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Executive Deputy Commissioner

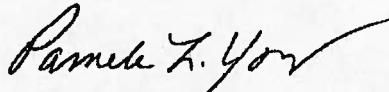
September 16, 2014

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

Dear Mr. Warne:

NYSDOH and USEPA have reviewed the Revised 2007 FAD deliverables that were due through July 31, 2014. Our comments are attached. We would appreciate if you could provide a reply to these comments by October 17, 2014. 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: R. Sokol
T. Boepple-Swider
A. Thompkins – USEPA
P. Sweeney – USEPA
K. Kosinski – NYSDEC

DOH/EPA Comments on FAD Deliverables due July 31, 2014

4.2 Land Acquisition Program

The semi-annual report on the status and activities of the Land Acquisition Program was submitted as required by the 2007 Revised FAD. The report states that “the 2014 FAD imposes a minimum 250,000-acre solicitation goal that covers the five-year period inclusive of 2012-2016...” The 2007 Revised FAD actually states that NYCDEP must solicit at least 300,000 acres through 2017, with credit toward this goal given for acres solicited in 2012 and 2013.

NYSDOH/EPA acknowledges NYCDEP’s June 11, 2014 request to NYSDEC to modify NYC’s Water Supply Permit to allow implementation of a City-funded Flood Buy-Out Program. The submission satisfies the 2007 Revised FAD requirement to submit such request.

4.8 Wetlands Protection Program

A report on the status of analysis of reference wetlands data and development of reference standards was submitted as required by the 2007 Revised FAD. The report is a well-organized and concise summary of the extensive data collected at NYCDEP’s 19 reference wetlands in the WOH watershed. The report notes that a wider geographic distribution of reference wetlands “would enable a more thorough characterization of the Catskill and Delaware watersheds...” Does NYCDEP feel that adding reference wetlands would be a worthwhile enhancement to the program? While reporting on the use of the reference wetland data is not within the scope of the report, NYSDOH is interested in hearing (perhaps in the FAD annual report) about examples where NYCDEP has been able to apply data from the reference wetlands, e.g., to help inform a wetlands mitigation project.

4.11 Catskill Turbidity Control Program

A summary report on Catskill Turbidity Control measures was submitted in accordance with the 2007 Revised FAD. As required by the FAD, the report provides a concise summary of the costs, feasibility, and potential effectiveness of turbidity control measures that were considered by the Phase II and III Catskill Turbidity Control Studies and the 2008 Value Engineering review. In addition, the report summarizes the turbidity control measures that will be assessed in the environmental review being conducted in relation to the proposed modification to NYCDEP’s Catalum SPDES permit. NYSDOH notes that the report is well written, and serves as a useful reference for reviewing NYCDEP’s efforts towards investigating turbidity control measures.

5.1 Watershed Monitoring Program

The 2013 Watershed Water Quality Annual Report (the Report) is a comprehensive summary of the monitoring, modeling, and research conducted by NYCDEP pursuant to its watershed protection program. NYSDOH notes in particular that the quality of the data presentation and format of the Report result in a concise delivery of information that is also “reader-friendly.” The Report also describes the scientific studies being conducted in the watershed, both by NYCDEP staff and through other professional research collaborations. The list of peer-reviewed publications included in the Report attests to the quality of this research. NYSDOH has noted the Report’s acknowledgment section and concurs that the pride mentioned is an important

fundamental to the success of NYC's watershed protection programs; we commend NYCDEP for setting and maintaining high standards in its work.

NYSDOH/EPA have the following additional comments/questions on this report:

- The Report would benefit from including a list of acronyms.
- In Section 1.1.2, NYSDOH/EPA note the planned deployment of additional profiling buoys in the RoboMon program. We also note the expected deployment of under-ice buoys in the Ashokan Reservoir for the 2014-15 winter season. Successful operation at Ashokan may allow for expansion into the Kensico Reservoir in future years.
- Section 3.1.1 discusses the seiche observed in the Schoharie Reservoir between July and September 2013. A report from the Upstate Freshwater Institute is referenced in this section. We would be interested in receiving a copy of this report. Does DEP plan to collaborate with UFI on additional modeling of turbidity and temperature oscillations in the Schoharie, to include data from the 2014 occurrence?
- In Section 5, the discussion on pathogens should include information on the matrix spike recoveries, either in aggregate for the year, broken down into each reporting section or added to Tables 5.6, 5.7, and 5.8. This quality control information would help provide context for the reported pathogen detections and summary statistics.
- In Section 7.1.4, the text mentions the USGS turbidity monitoring study on the Esopus, and refers to a final report. We would be interested in receiving a copy of this report.