§ 15-1502. Definitions.

When used in this title, unless otherwise expressly stated or unless the context or subject matter otherwise requires:

1. "Coastal communities" shall mean those areas on Long Island where the Magothy aquifer is either absent or contaminated with chlorides.

2. "Lloyd Sands" shall mean that geological strata generally known to be the deepest and oldest water-bearing layer of the Long Island aquifer system and shall not include bedrock.

3. "Water well" shall mean any groundwater excavation for the purpose of obtaining water.

4. "Water well drilling" or "water well drilling activities" shall mean the construction and reconstruction of water wells, the establishment or repair of a connection through the well casing and the repair of water wells including repairs which require the opening of the well casing.

5. "Water well driller" shall mean a person who, for compensation or as part of property development and sale, engages in water well drilling activities; provided, however, that, for the purposes of this subdivision, the term "person" shall not include a public corporation, political subdivision, government agency, department, or bureau of the state or a municipality.

6. "Enforcement officer" shall mean any person authorized to enforce the provisions of this title or the building code in the municipality in which the water well drilling activities are taking place.

7. "Agricultural purpose" shall mean the practice of farming for crops, plants, vines and trees, and the keeping, grazing, or feeding of livestock for sale of livestock or livestock products, and the on-farm processing of crops, livestock and livestock products.

8. "Compact basin commission" shall mean an interstate commission having jurisdiction with respect to the regulation of water resources within a basin in the state, created by interstate compact or federal-interstate compact, including but not limited to, the Susquehanna river basin commission and the Delaware river basin commission.

9. "Environmentally sound and economically feasible water conservation measures" shall mean those measures, methods, technologies or practices for efficient water use and for reduction of water loss and waste or for reducing a withdrawal, consumptive use or diversion that: (i) are environmentally sound; (ii) reflect best practices applicable to the water use sector; (iii) are technically feasible and available; (iv) are economically feasible and cost effective based on an analysis that considers direct and avoided economic and environmental costs; and (v) consider the particular facilities and processes involved, taking into account the environmental impact, age of equipment and facilities involved, the processes employed, energy impacts and other appropriate factors.

10. "Interbasin diversion" shall mean the transfer of water or wastewater from one New York major drainage basin to another drainage basin.

11. "Person" shall mean any individual, public or private corporation, political subdivision, government agency, department or bureau of the state, municipality, industry, co-partnership, association, firm, trust, estate or any other legal entity whatsoever.

12. "Potable water" shall mean water intended for human consumption that meets the requirements for a public water system as set forth in the state sanitary code.

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.

14. "Threshold volume" shall mean the withdrawal of water of a volume of one hundred thousand gallons or more per day, determined by the limiting maximum capacity of the water withdrawal, treatment, or conveyance system; provided that for agricultural purposes the threshold volume shall mean a withdrawal of water of a volume in excess of an average of one hundred thousand gallons per day in any consecutive thirty-day period.

15. "Water withdrawal system" shall mean any equipment or infrastructure operated or maintained for the provision or withdrawal of water including, but not limited to, collection, pumping, treatment, transportation, transmission, storage, and distribution.

16. "Withdrawal" or "withdrawal of water" shall mean the removal or taking of water for any purpose from the waters of the state.