or may hereafter adopt pursuant to section
3 17-0301 of this chapter, any of the following classifications or stand-
4 ards:

- 5 AA and AA (T),
- 6 A and A (T),
- 7 B and B (T),
- 8 C (T)

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

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

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

26 § 5. This act shall take effect immediately.