



March 9, 2015

**Emily Lloyd**  
Commissioner

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**Phil Sweeney**  
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290 Broadway - 24<sup>th</sup> Floor  
New York, NY 10007-1866

Dear Dr. Young and Mr. Sweeney:

Enclosed is the DEP Response to NYSDOH/EPA Comments on FAD Deliverables submitted January 31, 2015, in accordance with the Revised 2007 Filtration Avoidance Determination (FAD).

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

Sincerely,

**David S. Warne**  
Assistant Commissioner

**DEP Response to NYSDOH/EPA Comments on the FAD Deliverable Reports  
Submitted January 31, 2015  
Response Date March 09, 2015**

**4.4 Watershed Agricultural Program**

The Revised 2007 FAD required NYCDEP to submit a report that evaluates the Best Management Practices (BMP) Prioritization Methodology, summarizes the implementation status of the Watershed Agricultural Program (WAP), and assesses the adequacy of current metrics for the program. In addition, the FAD required that NYCDEP develop 50 new Whole Farm Plans (WFPs), unless they submit justification for developing fewer than 50 WFPs. Justification must be submitted by 8 months after issuance of the Revised FAD, which was issued in May 2014. Justification to modify the requirement to develop 50 WFPs was included in the program assessment report. NYSDOH/USEPA acknowledge that both these deliverables have been met. NYCDEP's report presented a very concise and informative summary of the status of the WAP. The report concluded that several of the program metrics are adequate and should remain unchanged. The report also provided specific recommendations for modifying some metrics. In accordance with the Revised 2007 FAD, by April 30, 2015, NYSDOH/USEPA and NYSDEC will meet with NYCDEP to discuss the status of the WAP and review the adequacy of current metrics. We will discuss NYCDEP's recommendations further at that time.

**DEP Response:**

**Comment noted.**

**4.6 Stream Management Program and 4.7 Riparian Buffer Protection Program**

The Revised 2007 FAD required DEP to convene a meeting of the Riparian Buffer Working Group and to meet with the Stream Management Program county contracting partners to discuss Annual Action Plans. NYSDOH/USEPA acknowledge that both these deliverables have been met.

**DEP Response:**

**Comment noted.**