

Attachment 1.

Location and Description of Action

LOCATION OF ACTION

The location of the proposed action includes various areas within select City-owned water supply lands, lakes, and reservoirs within the Croton, Catskill, and Delaware watersheds. These watersheds spread throughout parts of Delaware, Greene, Schoharie, Ulster, Sullivan, Putnam, and Westchester Counties.

Fishing Areas include the three controlled lakes and nineteen reservoirs used or built by the City for water supply purposes, and at ponds, streams, and watercourses located on Hiking Areas. The controlled lakes are Lake Gilead, Lake Gleneida, and Kirk Lake. The reservoirs are Amawalk, Ashokan, Bog Brook, Boyd's Corner, Cannonsville, Cross River, Croton Falls, Diverting, East Branch, Kensico, Middle Branch, Muscoot, Neversink, New Croton, Pepacton, Rondout, Schoharie, Titicus, and West Branch. Shoreline fishing is allowed at Fishing and Hiking Areas. Ice fishing is allowed only on the Amawalk, Bog Brook, Boyds Corner, Cross River, Diverting, East Branch, Muscoot, Titicus, West Branch, Croton Falls, and Middle Branch Reservoirs, on Lake Gilead and Lake Gleneida, and on ponds located on Hiking Areas.

Hiking Areas include select locations, designated by NYCDEP, on City-owned water supply lands in the New York municipalities of Andes, Ashland, Carmel, Colchester, Conesville, Delhi, Denning, Hamden, Kent, Lexington, Middletown, Neversink, Olive, Prattsville, Putnam Valley, Roxbury, Shandaken, Tompkins, Wawarsing, Windham, Woodstock, and Yorktown.

Hunting Areas include select locations, designated by NYCDEP, on City-owned water supply lands in the New York municipalities of Andes, Ashland, Carmel, Colchester, Conesville, Denning, Deposit, Gilboa, Hamden, Hunter, Kent, Lexington, Middletown, Neversink, North Castle, Olive, Prattsville, Putnam Valley, Roxbury, Shandaken, Stamford, Tompkins, Walton, Wawarsing, Windham, Woodstock, and Yorktown.

At its discretion, NYCDEP may temporarily limit or forbid access to any or all City properties at any time as may be necessary to safeguard the water supply. Permanent restrictions include (unless otherwise posted) recreation in areas including all City property on or within five hundred (500) feet of all dams, tunnel outlets, spillways, buildings, and other significant Water Supply structures; in any area on water delineated by buoy lines; in any area not designated as a Hiking, Fishing, Hunting, or Public Area; and in any other area posted with no trespassing signs or as a restricted area, including aqueducts.

For more detailed information on the location of the action, please see the following charts listing the Hiking Properties and Hunting Properties, the corresponding Hiking and Hunting Index Maps and Overview Maps. These maps also show the location of the City's lakes and reservoirs. Please note that the proposed rules would apply to additional municipalities and areas in the watershed as the City purchases additional land as part of its Watershed Land Acquisition Program. The locations and amount of land available for recreational purposes changes from time to time, and the amount will likely continue to increase as the City acquires additional land. The following charts and maps only include those lands open for hiking during the 2004 season and open for hunting as of October 1, 2004. The printed guides with the listed properties and maps, which are given to those that apply for and receive NYCDEP Access Permits and Hunting Tags, are updated yearly. On the "DEP News" page of NYCDEP's website, NYCDEP more frequently announces changes and additions to its land holdings and recreational uses of its lands.

Hiking Properties Chart
 (Open for Hiking in 2004 Season)

COUNTY & BASIN	HIKING AREA	TOWN	ACRES
DELAWARE COUNTY Cannonsville Basin (Overview Map 1)	Fletcher Hollow	Tompkins	358
	Tower Mountain	Tompkins	102
DELAWARE COUNTY Pepacton Basin (Overview Map 2)	Covert Hollow	Hamden	146
	Bullet Hole	Delhi	69
	Palmer Hill	Andes	235
	Weaver Hollow	Andes	434
	New Kingston Mountain	Roxbury	282
	West Settlement	Roxbury	1,536
	Murphy Hill	Andes & Colchester	520
	Pepacton Ledges	Andes	222
	Cole Hill	Middletown	192
	Huckleberry Brook	Middletown	82
	Covesville	Middletown	56
DELAWARE COUNTY GREENE COUNTY SCHOHARIE COUNTY Schoharie Basin (Overview Map 3)	Township Valley	Roxbury	128
	Delaware Headwaters	Roxbury	562
	West Schoharie	Roxbury	271
	West Conesville	Conesville	245
	Huntersfield Creek	Prattsville	308
	Bear Kill	Conesville	115
	Macumber road	Prattsville and Conesville	142
	Patterson Ridge	Ashland	272
	Mount Hayden	Windham	698
	Beech Ridge	Lexington	299
	Westkill	Lexington	263
	Maplecreas	Windham	130
	ULSTER COUNTY Ashokan Basin (Overview Map 4)	Oliverea	Shandaken
Big Indian		Shandaken	272
Herdman road		Shandaken	17
Sheridan Mountain		Shandaken	107
Romer Mountain		Shandaken	16
Warner Creek		Woodstock	156
Beaverkill		Woodstock	188
Mink Hollow		Woodstock	614
Beetree Hill		Woodstock	310
Piney Point Road		Olive	369
Wittenberg		Woodstock	100
South Mountain		Olive	270
West Shokan		Olive	103
ULSTER COUNTY SULLIVAN COUNTY Neversink Basin Rondout Basin (Overview Map 5)		Conklin Brook	Neversink
	Blue Hill	Neversink	314
	Red Hill Knolls	Denning	156
	Dinch Road	Denning	75
	Moore Hill	Neversink	94
	Sugarloaf Mountain	Neversink	55
	North Side	Neversink	149
	Sundown	Denning	90
	East Mountain	Wawarsing	206
	Yagerville Road	Denning	152
	Trout Creek	Wawarsing	634
	South Rondout	Wawarsing	704
	Sholam	Wawarsing	240
	PUTNAM COUNTY	West Branch Headwaters	Putnam Valley

Boyds Corner Basin West Branch Basin (Overview Map 6)	Boyds Corner North	Kent	254
	Mount Nimham	Kent	81
	Horse Pound Brook	Kent	1,085
	Lockwood	Carmel	449
	Long Pond	Carmel	32
	New Croton	Yorktown	210
Total Acreage			16,232

Hunting Properties
(Effective October 1, 2004)

COUNTY & BASIN	HUNTING AREA	TOWN	WMU*	ACRES
DELAWARE COUNTY Cannonsville Basin (Overview Map 1)	Barbour Brook	Tompkins	4O	344
	Johnny Brook	Tompkins & Deposit	4O	3,791
	Speedwell Mountain	Tompkins	4O	3,908
	Fletcher Hollow	Tompkins	4O	358
	Tower Mountain	Tompkins	4O	102
	Sands Creek	Tompkins	4W	2,011
	Beerston	Walton	4O, 4W	816
DELAWARE COUNTY Pepacton Basin Cannonsville Basin Pepacton Basin (Overview Map 2)	Covert Hollow	Hamden	4O	146
	Palmer Hill	Andes	4P	235
	West Settlement	Roxbury	4P	1,536
	New Kingston	Roxbury	4P	282
	Flynn Brook	Andes & Colchester	4P	2,200
	Murphy Hill	Andes & Colchester	4P	520
	Pepacton Ledges	Andes	4W	222
	Meekers Hill	Andes	4P	120
	Cole Hill	Middletown	4P	179
DELAWARE COUNTY GREENE COUNTY SCHOHARIE COUNTY Schoharie Basin Cannonsville Basin Pepacton Basin (Overview Map 3)	Hubbard Hill	Conesville	4G	290
	Bearkill	Conesville	4A	115
	Road Seven	Gilboa	4R	148
	West Conesville	Conesville	4G	245
	Manorkill	Conesville	4G	240
	Macumber Road	Conesville & Prattsville	4R	142
	Bluebird Road	Conesville	4R	222
	Township Valley	Stamford	4P	128
	Duggan Hill	Roxbury & Stamford	4P	192
	Delaware Headwaters	Roxbury	4R	562
	West Schoharie	Roxbury	4R	271
	Huntersfield Creek	Prattsville	4R	274
	West Ashland	Ashland	4R	136
	West Hollow	Ashland	4R	88
	Mount Hayden	Windham	4R	698
	Beech Ridge	Lexington	4R	299
	Westkill	Lexington	4X, 4R	263
Maplecrest	Windham	3A	130	
ULSTER COUNTY Ashokan Basin (Overview Map 4)	Balsam Mountain	Lexington	4X	379
	Diamond Notch	Hunter	4X	86
	Big Indian	Shandaken	3A	272
	Herdman Road	Shandaken	3A	17
	Sheridan Mountain	Shandaken	4X	107
	Warner creek	Woodstock	3A	156
	Oliverea	Shandaken	3A	70
	Romer Mountain	Shandaken	3A	16
	Piney Point Road	Olive	3C	369
	Wittenberg	Woodstock	3A	100
	South Mountain	Olive	3C	270
	Ashokan North	Olive	3C	1,556
	ULSTER COUNTY SULLIVAN COUNTY Neversink Basin Rondout Basin (Overview Map 5)	Red Hill Knolls	Denning	3A
Conklin Brook		Neversink	3H	143
Blue Hill		Neversink	3A	314
West Neversink		Neversink	3H	1,194
Moore Hill		Neversink	3A	94

	Sugarloaf Mountain	Neversink	3A	55
	North Side	Neversink	3C	149
	Sundown	Denning	3C	90
	East Mountain	Wawarsing	3C	206
	Yagerville Road	Denning	3C	152
	Trout Creek	Wawarsing	3C	552
	South Rondout	Wawarsing	3H	704
	Sholam	Wawarsing	3C	240
PUTNAM COUNTY	Big Buck	Kent	3N	42
WESTCHESTER COUNTY	W. Branch Headwaters	Putnam Valley	3N	561
West Branch Basin	Knapp Road	Kent	3N	187
Kensico Basin	Richardsville	Kent	3N	193
New Croton Basin	Boyds Corner North	Kent	3N	254
(Overview Map 6)	Mount Nimham	Kent	3N	81
	Horse Pound Brook	Kent	3N	1,085
	Dean Pond	Kent	3N	201
	Lockwood	Carmel	3N	449
	New Croton	Yorktown	3S	210
	Louden Point	North Castle	3S	180
Total Acreage				32,103

*New York State Department of Environmental Conservation Wildlife Management Unit

DESCRIPTION OF ACTION

The New York City Department of Environmental Protection (NYCDEP) is proposing to repeal Title 15, Chapter 16 of the Rules of the City of New York (RCNY), the existing rules governing fishing and boating on the lakes and reservoirs used or built by New York City (the City) for water supply purposes, and replace it with "Rules and Regulations for the Recreational Use of Water Supply Lands and Waters." The revised rules would govern all permissible recreational uses, including hiking and hunting, of the over 112,000 acres of water supply lands and waters owned by the City of New York for purpose of providing drinking water and protecting the drinking water supply for over nine million New York State residents. The regulated community would be all persons accessing for purposes of recreation certain City-owned water supply lands, lakes, and reservoirs located throughout Delaware, Sullivan, Green, Putnam, Schoharie, Ulster, Orange, Westchester, and Dutchess Counties.

Notable changes to the proposed rules and regulations include:

- consolidating interim permit conditions for hunting and hiking with the former Fishing and Boating Rules and Regulations to establish one statutory chapter for all recreational rules and regulations;
- establishing Group Access Permits and Guest Passes;
- establishing a requirement that all persons accessing New York City water supply lands and waters, with the exception those with valid Guest Passes or those accessing Public Areas, apply for and carry a Public Access Permit;
- establishing a Public Area designation, which would allow access without a Public Access Permit to areas that have historically been open to the public in this manner;
- lowering the age of those eligible to receive Access Permits from 16 to 14 years (persons between 14 and 16 would need parental/legal guardian consent);
- lowering the age requirement for adult supervision from 16 to 14 years;
- allowing handguns for hunting;
- establishing an increased fee for removal by the City of boats found unattended, outside of designated Boat Areas, and/ or without valid registration, on water supply lands and waters, and shortening the time period within which the City may dispose of such removed boats;
- establishing administrative fees, such as replacement fees for certain NYCDEP-issued documents;
- clearly documenting NYCDEP's right to temporarily limit or forbid access to any or all City properties at any time as may be necessary; and
- modifying the language of the Rules and expanding the list of definitions in order to clarify the Rules' intentions.

Based on the information provided, the Office of Environmental Planning and Assessment (OEPA) has concluded that, as defined in the New York State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR) procedures, the proposed action is classified as Unlisted.

Project Purpose

The purpose of the proposed rules is to further NYCDEP's goal of safeguarding the supply of high-quality drinking water while ensuring continued and more extensive recreational use and enjoyment of the City's water supply lands and waters. The City's fishing and boating rules date back to the Water Supply Act of 1905. The most recent amendments to the rules, adopted February 13, 1998, did not include provisions for hiking and hunting. These activities began in the late 1990s in response to the 1997 New York City Watershed Memorandum of Agreement (MOA), which called for the City to undertake a comprehensive review of existing and potential recreational uses on currently-owned and newly acquired City property. The proposed action is to update the rules and regulations so they would address security concerns and the public's new opportunities for recreational use of the City's water supply lands and waters.