



**Environmental
Protection**

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August 18, 2016

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United States Environmental Protection Agency - Region II
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Dear Dr. Young and Ms. Lynch:

Enclosed is the DEP Response to the NYSDOH/USEPA Comments on Revised 2007 FAD Deliverables submitted through May 2016.

As always, if you have any questions about these comment responses or other aspects of the City's watershed protection efforts, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. S. Warne', with a long horizontal line extending to the right.

David S. Warne
Assistant Commissioner

DEP Response to NYSDOH/USEPA Comments on the FAD Deliverable Reports
Submitted May 31, 2016
Response Date August 18, 2016

4.6 Stream Management Program

The Revised 2007 FAD requires that, each year, a rolling two-year Action Plan be submitted for each of the West-of-Hudson basins. The 2016 – 2018 plans outline the upcoming projects in the program areas (Stream Projects, Catskill Stream Buffer Initiative, Stream Management Implementation Program, Education/Outreach/Training, and Local Flood Hazard Mitigation Program).

In general, these rolling, two-year action plans speak to the large efforts put forth by the partnership organizations and NYCDEP in protecting water quality and educating watershed stakeholders.

The appendices in the Ashokan and Schoharie action plans (which provide descriptions of completed projects from 2009 – 2015 and 2007 – 2016, respectively) are an excellent addition to these action plans.

DEP Response:

Comment noted.

NYSDOH/USEPA have the following comments on individual plans:

Ashokan 2016 – 2018 Action Plan

On page 4, item 1 states “The table below includes candidate streams for assessment in 2016 and 2017.” Is this referring to the Esopus Creek Headwaters and the Little Beaver Kill?

DEP Response:

As per the contract between DEP and UCSWCD, the UCSWCD has a deliverable to conduct stream feature inventories in 2017 and 2019. The priorities for stream feature inventory in 2017 and beyond were determined in the winter of 2016, and include the Little Beaver Kill, since it is a tributary with probable fine sediment sources that has not yet been thoroughly assessed. The Town of Shandaken has identified the Oliverea Reach of the Esopus Creek headwaters as a priority area for channel instability associated with sediment accumulation, making it another likely target for the next round of assessment.

On page 6, the Chichester Reach Hillslope Bioengineering and Channel Structure Modification project has been put on hold. Please provide more information on this project, and the natural stabilization that appears to have taken place.

DEP Response:

The channel structure within the Chichester Reach that was identified as in need of modification cannot be accessed because it exists on a property where the landowner no longer supports further in-channel construction. The natural stabilization is in reference to the repaired hill slope in this reach, which has undergone significant natural recruitment of vegetation. The project will continue to be monitored and the

UCSWCD will supplement vegetation as determined necessary. For more project specific information please visit: <http://catskillstreams.org/stream-management-program/project-maps/>

On page 7, the text for item 10.c. states “See project table above for listing of maintenance work.” Is this referring to the table labeled “Ashokan Watershed SMIP Projects Supporting Stream Restoration (Active 2016)”? It would be appreciated in the future to label tables in the document for clarity and ease of reference.

DEP Response:

Item 10.c. refers to the table titled “Ashokan Watershed SMIP Projects Supporting Stream Restoration (Active 2016)”. There is currently no maintenance work being conducted to repair projects. However, if/when any maintenance work is undertaken in future years it will appear in this table. Regarding the labeling of tables, DEP agrees and will adjust in the 2017-2019 action plan.

On page 13, Item 4 discusses a pilot bioengineering demonstration project on the Bushkill Creek. This does not appear to be included in the table “Ashokan Watershed CSBI Projects.” Please provide more information.

DEP Response:

In the table titled “Ashokan Watershed CSBI Projects”, line 1 should read “Implementation of Bushkill Creek bioengineering project” to match the text in Page 13, item 4. The listing of Upper Esopus bioengineering project is a typo in the existing document.

On page 16, the website provided for the New York Natural Heritage Program’s report does not appear to contain that particular document. Please clarify.

DEP Response:

The link to the report has been added to the web page.

Delaware 2016 – 2018 Action Plan (East and West Branch Delaware River)

On page 6, NYSDOH/USEPA note the six Local Flood Hazard Mitigation Analyses scheduled for completion in 2016.

DEP Response:

Comment noted.

On page 13, the table “CSBI Yearly Project Monitoring” shows a decreasing number of project sites with each successive year. Are not all CSBI planting projects monitored, or has the need for monitoring changed? Please explain.

DEP Response:

All CSBI planting projects are monitored in years 1, 3, and 5 following project completion. Knotweed-pull projects completed in recent years are not monitored with the same protocol and, therefore, reflect a lower number of monitored projects.

On page 17, NYSDOH/USEPA note item D.1, which states that the More Stream Restoration Project is scheduled for construction in 2016. The successful completion of this project is

important to water quality in the West Branch Delaware River, as well as the Cannonsville Reservoir. Please provide some additional information on the steps remaining to complete this project, and describe whether any of these steps may further delay completion.

DEP Response:

The More Stream Restoration Project advanced to the final design stage in July 2016 and all required permits have been issued for construction of the project. The advertisement for construction bids was released in July 2016 and the construction bid opening was on August 3, 2016. Contracting and river flows will determine if the project can be constructed in 2016 before the 9/30/16 DEC deadline. The contractor (LaFever Inc.) has mobilized equipment to the site on 8/15/16 to begin construction.

On page 14, the table “CSBI Riparian Corridor Management Plans 2015” contains two entries for Beech Hill Knotweed Control. Are these separate projects?

DEP Response:

No, the Beech Hill Knotweed Control – Year 3 is one project. This project should be listed once in the “CSBI Riparian Corridor Management Plans 2015” table.

On page 22, items G.1 and H.1 discuss the Medium Hydraulic Structure Study. Please provide more information on this work.

DEP Response:

Delaware County DPW was awarded a SMIP grant in 2011 to complete a county-wide Medium Hydraulic Structure Study. The scope of the study was to inventory and assess the structural condition and functional capacity of medium-sized hydraulic structures (culverts) in the Pepacton and Cannonsville watersheds. DPW staff completed the inventory and prioritized structures based on need for replacement due to condition and hydraulic deficiencies. This information was entered into a database that allows the county to manage and schedule structure replacements. In a separate process, DCSWCD produced a matrix to be used for rapid field assessments of structures and associated stream stability. The matrix contains criteria that in future projects can be used to evaluate structure condition, alignment, hydraulic capacity and connectivity, and geomorphic features upstream and downstream that are used to assess stream stability, aquatic habitat (including fish passage), and water quality.

Rondout/Neversink 2016 – 2018 Action Plan

Consider adding an appendix to the action plan briefly noting past accomplishments, similar to those appendices found in the Ashokan and Schoharie plans.

DEP Response:

Comment noted and we will add the appendices to the 2017 Action Plan.

On page 4, the text states: “more detailed GPS mapping of large woody debris using the protocol proposed by Wohl, et al. will be piloted in at least one tributary.” Please provide a reference for this protocol.

DEP Response:

Wohl, E., et al., 2010. Large in-stream wood studies: a call for common metrics, Earth Surf. Processes and Landforms 35, 618–625 (2010).

Wohl has also lead-authored the following paper proposing a risk assessment-based management protocol, which she will present at the Catskills Environmental Research and Monitoring Conference in late October:

Wohl, E. et al, 2016. Management of Large Wood in Streams: An Overview and Proposed Framework for Hazard Evaluation. JAWRA Journal of the American Water Resources Association, Volume 52, Issue 2, pages 315–335, April 2016.

Schoharie 2016 – 2018 Action Plan

Under “Watershed Protection and Community Planning” (page 18) is an action item described as the Hunter Wetlands Leachate Treatment System Remediation Design Study. The project is listed as active, but there is no date associated with the project, such as when it is expected to be completed.

DEP Response:

The Hunter Landfill Wetland Treatment System has experienced problems with its effluent discharges exceeding levels permitted in its SPDES permit. There have also been violations with the outflow limit exceeding the allowable daily maximum of 12,500 gallons a day. The discharge from the wetland system drains to an unnamed tributary to the Schoharie Creek. The landfill was reclassified as an industrial site when EPA’s regulations on municipal solid waste facilities changed, such classification requires more stringent monitoring. The Hunter Wetlands Leachate Treatment System Remediation Design Study was needed to assess the current and future performance of the leachate treatment system, including a range of remediation options to bring the system under compliance. The Town had their consultant complete the study with town funds since they are under consent order with the State to fix the effluent problem. SWAC awarded these funds to cover additional studies, if needed, once DEC responds to the original study. DEC is currently reviewing the existing study results, so we expect this SMIP award will be completed in 2017-2018, or the Town will resubmit for work that differs substantially from this \$25,000 request.

5.1 Watershed Monitoring Program

The Revised 2007 FAD requires DEP to coordinate a technical Pathogen Working Group meeting by May 31 of each year. This meeting was held on May 19, 2016.

DEP Response:

Comment noted.