

**State Senate Hearing:
Examining the Implementation, Fiscal Impact, and Technical
Sufficiency of Mandatory State Water Security and Wastewater
Security Regulations**

**Testimony of Beth DeFalco
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Good afternoon, and thank you for the opportunity to testify.

My name is Beth DeFalco. I'm the Deputy Commissioner for Public Affairs and Communications at the New York City Department of Environmental Protection. I'm joined by Ari Maas, DEP's Deputy Commissioner for Police and Security, along with several of our colleagues from DEP.

NEW YORK CITY'S WATER SYSTEM

I want to start with a little context, because when we talk about water security, scale matters.

DEP operates the largest municipal water system in the country. Our watershed spans roughly 2,000 square miles, with 19 reservoirs and three controlled lakes. Every day, we deliver roughly one billion gallons of drinking water to New York City and communities north of the city.

We also operate 14 wastewater resource recovery facilities that treat approximately 1.3 billion gallons of wastewater each day and manage stormwater and flooding across much of New York City.

Altogether, our system serves nearly 10 million people.

That scale is one of our greatest strengths. But it also makes our infrastructure an attractive target for anyone looking to cause widespread disruption or harm.

That is why security is not something we just layer on to our operations. It is fundamental to how we operate.

CYBERSECURITY

Of course, threats to critical infrastructure today don't have to come from someone physically approaching a reservoir or treatment plant. They can come through a computer.

Our most critical operational systems are designed to function independently from the outside world, and core systems are isolated from the public Internet.

We also maintain the ability to operate essential parts of our water and wastewater systems manually.

If computers go down, New Yorkers still need drinking water. Toilets still need to flush. Wastewater still needs to be treated.

That redundancy — combined with 24-hour staffing at critical facilities and close coordination with City, state and federal cybersecurity partners — is central to our approach.

THE STATE'S NEW REGULATIONS

DEP supports the State's goal of establishing strong cybersecurity standards for water and wastewater systems.

Where we see room for improvement is in implementation.

New York's water systems are extraordinarily diverse. Requirements that work for a small utility may not make sense for a system serving nearly 10 million people.

We believe the State should align requirements with established frameworks like the NIST Cybersecurity Framework, and emphasize risk-based standards rather than overly prescriptive mandates.

There should also be clear thresholds for when a cybersecurity event requires outside reporting and strong protections to ensure sensitive assessments of system vulnerabilities do not become publicly available.

Cybersecurity is not a checklist. Threats change, technology changes, and systems are different.

Effective regulation should establish strong standards while giving utilities the flexibility to determine the safest and most effective way to meet them.

PHYSICAL SECURITY

DEP is the only water utility in New York State with its own fully accredited police force.

DEP Police were first formed in 1908 to protect the construction of the Catskill Aqueduct. Today, they protect reservoirs, dams, aqueducts and other critical infrastructure across multiple counties. These are sworn officers trained to respond to terrorism and protect infrastructure serving nearly 10 million people.

Despite their enormous responsibility, the physical hardship, and the risks they take, DEP Police are the only fully accredited police force in New York State without a years-of-service retirement plan. Instead, our new recruits need to work until age 63, regardless of how many years of service they put in.

DEP Police successfully keep the water system safe every day, but their lack of a law enforcement pension has contributed to significant vacancies.

The DEP Police vacancy rate exceeded 30 percent for much of Fiscal Year 2026, contributing to declines in routine security checks and enforcement activity.

Earlier this year, Senator Brian Kavanagh and Assembly Member Stacey Pheffer Amato sponsored S.9356 and A.10414, which would establish a 25-year retirement plan for DEP Police. We are grateful to the Senate and Assembly for passing the bill.

CONCLUSION

New York City has spent more than a century building one of the safest and most reliable water systems in the world.

Protecting it today requires police officers guarding reservoirs and critical infrastructure, cybersecurity professionals defending our systems, and thousands of DEP employees maintaining the redundancy that keeps water flowing even when technology fails.

The tools have changed. The responsibility has not.

We appreciate the State's focus on protecting this critical infrastructure and look forward to continuing to work together to make these regulations strong, practical and effective.

Thank you. My colleagues and I are happy to answer any questions, of course with the caveat that we may not be able to answer some because of security issues.