

New York State Department of Environmental Conservation

Division of Water

Bureau of Water Resource Management, 4th Floor

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Alexander B. Grannis
Commissioner

Dear Interested Party:

Although New York is fortunate to have plentiful water resources, demands on these resources are increasing substantially. These demands include population growth; increased water use for commercial, industrial, and drinking water supplies; and pressures to keep water instream for fisheries and the environment. In order to gain more complete information for managing our water resources, recently passed legislation requires that all significant water withdrawers in New York State report their usages to the Department of Environmental Conservation (Department) on an annual basis.

Reporting of significant water withdrawals is already occurring in some portions of the state such as the Great Lakes and Susquehanna basins. Expanding this policy statewide is critical to ensuring long-term supplies of water to meet needs within the state.

As authorized by Title 33 of Environmental Conservation Law Article 15, any person who withdraws or is operating any system or method of withdrawal that has the capacity to withdraw more than 100,000 gallons of groundwater or surface water per day shall file a report with the Department.

The first of these annual reports must be filed on or before February 1, 2010. Each annual report, except for those pertaining to withdrawals for agricultural or public water supply purposes, must also include a fee of fifty dollars payable to the Department of Environmental Conservation (NYSDEC).

The Department has undertaken a mass mailing to notify all existing water withdrawers of these new reporting requirements. As a party who is interested in New York State's water resources, your assistance in spreading the word is requested. Please tell water withdrawers about this new requirement. Together, we can ensure that the Department has the information needed to successfully manage the state's water resources.

Further information regarding the new requirement can be found on our webpage at <http://www.dec.ny.gov/lands/55509.html>.

Thank you for your cooperation. If you have questions, please contact Richard Kruzansky at 518- 402-8182.

Sincerely,

A handwritten signature in black ink that reads "Michael Holt".

Michael Holt, P.E.

Chief, Water Quantity Management Section
Bureau of Water Resource Management

TITLE 33

WATER WITHDRAWAL REPORTING

Section 15-3301. Water withdrawal reporting.

§ 15-3301. Water withdrawal reporting.

1. Any person who withdraws or is operating any system or method of withdrawal that has the capacity to withdraw more than 100,000 gallons of groundwater or surface water per day at a single tract of land, water source or place of business shall file a report with the department. Such report shall be filed on or before February first, two thousand ten and every February first thereafter. Any report filed in two thousand ten shall be based on those calendar months commencing after the effective date of this section. The report shall be made on a form and contain such information as may be prescribed by the department and shall be based on the water withdrawals for the previous calendar year, and shall include but not be limited to:

(a) the water source, the location of the water source and the source capacity if known;

(b) the amount of water withdrawn for the reporting period, including the average or peak withdrawals for intervals specified by the department;

(c) a description of the use of the water withdrawn; and

(d) estimated amounts of water to be returned, if any, the locations of such returns and the method of such returns.

2. The following water withdrawals are exempt from the reporting requirements of subdivision one of this section:

(a) a withdrawal for emergency fire suppression or other public emergency purposes;

(b) a withdrawal reported to the department under any program that requires the reporting of substantially similar data, including withdrawals regulated pursuant to the Susquehanna River Basin Compact, the Delaware River Basin Compact, the Great Lakes-St. Lawrence River Basin Water Resources Compact, public water supply permits, permits for Long Island water wells and permits issued pursuant to section 15-1505 of this article. The department shall record such withdrawals with the information from water withdrawals reported under this paragraph;

(c) closed loop, standing column, or similar non-extractive geothermal heat pumps; and

(d) reclaimed wastewater withdrawn for reuse.

3. All persons required to make a report under this title, except for withdrawals for an agricultural purpose and for a public water supply purpose, shall submit to the department a fee with such report in an amount of fifty dollars. For the purpose of this subdivision, "agricultural purpose" means 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 "public water supply purpose" shall mean water use by a public water supply system.

4. Revenue received from the reporting fees shall be deposited to the credit of the environmental protection fund established pursuant to section ninety-two-s of the state finance law.