



Department of Health

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Commissioner

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Executive Deputy Commissioner

December 14, 2015

David S. Warne
Assistant Commissioner
NYC Department of Environmental Protection
Bureau of Water Supply
465 Columbus Avenue
Valhalla, NY 10595

Dear Mr. Warne:

NYSDOH/USEPA and NYSDEC have reviewed the Proposed Scope of Work for the Expert Panel Review of the City's Watershed Protection Program, which was submitted September 30, 2015. Our comments are attached. We would appreciate if you could provide a reply to these comments by January 15, 2015.

Please feel free to contact me if you have any questions.

Sincerely,

Pamela L. Young, Ph.D.
Chief, NYC Watershed Section
Bureau of Water Supply Protection

Att.

Cc (electronic):

R. Sokol
T. Boepple-Swider
P. Sweeney – USEPA
K. Kosinski/T. Snow – NYSDEC

NYSDOH/USEPA and NYSDEC Comments on Expert Panel Review of the City's Watershed Protection Program Proposed Scope of Work September 2015

In general, the proposed Scope of Work (SOW) for the Expert Panel review of NYC's Watershed Protection Program captures the breadth of topics and questions that will be required to approach the task set forth by the Revised 2007 FAD requirement. NYSDOH/EPA, in consultation with NYSDEC, have the following comments on the SOW:

- The Scope Development section on page 2 should include that NYSDOH solicited comments from Watershed stakeholders starting in January 2015. Comments were accepted through March 31, 2015.
- The description of the SOW task under "Evaluation Approaches" would be improved by adding that the review will assess the adequacy of current evaluation approaches and recommend any innovative or alternative approaches for evaluating the program now and/or in the future.
- On page 3, the last full paragraph should include that the FAD regulatory agencies will also be given opportunity to provide information to the panel.
- In the first sentence under "Project Overview", in addition to modifying programs, adding or eliminating programs could also be given as options for recommendations by the Expert Panel.
- The sentence referencing "*Giardia lamblia* cysts and viruses" in the first paragraph on page 6 would be more complete if modified as follows: "Is the current suite of programs, ranging from land ownership to implementation of WR&Rs to partnership programs, appropriate and adequate to achieve the ultimate goals of minimizing the potential for contamination by *Giardia lamblia* cysts, *Cryptosporidium* oocysts, and viruses in the source water and meeting water quality standards required to maintain filtration avoidance?"
- On page 3, "modeling expertise" should be included in the list of qualifications that will be sought when selecting members of the expert panel.
- Under the Watershed Protection Program section on page 5, questions could be added that focus on the septic system and community wastewater programs. For example: Is the scope of the City's Septic Remediation and Replacement Program adequate? Should additional communities be considered for participation in the Community Wastewater Management Program?
- Under the Future Risks section, Land use trends, the item in parentheses should be clarified to indicate that the "recreational activities" are on City land, not State land.
- Consideration should be given to moving the list of "Review Materials" to the end of the SOW and renaming them "Reference Materials".
- The following documents should be added to the list of "Reference Materials":
 - NYC Watershed Rules and Regulations;
 - SPDES General Permit for Municipal Separate Storm Sewer Systems;
 - "Watershed Event Timeline" presented by David Quentin at the 2015 Watershed Science and Technology Conference (co-authored by Dr. Lorraine Janus and Kerri Alderisio).