

**A Report to the Great Lakes-St. Lawrence River Water Resources  
Compact Council/Regional Body  
Water Conservation and Efficiency Program Review  
New York State  
2021**

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Status of State’s Program: NYS DEC’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 Basin. Permitted facilities include a range of sectors from public water, industrial, commercial, energy production, recreational and agricultural supplies. For agricultural facilities, the regulatory threshold is the withdrawal of water of a volume in excess of an average of 100,000 gallons per day in any consecutive 30-day period (usage-based). Since 1988, NYS ECL §15-1503 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 NYS ECL §15-1501, et seq. were passed into law in 2011 and became effective on February 15, 2012. The new law extended NYS DEC’s permitting and registration authority throughout the state and included registration of major basin water diversions outside of the Basin of greater than 1,000,000 gpd. Implementing regulations (6 NYCRR Part 601) took effect on April 1, 2013 that included a five-year schedule, completed in 2017, to permit all existing withdrawals that meet the threshold volume. 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. On May 25, 2017, NYS DEC issued Technical & Operational Guidance Series (TOGS) 3.2.1 to promote consistent implementation of these statutes and regulations. (See [http://www.dec.ny.gov/docs/water\\_pdf/togs321.pdf](http://www.dec.ny.gov/docs/water_pdf/togs321.pdf).) On April 12, 2017, the NYS DEC issued Technical & Operational Guidance Series (TOGS) 1.3.12 that includes procedures to ensure that 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. (See [http://www.dec.ny.gov/docs/water\\_pdf/flowtogsfinal.pdf](http://www.dec.ny.gov/docs/water_pdf/flowtogsfinal.pdf).)

<b>OBJECTIVES</b>	<b>LEGISLATIVE OR PROGRAM CITATION</b>
○ Guide programs toward long-term sustainable water use.	NYS ECL §1501(8) requires the NYS DEC to establish a water conservation and efficiency program based on the Compact’s five water conservation goals to assure consistency; NYS ECL §1503(2) enacts 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. Guidance (TOGS 3.2.1) for consistent

	<p>implementation of these statutes was issued May 25, 2017 (See <a href="http://www.dec.ny.gov/docs/water_pdf/togs321.pdf">http://www.dec.ny.gov/docs/water_pdf/togs321.pdf</a>.)</p> <p>Flow-related guidance (TOGS 1.3.12) considering pass-by flows and reservoir releases to ensure that 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 was issued April 12, 2017. (See <a href="http://www.dec.ny.gov/docs/water_pdf/flowtogsfinal.pdf">http://www.dec.ny.gov/docs/water_pdf/flowtogsfinal.pdf</a>.)</p>
<p>○ Adopt and implement supply and demand management to promote efficient use and conservation of water resources.</p>	<p>Water Conservation Manuals [NYS ECL §15-1503(3)] have been developed by NYS DEC to address various components of this objective which will be incorporated into conservation plans developed by all new water permit applicants.</p> <ul style="list-style-type: none"> <li>- Water conservation plans are required to provide annual water audit data which compares produced water to metered usage.</li> <li>- All water withdrawal permit applications for new or increased groundwater withdrawals must submit the results of a pumping test.</li> <li>- 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.</li> </ul> <p>Demand management is implemented through Department regulations (6 NYCRR Part 601). All water withdrawal applications must demonstrate that the requested withdrawal quantity is reasonable for the proposed use and that the need for the proposed water withdrawal cannot be met or reduced by increased water conservation or efficiency.</p> <p>NYS ECL §15-0314 was amended to raise standards for water-efficient plumbing and appliances to align with federal standards issued by the Environmental Protection Agency (EPA). The law takes effect January 1, 2022.</p>
<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 more and all agricultural facilities with registered withdrawals are required to report their average monthly water withdrawals and types of use on an annual basis. Standard reporting forms for the submittal of this data have been developed. (See <a href="http://www.dec.ny.gov/lands/86940.html">http://www.dec.ny.gov/lands/86940.html</a>.) Information required is consistent with guidance developed by Compact Council/Regional Body. The NYS DEC's Division of Water annually reports this information to the Great Lakes Commission for incorporation into the Great Lakes Regional Water Use Database. The Department manages 695 actively reporting facilities within the Great Lakes Basin and through ongoing permit enforcement has achieved 100% compliance in required reporting.</p>

	<p>New York’s Great Lakes Action Agenda, an ecosystem-based management strategy for protecting, restoring and conserving natural resources, includes a goal to “Conserve Great Lakes Water Supplies” with nine specific priority actions designed to focus state policies, programs and ongoing funding opportunities. (See <a href="https://www.dec.ny.gov/lands/91881.html">https://www.dec.ny.gov/lands/91881.html</a>.)</p>
<p>o 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>New York’s Great Lakes Action Agenda, an ecosystem-based management strategy for protecting, restoring and conserving natural resources, includes a goal to “Conserve Great Lakes Water Supplies” with nine specific priority actions designed to focus state policies, programs and ongoing funding opportunities. (See <a href="https://www.dec.ny.gov/lands/91881.html">https://www.dec.ny.gov/lands/91881.html</a>.)</p>
<p>o Develop education programs and information sharing for all water users.</p>	<p>NYS DEC’s current public guidance information is available on NYS DEC’s website:</p> <ul style="list-style-type: none"> <li>- Annual Water Withdrawal Reporting: <a href="http://www.dec.ny.gov/lands/86940.html">http://www.dec.ny.gov/lands/86940.html</a></li> <li>- Water Conservation Tips for the Public: <a href="http://www.dec.ny.gov/lands/5009.html">http://www.dec.ny.gov/lands/5009.html</a></li> </ul> <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 can be found at: <a href="http://www.dec.ny.gov/lands/86945.html">http://www.dec.ny.gov/lands/86945.html</a></p> <p>All permitted and registered water withdrawals are included in a Google Earth data layer within the NYS GIS Clearinghouse and are available to the public at: <a href="http://www.dec.ny.gov/pubs/42978.html#waterwith">http://www.dec.ny.gov/pubs/42978.html#waterwith</a></p> <p>Annual water withdrawal reports are now posted on NYS DEC’s new InfoLocator, an online, interactive map that provides access to many NYS DEC documents, permits, and public data. InfoLocator can be found on NYS DEC’s public website at <a href="http://www.dec.ny.gov/pubs/109457.html">http://www.dec.ny.gov/pubs/109457.html</a>.</p> <p>Basic water well information collected since 2000 for over 130,000 wells is available on NYS DEC’s website at <a href="https://www.dec.ny.gov/lands/33317.html">https://www.dec.ny.gov/lands/33317.html</a>, at the NYS GIS Clearinghouse</p>

(<http://gis.ny.gov/gisdata/inventories/details.cfm?DSID=1203>), and through NYS OpenData at <https://data.ny.gov/>.

New York's Great Lakes Action Agenda is an ecosystem-based management strategy for protecting, restoring and conserving natural resources. Work groups foster communication and collaboration among partners within each of the four sub-basins and across the state's Great Lakes watershed. (See <https://www.dec.ny.gov/lands/91881.html>.)