



Department of Health

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Commissioner

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

August 19, 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 and USEPA have received the Revised 2007 FAD deliverables that were due July 31, 2015. Our comments on the deliverables for *Section 4.2 Land Acquisition Program* (semi-annual report) and *Section 4.8 Wetlands Protection Program* (small-scale LIDAR wetland mapping project report) are attached. We would appreciate if you could provide a reply to these comments by September 18, 2015.

Comments on *Section 5.1 Watershed Monitoring Program* (Watershed Water Quality Annual Report) will be provided under separate cover.

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 – NYSDEC

DOH/EPA Comments on FAD Deliverables due July 31, 2015

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 contract for the Riparian Buffer Program was approved and registered in early 2015.

The contract between DEP and WAC for long-term stewardship of farm and forest easements was due March 31, 2015. The report notes that it has been finalized and is in the process of being registered.

Reporting on the FEMA buyout program, DEP indicates that 37 properties are being acquired in three counties (Greene – 15; Ulster – 16; and Delaware – 6.) However, in the March 2015 FAD Annual Report, DEP reported higher numbers of properties that had been appraised, including 28 properties in Delaware County. Please explain if additional properties are expected to be added to the 37 properties for which acquisition is proceeding under MOAs with the counties.

In the table entitled “Parcels Eased or Acquired in Fee Simple: 01/01/2015 to 06/30/2015 Newly Acquired Tax Parcels by County and Town and Closing Date,” there is some small font text that begins: “This report is being submitted....” This text appears to be missing some words at the end of the second sentence.

4.8 Wetlands Protection Program

A report on a small-scale LIDAR wetland mapping project was submitted as required by the Revised 2007 FAD. The report is titled “*Pilot Investigation: LIDAR Applications for Wetland Mapping and Connectivity Assessment.*”

NYSDOH/USEPA commend the efforts of DEP to identify and map wetlands with greater precision than the Wetland Mapping Initiative (WMI) within the East of Hudson and West of Hudson watershed. The use of a Compound Topographical Index together with LIDAR derived data along with other GIS layers combined with field checks resulted in a 136% and 74% increase in vegetated wetlands West-of-Hudson (WOH) and East-of-Hudson (EOH) watersheds, respectively. The identification of an additional 23.5 miles of streams connecting wetlands within the 30 pilot study areas was also highly significant in the context of watershed protection.

It is unfortunate that polygons smaller than 0.5 acres were eliminated in the pilot project in order to comply with latest NWI standards, but NYSDOH/USEPA note that in future wetland mapping efforts, the DEP will include polygons as small as 0.5 acre.

Will DEP continue to map wetlands using the current (2013-2014) protocols with the intention of mapping the both EOH and WOH watersheds? Or, will the next step consist of performing additional pilot studies to further refine the current protocols?

5.1 Watershed Monitoring Program

Comments on this deliverable – the *Watershed Water Quality Annual Report* – will be provided under separate cover.