



New York City Department of
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Negative Declaration

Notice of Determination of Non-Significance

October 26, 2009

Proposed Amendments to Chapter 18 of Title 15 of the Rules of the City of New York: “Rules for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources”

CEQR No. 04DEP207U

This Negative Declaration has been prepared in compliance with the State Environmental Quality Review Act authorized by Article 8 of the Environmental Conservation Law and its implementing regulations as set forth in 6NYCRR Part 617 and the City Environmental Quality Review process as set forth in Executive Order 91 of 1977 and its amendments. The New York City Department of Environmental Protection (NYCDEP), as lead agency, has determined that the proposed action described below would not have a significant effect on the environment and is herein publishing a Negative Declaration. The Environmental Assessment Form (EAF) and attachments were distributed on October 27, 2008.

Project Description

Under authority granted to it by section 1100 of the Public Health Law and section 24-302 of the New York City Administrative Code, the New York City Department of Environmental Protection (“DEP”) is amending sections 18-14 through 18-17, 18-23, 18-32, 18-35 through 18-39, 18-42, 18-48, 18-61, and 18-82 of its “Rules for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources” (“Watershed Regulations”). The purpose of the Watershed Regulations is to protect public health by preventing contamination to and degradation of the City’s surface water supply.

The Bureau of Environmental Planning and Analysis has concluded that the proposed action is classified as a Type I Action.

Modifications To The Proposed Amendments As A Result Of The Public Review Process

During the public review process there were substantial and significant comments on the proposed amendments to the rule that were evaluated as part of the October 27, 2008 EAF. None of the modifications to the proposed

amendments result in additional restrictions beyond those evaluated in the October 2008 EAF. A majority of the modifications provide clarification or remove of restrictions that were proposed as part of the amendments evaluated in October 2008.

The only modification proposed as part of the revised amendments that adds potential burden beyond what was evaluated as part of the EAF is a condition that DEP may require evidence of financial security from any owner/operator prior to construction and maintenance and operation of a new or substantially altered or modified existing sewer system or sewer extension. The purpose of this modification is to ensure the financial viability of proposed sewer systems and more and to make these provisions comparable to the review and approval processes for other regulated activities. Since this requirement is similar to existing requirements for other regulated activities and would place a minimal burden on the owner/operator it is not anticipated that this modification would result in a potential significant adverse impact.

Statement of No Significant Effect:

The proposed amendments are not anticipated to have any potential significant adverse effects on the environment. No potential significant adverse impact on socioeconomic conditions, natural resources, water quality, traffic, air quality, noise, neighborhood character, land use, visual character, or public health, or other impact categories would occur as a result of the proposed action. These conclusions are based on the analyses and determinations provided within the EAF that was distributed on October 27, 2008 and on the evaluation of changes to the amendments that occurred as a result of the public review of the proposed amendments contained above.

Supporting Statements:

The above determination is based on an environmental assessment which finds that the project, as proposed, would not result in significant effects on the environment that would require the preparation of an Environmental Impact Statement.

For Further Information Contact:

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Sincerely,



Esther Siskind
Assistant Commissioner

cc: Town Supervisors and Village Mayors within the Catskill, Delaware, and Croton Systems
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Marty Markowitz, Brooklyn Borough President
Ruben Diaz, Jr., Bronx Borough President
Helen Marshall, Queens Borough President
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