

FOREWORD

This document is the Final Environmental Impact Statement (FEIS) for the Extended New York City Watershed Land Acquisition Program (LAP) proposed by the New York City Department of Environmental Protection (NYCDEP), also acting as lead agency. The Draft Environmental Impact Statement (DEIS) was prepared in accordance with the State Environmental Quality Review Act (SEQRA) (Section 8-0113, Article 8 of the Environmental Conservation Law) as set forth in 6 NYCRR Part 617, and the City Environmental Quality Review (CEQR) process, as set forth in Executive Order 91 of 1977 and its amendments.

The DEIS was accepted as complete by NYCDEP and issued for public review and comment on June 1, 2010. The issuance of the DEIS with the Notice of Completion on June 1, 2010 marked the beginning of public review under CEQR. The DEIS was circulated to interested and involved agencies and members of the public. The DEIS was posted on the NYCDEP Web page, and hard copies of the document were made available in public repositories located within and around the watershed and in New York City.

Three joint NYSDEC and NYCDEP public hearings were held to obtain oral testimony on the DEIS and Water Supply Permit Application. These hearings were held on July 12, 2010 at SUNY Delhi, in Delhi, NY, on July 13, 2010 at Hunter Elementary School in Hunter, NY, and on July 14, 2010 at Tri-Valley High School in Grahamsville, NY. The period for submitting written comments remained open until November 22, 2010.

A public notice advertising the dates, times, and locations of the public hearings on the DEIS was published in the *City Record* and in newspapers of general circulation in the affected area, including *Journal News (Northern Edition)*, *Times Herald Record*, *Kingston Daily Freeman*, *Oneonta Daily Star*, *Mountain Eagle*, and the *Walton Reporter*. Information on the public hearings was also published in NYSDEC's *Environmental Notice Bulletin*. Notices of the scheduled public hearings were mailed to the recipient list of the DEIS and to those who provided testimony at the public scoping meetings on March 23 and March 24, 2010 in Delhi, NY and Hunter, NY, respectively.

This FEIS summarizes and responds to all substantive and relevant comments made during public review in a new chapter, Chapter 12, "Comments and Responses." Where appropriate, revisions and clarifications have also been made to the other chapters of the document, both in response to public comments and to reflect project changes that were made subsequent to the issuance of the DEIS. Revisions made throughout the FEIS are indicated by double underlines.

The major changes since the DEIS include the following:

- Since issuance of the DEIS, NYCDEP has been in active negotiations with its regulators (NYSDEC, NYSDOH, USEPA), watershed communities and environmental organizations to address concerns about the proposed Extended Land Acquisition Program. A Draft Water Supply Permit has been issued by NYSDEC. In addition, a companion Agreement will be signed by many of the parties to the 1997 Watershed Memorandum of Agreement (1997 MOA), reaffirming the parties' commitments under the 1997 MOA and making additional commitments with respect to the LAP and related programs going forward.
- Among other program changes since the issuance of the DEIS is that the draft permit term is 15 years instead of 10 years. This 15 year term, analyzed in the DEIS as the

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Greater Impact Alternative, has been incorporated into the project as the Greater Impact Scenario in the FEIS.

- Other program changes since the DEIS include numeric thresholds for natural features criteria, delineation of expanded hamlet areas, and new or more detailed program elements including a Pilot Riparian Buffers Program, a Forest Conservation Easement Program, and an Enhanced Land Trust Program. These changes have been incorporated into the project description in the FEIS.
- In addition to permit terms related specifically to the Extended LAP, the permit requires the continuation of funding for Watershed Partnership Programs. These programs are, for the most part, part of the Long Term Watershed Protection Program and Filtration Avoidance Determination. The impacts of these programs were included in the environmental review that supported the 2007 FAD (Negative Declaration, dated September 2007), to the extent reasonably foreseeable. Environmental review of the continuation of these programs will be conducted, as applicable, to support the FAD review of 2012, subsequent FADs, and for discretionary permits and approvals required for these programs.
- The companion Agreement enhances or clarifies provisions in the Water Supply Permit. The Agreement is largely administrative and addresses program implementation, litigation, and tax issues, among other issues not addressed by the Water Supply Permit that are of interest to stakeholders. To the extent that the commitments memorialized in the Agreement simply clarify elements of the Extended LAP itself, their impacts are addressed in this EIS. The commitments relating to current and potential litigation are not subject to environmental review. The Towns of Hamden and Kortright will be responsible for environmental review of the amendments to their local laws concerning conservation easements.

This FEIS is being distributed in the same manner as the DEIS, is posted on the NYCDEP Web page, and hard copies of the document are being made available in public repositories located in and around the watershed and the City.

No less than 10 days following completion of the FEIS, NYCDEC and NYCDEP will make its Statement of Findings prepared under CEQR/SEQRA.