

Summary of Express Terms

6 NYCRR Part 830

Reclassification of Certain Waters Within the Lake Champlain Drainage Basin Within Clinton, Essex, Franklin, Warren, and Washington Counties, New York

The waters within the Lake Champlain drainage basin are listed in Table I of 6 NYCRR Part 830 for purposes of classification. For ease of reference, each listing in the table has been assigned an “item number,” which can refer to a single waterbody, or multiple waterbodies, or a portion of a waterbody. With this adoption, DEC amends the classifications of 174 item numbers, adopts 46 new item numbers, and repeals 1 item number in Table I, to include:

- 1) reclassifying 123 item numbers from a classification of “D” to “C”;
- 2) reclassifying 8 item numbers from a classification of “D” to “C(T)”;
- 3) reclassifying 8 item numbers from a classification of “D” to “C(TS)”;
- 4) reclassifying 9 item numbers from a classification of “C” to “C(T)”;
- 5) reclassifying 3 item numbers from a classification of “C” to “C(TS)”;
- 6) reclassifying 3 item numbers from a classification of “C(T)” to “C(TS)”;
- 7) reclassifying 6 item numbers from a classification of “A” to “A(T)”;
- 8) reclassifying 9 item numbers from a classification of “AA” to “AA(T)”;
- 9) reclassifying 1 item number from a classification of “AA” to “AA(TS)”;
- 10) reclassifying 2 item numbers from a classification of “AA Special” to “AA Special(TS)”;
- 11) classifying 1 item number as “C” where classification is currently blank;
- 12) removing the D classification for 1 item number due to its location with the forest preserve;
- 13) adding 1 new item number having a classification of “A”;

- 14) adding 4 new item numbers having a classification of “B”;
- 15) adding 3 new item numbers having a classification of “C”;
- 16) adding 3 new item number having a classification of “C(T)”;
- 17) adding 35 new item numbers for waters being extracted from existing item numbers;
- 18) deleting 1 item number because the water is being incorporated into another item number.

Seven of the new item numbers (40.1, 77.1, 77.2, 432.1, 441.1, 455.1, 461.1) being added to Table I represent waters that were previously classified under Special Conditions. These item numbers are being added to Table I to provide greater clarity to the public and to expressly set forth their existing classifications.

With this adoption, there has been no downgrading of classifications. Use Attainability Analyses have been completed for 28 item numbers waters to remain as Class D. A new section is adopted, titled “Designated waters.” A portion of the Definitions section is modified and used to create a new section called “Special conditions.” Several definitions are clarified and rearranged. Seventeen quadrangle maps and one map showing the location of the Lake Champlain drainage basin are replaced with new maps. After the publication of the Notice of Proposed Rule Making, the Department made additional non-substantive edits correcting the spelling of the “Bouquet River” in Table I to “Boquet River” and updating references in Item Numbers 324 and 325 to “mill dam” and replacing them with references to “cascades.” DEC staff also corrected several proposed classifications that would have inadvertently downgraded existing classifications set forth under the “Special Conditions” provision in 6 NYCRR Part 830, and added new item numbers.