

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**COMBINED NOTICE OF COMPLETE APPLICATION,  
NOTICE OF ACCEPTANCE OF DRAFT ENVIRONMENTAL IMPACT STATEMENT,  
NOTICE OF PUBLIC COMMENT HEARING AND PUBLIC COMMENT PERIOD**

**DATE:** December 14, 2020

**APPLICANT:** New York City Department of Environmental Protection (NYCDEP)  
59-17 Junction Blvd.  
Corona, NY 11368

**NYSDEC APPLICATIONS AND ID NUMBERS:**

Article 17, State Pollutant Discharge Elimination System (SPDES)  
Permit Modification DEC #3-9909-00023/00006 (SPDES # NY)

**PROJECT DESCRIPTION:**

A Draft Environmental Impact Statement (Draft EIS) was prepared to evaluate the proposed modification of NYCDEP's Catskill Aqueduct Influent Chamber State Pollutant Discharge Elimination System Permit (Catalum SPDES Permit). An Order on Consent (NYSDEC Case No. D007-001-11.01) was executed by the New York State Department of Environmental Conservation (NYSDEC) on October 4, 2013, and was amended in 2018 (2018 Modification) and in 2020 (2020 Modification) (collectively as modified, the Consent Order). Among other provisions, the Consent Order includes specific requirements and timeframes for carrying out a State Environmental Quality Review Act review, including the preparation of an EIS for the Proposed Action (a modification of the Catalum SPDES Permit). Pursuant to the Consent Order, the Proposed Action would modify the Catalum SPDES Permit to incorporate the following:

1. Turbidity control measures, including operation of Ashokan Reservoir in accordance with the Interim Ashokan Release Protocol (IRP); and
2. Delay of dredging accumulated material (alum floc) from Kensico Reservoir until the completion of certain infrastructure projects.

Implementation of the turbidity control measures analyzed in the Draft EIS would allow NYCDEP to continue to provide reliable, clean, and safe drinking water while reducing reliance on chemical treatment of the water supply, specifically the use of alum, during episodic turbidity events.

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA):**

The project is a Type I Action as designated by 6 NYCRR §617.4(b)(6)(i). The Consent Order required the preparation of a Draft EIS. A Draft EIS has been prepared and the NYSDEC, as lead agency, has determined that the Draft EIS is adequate for public review and comment. As noted below, **written public comments will be accepted on the Draft EIS until March 16, 2021**. In addition, pursuant to 6 NYCRR §617.9(a)(4), NYSDEC has made the determination to hold a public comment hearing, the details of which are provided below in the legislative public comment hearing section of this notice.

**NOTICE OF COMPLETE APPLICATION:**

The NYSDEC has determined that permit application filed for the proposed SPDES permit modification is complete for purposes of further NYSDEC review and public comment pursuant to the Uniform Procedures Act (UPA) 6 NYCRR §621.7. NYSDEC permit jurisdiction includes the State Pollutant Discharge Elimination System (SPDES) permit (ECL Article 17). As noted below, **written public comments will also be accepted on the application and Draft SPDES Permit until March 16, 2021.**

**ADDITIONAL REGULATORY PROVISIONS:**

**State Historic Preservation Act ("SHPA") Determination:**

The New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) was consulted and their determination indicated that the Proposed Action would have no impact on archaeological or historic resources within the study area.

**Coastal Zone Management:** This project is not located in a Coastal Management Area and, therefore, is not subject to the Waterfront Revitalization and Coastal Resources Act.

**DOCUMENT AVAILABILITY:** The Draft EIS, which includes permit application materials are available for public review on the internet at the following websites:

NYCDEP Website: <https://www1.nyc.gov/site/dep/about/catskill-influent-chamber.page>

NYSDEC Website: <https://www.dec.ny.gov/lands/79771.html>.

Hard Copies of these documents can also be requested from NYCDEP by emailing [catalumeis@dep.nyc.gov](mailto:catalumeis@dep.nyc.gov) or calling 718-595-4614

**LEGISLATIVE PUBLIC COMMENT HEARING:** A legislative public comment hearing on the permit application and the Draft EIS will be held before Administrative Law Judge (ALJ) Michele M. Stefanucci to receive unsworn statements from the public at **4:00 P.M. on Thursday, February 4, 2021, through the Webex Events electronic webinar platform.** All persons, organizations, corporations or government agencies that may be affected by the proposed project are invited to attend the legislative public comment hearing and to submit oral comments on the Draft EIS, applications and draft permits. Instructions on how to attend the hearing through the internet or by telephone are provided below. The ALJ may restrict the time available to three (3) minutes for each person, to ensure that all persons will have an opportunity to be heard. It is recommended that lengthy comments be summarized at the hearing and submitted in writing as indicated below. Equal weight will be given to both oral and written comments.

Interpreter services shall be made available to deaf persons, and English language translator service shall be made available to persons with limited English-language proficiency, at no charge upon written request to the ALJ identified above, at least ten (10) business days prior to the hearing. The written request must be addressed to ALJ Stefanucci, NYSDEC Office of Hearings and Mediation Services, 625 Broadway, 1st Floor, Albany, NY 12233-1550 or emailed to ALJ Stefanucci at [ohms@dec.ny.gov](mailto:ohms@dec.ny.gov).

**WRITTEN PUBLIC COMMENTS:** All interested parties may submit written comment concerning the Draft EIS and permit applications to the DEC Contact Person listed below

by **March 16, 2021**. Comments sent by regular mail must be postmarked no later than March 16, 2021. E-mail comments must be received by 5:00 p.m. March 16, 2021.

**DEC CONTACT PERSON:** Kristen Cady-Poulin, Environmental Analyst, 625 Broadway, Albany, NY 12233, Phone: 518-402-9167, E-mail: [DEPPermitting@dec.ny.gov](mailto:DEPPermitting@dec.ny.gov)

**Instructions for Attending the Legislative Public Comment Hearing:**

To join the hearing through the internet, visit [www.webex.com](http://www.webex.com) and click “Join a meeting.”

**Event Number: 179 098 9606**  
**Registration Password: FEB42021**

To join by phone only:

**Dial: 1-518-549-0500**  
**Access Code: 179 098 9606**

Persons wishing to comment on the application and the Draft EIS will have the opportunity to make a statement at the public comment hearing webinar. **Any person wishing to provide a public statement must register in advance of the hearing no later than 10:00 A.M. on Wednesday, February 3, 2021.** Any person who wishes only to observe the webinar online must also register. Any person may listen to the hearing by phone without pre-registration.

**To register electronically:** All persons who will login to the hearing electronically must register. To register, visit <http://www.webex.com>, click “Join a meeting,” input the event number listed above, click “Register,” and fill in the requested information. You will be asked whether you wish to make a public statement or not. After registration is complete, you will receive a confirmation by email with information about how to join the hearing.

**To register by telephone:** Any person who is not able to login electronically may participate by telephone. Call-in participants must register to speak in advance by calling the Department at 518-402-9003 no later than 10:00 P.M. on Wednesday, February 3, 2021. Please provide your first and last name, address, email address if any, and telephone number and reference the NYCDEP Catalum SPDES Permit public comment hearing.

All participants will be muted upon entry into the hearing. The ALJ will call each person who has requested to provide a statement to speak. The ALJ will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. The ALJ may limit the time available for oral comments to three (3) minutes per person, as necessary to afford all participants an opportunity to be heard. We also recommend that lengthy comments be summarized for oral presentation and submitted in writing as provided above. The hearing will be recorded for inclusion in the record.