

*New York City Watershed
Memorandum of Agreement*

June 10, 2006

Taking Precautionary Action Conference

Baltimore, MD

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New York City's Water Supply System



- Catskill / Delaware Watershed Area
- Croton Watershed Area
- Rivers and Reservoirs
- Catskill Aqueduct and Tunnels
- Croton Aqueduct
- Delaware Aqueduct and Tunnels
- County Borders
- State Borders







Watershed Facts....

Series of 19 Reservoirs and 3 Controlled Lakes
(total capacity 580 billion gallons)

Supplies 1.5 billion gpd to over 9 million
(NYC, parts of Westchester, Putnam, Orange,
Ulster Counties – 60 connections upstate in 8
counties)

Watershed is approx 2,000 Square Miles

Federal law requires...

- Such surface drinking water supplies to be filtered

- or -

- That USEPA grant a waiver called a Filtration Avoidance Determination (FAD), which is to lay out watershed control system

**NYC system is largest unfiltered system
in the country; most others (SF, Seattle,
etc.) have almost complete
ownership/control of watershed lands**

**Only about 30% of NYC watershed lands
are protected through ownership or
easements**

Initial Timeline

- 1989: Federal SWTR promulgated (filtration requirement)
- Sept 1990: NYC watershed protection plan
- March 1991: CWT formed (opposition)
- January 1993: One-year FAD granted
- Dec 1993: Three-year FAD granted

Secondary timeline – Road to MOA

- Apr 1995: Parties first convened (EPA, NYS, NYC, enviros, municipalities) ~ 60
- Nov 1995: Conceptual agreement
- Sept 1996: Draft MOA
- Jan 1997: MOA formally executed

1997 Watershed MOA

- Land Acquisition
- Watershed Rules and Regulations
- Watershed Partnership Programs

Land Acquisition

- Willing Buyer / Willing Seller – no eminent domain – and fair market value
- Prioritized Areas, village centers exempted
- Total of \$250-300m committed

Watershed Rules and Regulations, including...

- Limits on WWTP construction, operation
- Limits on placement of septics
- Prohibition on impervious surface within 300' of reservoir, 100' of wetland/watercourse
- City approval of SPPP

Watershed Partnership Programs, including...

- WWTP upgrades and septic rehabilitation
- Economic development funding for Catskills
- Stormwater retrofitting

1997 Watershed MOA has meant....

- Commitment of \$1.4 billion in programs
 - \$6-8 billion construction cost of filtration plant
- vs
- Watershed protection at its source
 - Neglect of source protection

A “living agreement”

- Continuing timeline: FADs granted in 1997, 2002...
- Continuing acrimony between NYC and upstate
 - Recreational access
 - Infrastructure safety
 - Flooding conditions
 - Watershed development
- 2007 FAD being negotiated now

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