



**Department of
Environmental
Conservation**

Stream Stabilization

Working with DEC

DEC Jurisdiction

Article 15 of the Environmental
Conservation Law

Stream Classification

- The ECL classifies watercourses in the state based on their best potential use from AA to D.
- The law also requires streams that are suitable for trout survival or trout spawning to be given the added designation of (t) or (ts).
- For example, a class B stream which supports trout is labeled: B(t).
- Independently of classification, all waterbodies are divided between navigable or non-navigable.



What actions require approval?

- Disturbing the bed or banks of a stream classified as C(t) or higher.
- Excavating or placing fill below the mean high-water level in a navigable waterbody.



What are the standards for permitting?

To be permitted, a project must be in the in the public interest, in that:

- (a) it is reasonable and necessary;
- (b) will not endanger the health, safety or welfare of the people of the State of New York; and
- (c) not cause unreasonable, uncontrolled or unnecessary damage to the natural resources of the State, including soil, forests, water, fish, shellfish, crustaceans and aquatic and land-related environment.



Solving problems



- Consider the site as part of the whole stream and across time
- Understand the stream dynamics and its likely response to proposed changes
- Correct problems long-term by working with the stream
- Incorporate natural features and preserve habitat

Activities that do not require an approval

- Removal of debris from a stream if no equipment will be driven into the stream and no excavation or fill is required.
- Work in class D or C streams that are not designated for suitable for trout. (that is, *not* C(t))
- *(Remember, other permits may be required)*



Emergency Authorizations

During an emergency, the Regional Permit Administrator at DEC can issue an emergency authorization.

If prior notice is not possible, a state or local government agency may act prior to receiving the authorization. However, the Regional Permit Administrator for DEC must be notified and given the basis for the emergency action within 24 hours.



Other permits may be required from DEC

- Freshwater Wetlands Permits
- Construction stormwater permits
- Dam safety permits
- Wild, Scenic and Recreational Rivers Permits



DEC approval does not equal approval from:

- US Army Corps of Engineers
- Local government
- Office of Parks, Recreation and Historic Preservation
- Other property owners



If you think you might need a permit

- Look at the stream classifications and FWW maps on DEC's Environmental Resource Mapper:
<https://gisservices.dec.ny.gov/gis/erm/>
- Contact the Oneida County Soil and Water Conservation District
- Review DEC's Website for more information about:
 - Protection of waters: <https://www.dec.ny.gov/permits/6042.html>
 - Applying for permits: <https://www.dec.ny.gov/permits/6081.html>
- When you're ready, contact the DEC Region 6 Permits office by phone at (315)793-2796 or email DEP.R6@dec.ny.gov



Questions?



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Thank You

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