

RURAL AREA FLEXIBILITY ANALYSIS (RAFA)
SALINE WATER QUALITY STANDARDS RULE
6 NYCRR Parts 701 & 703

The New York State Department of Environmental Conservation is proposing revisions to New York’s water quality standard (WQS) regulations in Title 6 New York Codes, Rules and Regulations (NYCRR) Parts 701 and 703. The proposed regulatory updates include amended WQS to protect the shellfishing best use in Class SA waters; protect the primary contact recreation best use in Class SA and SB waters; maintain water quality suitable for primary contact recreation in Class SC¹ waters; protect the secondary contact recreation best use in Class I waters; and add a wet weather (WW) limited use designation for waters impacted by combined sewer overflow (CSO) discharges and/or municipal separate stormwater sewer systems (MS4) effluents. The proposed regulatory updates would impact waters in and around the counties of Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk, and Westchester. The counties listed are not rural areas as defined in New York State Administrative Procedure Act section 102(10) and Executive Law section 481(7) and, therefore, the proposed regulatory updates have no associated rural impact.

¹ Class SC waters do not have a best use of primary contact recreation assigned to them in 6 NYCRR Part 701, but 701.12 does specify “The water quality shall be suitable for primary and secondary contact recreation...” in Class SC waters. Absent a primary contact recreation best use, Class SC waters are still protected by standards aligning with the swimmable goal of the Clean Water Act.