



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

**SALLY DRESLIN, M.S., R.N.**  
Executive Deputy Commissioner

January 29, 2016

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 December 31, 2015. Our comments are attached. We would appreciate if you could provide a reply to these comments by February 29, 2016.

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  
D. Pabst/K. Lynch – USEPA  
K. Kosinski – NYSDEC

# **DOH/EPA Comments on FAD Deliverables due December 31, 2015**

## **3.1 Septic and Sewer Programs**

The Revised 2007 FAD stated that, by December 31, 2015, DEP would work to complete sewer extension projects in Pine Hill-Shandaken (Pine Hill WWTP), Showers Road-Hunter (Tannersville WWTP), and Margaretville-Middletown (Margaretville WWTP). NYSDOH/USEPA acknowledge that the Showers Road-Hunter project is complete, and that the remaining two projects will be completed in the second half of 2016. Please provide a mid-year update on the status of these two projects, due June 30, 2016.

## **3.3 Community Wastewater Management Program**

The Revised 2007 FAD required DEP to complete the construction of the South Kortright project by December 31, 2014, and the Lexington project by December 31, 2015. NYSDOH/USEPA acknowledge that, due to certain project delays, completion for these projects will not be achieved until mid to late 2016. As these projects are now overdue, please provide a mid-year update on the status of these two projects, due June 30, 2016.

Please confirm DEP's receipt of the Preliminary Engineer's Reports for the projects in Shandaken and West Conesville.

## **4.9 East of Hudson NPS Pollution Control Program**

The Revised 2007 FAD specifically required the completion of two stormwater retrofit projects by December 30, 2015. The projects, at Maple Avenue and Drewville Road, address sediment erosion into the Cross River and Croton Falls Reservoirs, respectively. Situations outside of DEP's control, such as municipal redesign requests, have delayed these projects, which were originally due by December 31, 2009 (as per the 2007 FAD). DEP now anticipates that the projects will be completed by mid-2019.

Protection of source water quality is a critical factor in determining Filtration Avoidance. NYSDOH/USEPA strongly urge DEP to expedite the Maple Avenue and Drewville Road projects, and meet requirements of the Revised 2007 FAD.

As these projects are now substantially overdue, please begin providing quarterly project status updates, with the first update due March 31, 2016. Reports should include information on progress of the projects, any delays encountered or anticipated, and actions NYCDEP is taking to mitigate delays.

#### **4.6 Stream Management Program**

As required by the Revised 2007 FAD, DEP submitted a report that evaluates the status of the Catskill Watershed Corporation (CWC) Local Flood Hazard Mitigation Program (LFHMP) funding, specifically evaluation of funding needs through 2017.

DEP projects that the \$17 million contract with CWC (registered in 2015) will be sufficient to cover the anticipated costs through 2017, as the expected fund requests will primarily be feasibility studies. Based on the information provided, NYSDOH/USEPA agree that the initial \$17 million allocation will be sufficient to support the LFHMP through 2017.

The report indicates that approximately \$150,000 of program funds have been spent since June 1, 2015, including \$10,000 for a feasibility study and the balance for other program commitments and expenses. Please provide further clarification on what other program commitments and expenses have been covered by these program funds so far.