



LEAD AGENCY DECLARATION AND NOTICE OF INTENT TO CONDUCT AN ENVIRONMENTAL REVIEW

January 17, 2012

Carter H. Strickland Jr.
Commissioner

New York City's Revised Long-Term Watershed Protection Program in support of the Filtration Avoidance Determination for the Catskill and Delaware System

Angela Licata
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CEQR No. 12DEP046U

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The New York City Department of Environmental Protection (DEP), as part of its 2007 Filtration Avoidance Determination, has prepared a 5 year update of its Long-Term Watershed Protection Program (or Program) for the Catskill and Delaware Water Supply System. The purpose of the Program is to protect and improve existing water quality in the Catskill and Delaware water supply system by engaging in or funding various activities that serve protective and/or remedial water quality functions in the watershed. This Program would also allow New York City to avoid the high cost of filtering a majority of its potable water supply by qualifying for filtration avoidance under the federal Surface Water Treatment Rule (SWTR) and the Interim Enhanced Surface Water Treatment Rule.

The Program, as proposed, is a comprehensive watershed protection strategy that focuses on implementing both protective and remedial initiatives through a number of individual programs and activities. They can be divided into a number of major categories including the SWTR Objective Criteria Compliance; Environmental Infrastructure; Protection and Remediation; Watershed Monitoring, Modeling and Geographic Information System (GIS); Regulatory Programs; Catskill/Delaware Ultraviolet Light (UV) Disinfection Facility; In-City Programs; Administration; and, Education and Outreach. Activities under the Program would take place throughout those parts of the New York counties that fall within the Catskill and Delaware water supply system plus two basins within the Croton system. These counties are Delaware, Dutchess, Greene, Putnam, Schoharie, Sullivan, Ulster, and Westchester.

Under the 2007 Filtration Avoidance Determination, the update to the Program requires approval from the New York State Department of Health (DOH) in consultation with the United States Environmental Protection Agency (EPA).

The DEP Bureau of Environmental Planning and Analysis (BEPA) has concluded that the overall proposed Program is classified as a

Type I action since it effectively falls under 6 NYCRR § 617.4(b)(1), “the adoption by any agency of a comprehensive resource management plan,” and affects such a broad geographic area.

As set forth in 6 NYCRR Part 617 authorized by Article 8 of the Environmental Conservation Law, and the City Environmental Quality Review process, as set forth in Executive Order 91 of 1977 and its amendments, DEP believes that it is the appropriate lead agency and wishes to conduct a coordinated review for the above referenced action. We request that involved agencies contact this office within 30 days from this notification should there be any objection to the Department assuming lead agency for this environmental review.

Part I of the Environmental Assessment Form have been enclosed for your review. If you have any comments or questions, please contact Sangamithra Iyer at (718) 595-3585 or siyer@dep.nyc.gov.

Sincerely,



Angela Licata
Deputy Commissioner

Enclosures

cc: Town Supervisors and Village Mayors within the Catskill, Delaware, and Croton Systems
Scott M. Stringer, Manhattan Borough President
Marty Markowitz, Brooklyn Borough President
Ruben Diaz Jr., Bronx Borough President
Helen Marshall, Queens Borough President
James Molinaro, Staten Island Borough President
Gail Benjamin, City Council
Michael McSweeney, City Clerk
Dean Frazier, Delaware County Department of Watershed Affairs
Kealy Salomon, Dutchess County Planning Department
Warren Hart, Greene County Department of Planning and Economic Development
John J. Lynch, Putnam County Department of Planning/Development
Alicia Terry, Schoharie County Planning and Development Agency
Luiz C. Aragon Sullivan County Division of Planning and Environmental Management
Dennis Doyle, Ulster County Planning Department
Edward Burroughs, Westchester County Department of Planning
Craig Cashman, Watershed Agricultural Council
Alan L. Rosa, Catskill Watershed Corporation
Dennis Lucas, Coalition of Watershed Towns

William Harding, Watershed Protection and Partnership Council
Philip Sweeney, USEPA Region 2
Pam Young, NYSDOH
Thomas Snow, NYSDEC
Suzanne Y. Mattei, NYSDEC Region 2
Willie Janeway, NYSDEC Region 3
Gene Kelly, NYSDEC Region 4
Kent Sanders, NYSDEC Region 4
Christopher Mallery, U.S. Army Corps of Engineers
Stacey Jenson, U.S. Army Corps of Engineers
Kate Hudson., Riverkeeper, Inc.
Eric Goldstein at NRDC
Cathleen Breen at NYPIRG
Robert Kulikowski, NYCOEC
Susan Amron, NYC Corporation Counsel
Hilary Meltzer, NYC Corporation Counsel
Paul Rush, DEP
David Warne, DEP
Jeff Graf, DEP
Larry Beckhardt, DEP
Robin Levine, DEP
Mark Page, Jr., DEP
Sangamithra Iyer, DEP

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

2011 Long-Term Watershed Protection Plan

Name of Action

New York City Department of Environmental Protection

Name of Lead Agency

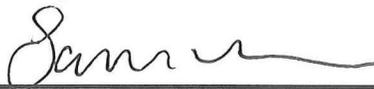
Angela Licata

Print or Type Name of Responsible Officer in Lead Agency

Deputy Commissioner

Title of Responsible Officer


Signature of Responsible Officer in Lead Agency


Signature of Preparer (If different from responsible officer)

12 / 15 / 11

Date

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action 2011 Long-Term Watershed Protection Plan

Location of Action (include Street Address, Municipality and County)

Counties of Delaware, Greene, Schoharie, Ulster, Sullivan, Dutchess, Putnam, and Westchester

Name of Applicant/Sponsor New York City Department of Environmental Protection

Address 465 Columbus Avenue

City / PO Valhalla State NY Zip Code 10595

Business Telephone (914) 742-2099

Name of Owner (if different) _____

Address _____

City / PO _____ State _____ Zip Code _____

Business Telephone _____

Description of Action:

The New York City Department of Environmental Protection (DEP), as part of its 2007 Filtration Avoidance Determination, has prepared a 2011 Long-Term Watershed Protection Plan (or Program) for the Catskill and Delaware Water Supply System. The purpose of the Program is to protect and improve existing water quality in the Catskill and Delaware water supply system by engaging in or funding various activities that serve protective and/or remedial water quality functions in the watershed. This Program would also allow New York City to avoid the high cost of filtering a majority of its potable water supply by qualifying for filtration avoidance under the federal Surface Water Treatment Rule (SWTR) and the Interim Enhanced Surface Water Treatment Rule.

The Program, as proposed, is a comprehensive watershed protection strategy that focuses on implementing both protective and remedial initiatives through a number of individual programs and activities. They can be divided into a number of major categories including the SWTR Objective Criteria Compliance; Environmental Infrastructure; Protection and Remediation; Watershed Monitoring, Modeling and Geographic Information System (GIS); Regulatory Programs; Catskill/Delaware Ultraviolet Light (UV) Disinfection Facility; In-City Programs; Administration; and, Education and Outreach. Activities under the Program would take place throughout those parts of the New York counties that fall within the Catskill and Delaware water supply system plus two basins within the Croton system. These counties are Delaware, Dutchess, Greene, Putnam, Schoharie, Sullivan, Ulster, and Westchester.

This 2011 Long-Term Watershed Protection Program, builds upon the solid foundation of the 2006 Long-Term Watershed Protection Program. A significant number of the individual programs and activities within the overall watershed protection program have been ongoing at least since 1997 if not longer in some form or manner. The program activities for the Second Five Year Period would largely continue, both in functional and geographical scope, as they have been.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 1,262,042 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type) _____	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? **N/A**

- a. Soil drainage: Well drained _____% of site Moderately well drained _____% of site.
 Poorly drained _____% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock _____ (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% _____% 10- 15% _____% 15% or greater _____%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? Varies (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No Only adjacent to the New Croton Reservoir

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No

According to:

New York State Natural Heritage Program

Identify each species:

Bald eagle (*Haliaeetus leucocephalus*), Long-beaked bald-rush (*Rhynchospora scirpoides*), Timber rattlesnake (*Crotalus horridus*), Indiana Bat (*Myotis sodalis*), Climbing fern (*Lygodium palmatum*), Small whorled pogonia (*Sotria medioloides*), Bog turtle (*Glyptemys muhlenbergii*), Blunt-lobed grape fern (*Botrychium oneidense*), and Bigleaf yellow avens (*Geum macrophyllum*)

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

Many of the areas within the New York City Watershed contain unique or unusual land forms.

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

Large portions of the New York City Watershed are utilized by the public for recreational purposes.

14. Does the present site include scenic views known to be important to the community? Yes No

Multiple throughout watershed.

15. Streams within or contiguous to project area:

Multiple throughout watershed.

a. Name of Stream and name of River to which it is tributary

Multiple throughout watershed.

16. Lakes, ponds, wetland areas within or contiguous to project area:

Multiple throughout watershed.

b. Size (in acres):

17. Is the site served by existing public utilities? Yes No **N/A**
- a. If **YES**, does sufficient capacity exist to allow connection? Yes No
- b. If **YES**, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No **N/A**

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate).
- a. Total contiguous acreage owned or controlled by project sponsor: 143,000 acres.
- b. Project acreage to be developed: N/A acres initially; N/A acres ultimately.
- c. Project acreage to remain undeveloped: N/A acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. %
- f. Number of off-street parking spaces existing 0 ; proposed 0
- g. Maximum vehicular trips generated per hour: 0 (upon completion of project)?
- h. If residential: Number and type of housing units:
- | | One Family | Two Family | Multiple Family | Condominium |
|------------|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| Initially | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
| Ultimately | <u> </u> | <u> </u> | <u> </u> | <u> </u> |
- i. Dimensions (in feet) of largest proposed structure: height; width; length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? N/A ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? N/A tons/cubic yards.
3. Will disturbed areas be reclaimed Yes No N/A
- a. If yes, for what intended purpose is the site being reclaimed?
-
- b. Will topsoil be stockpiled for reclamation? Yes No
- c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? N/A acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No

6. If single phase project: Anticipated period of construction: N/A months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated _____ (number)

b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

c. Approximate completion date of final phase: _____ month _____ year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No

8. Will blasting occur during construction? Yes No

9. Number of jobs generated: during construction N/A; after project is complete

10. Number of jobs eliminated by this project N/A.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? _____ tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No

19. Will project routinely produce odors (more than one hour per day)? Yes No

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No

21. Will project result in an increase in energy use? Yes No

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day N/A gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

Program activities would be funded by the City of New York.

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, County Health Department	<input type="checkbox"/> Yes	<input type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	NYSDOH _____	_____
			_____	_____
			_____	_____
Federal Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	USEPA _____	_____
			_____	_____
			_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- | | | | |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site plan | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

2. What is the zoning classification(s) of the site?

Multiple throughout subject watershed counties.

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A

4. What is the proposed zoning of the site?

N/A

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

Multiple throughout subject watershed counties.

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? _____

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?
 Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

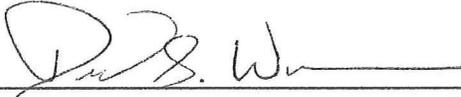
D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name David Warne Date 10/13/11

Signature 

Title Assistant Commissioner, Bureau of Water Supply

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.