

Comments of the Office of the New York City
Watershed Inspector General
January 14, 2008

SEQRA Draft Scope for the Supplemental Draft EIS for
Belleayre Mountain Modified Project and UMP
Towns of Shandaken & Middletown
Ulster & Delaware Counties, New York

The Office of the New York City Watershed Inspector General (WIG or WIG Office)¹ respectfully submits these comments concerning the Draft Scope for the Supplemental Draft Environmental Impact Statement (SDEIS) of the Belleayre Mountain Modified Project and UMP (hereinafter, Modified Project), a modification of the proposal of Crossroads Ventures, LLC (Crossroads) to construct and operate the Belleayre Resort at Catskill Park. The Modified Project results from an Agreement in Principle, dated September 5, 2007, among the State of New York, Crossroads, the New York City Department of Environmental Protection, and seven environmental groups (Natural Resources Defense Council, Catskill Center for Conservation and Development, Riverkeeper, Inc., New York Trout Unlimited, New York Public Interest Group, Theodore Gordon Flyfishers, Inc., and Zen Environmental Studies Initiative) which had vigorously opposed Crossroads' former proposal to build the Belleayre Resort at Catskill Park (Original Project). The WIG Office previously submitted comments concerning the Belleayre Resort at Catskill Park on July 14, 2000 (comments on Draft Scope), March 15, 2002 (comments on Preliminary Draft Environmental Impact Statement), and April 23, 2004 (comments on Draft Environmental Impact Statement).

I. The Modified Project

By these comments, the WIG Office expresses its support for the Agreement in Principle to construct and operate the Modified Project. The Modified Project, if properly implemented, would not harm water quality in New York City's Catskill-Delaware systems. Indeed, under the Modified Project the State will acquire lands to be added to the Forest Preserve which should help safeguard the New York City water supply. Moreover, the Agreement is structured to help

¹ The position of WIG was established by Executive Order No. 86 on August 19, 1998, and was continued in accordance with Executive Order No. 5 on January 1, 2007. See 9 NYCRR §§ 5.86, 6.5. Pursuant to these Executive Orders, the WIG's purpose is "to enhance current efforts to protect the New York City drinking water supply from activities that have the potential to adversely affect the New York City Watershed reservoirs and tributaries." See id., § 5.86. The WIG is a joint appointee of the Governor and Attorney General within the employ of the Attorney General. The comments herein express the views of the WIG and not those of any State agency that may now or later be represented by the Attorney General in this matter or in any related matter.

ensure proper construction of the Modified Project by providing for an Independent Monitor, subject to the approval of DEC and the New York City DEP, to prevent stormwater pollution. Because of the scale of the Modified Project and the focal importance of the Catskill-Delaware systems in providing over 90 percent of the drinking water consumed by 9 million New Yorkers each day, the WIG Office is also committed to closely monitoring development of the project to ensure the Agreement's proper implementation.

As addressed in the WIG Office's previous comments, the Original Project posed significant risks to the environment generally, and to New York City's drinking water supply in particular, principally from: (1) storm water pollution due to construction on erosive soils and steep slopes at the site, local climate conditions, and the inadequacies of Crossroad's pollution prevention plans for both the construction and operational phases of the project; and (2) pollution from application of pesticides and fertilizers on vegetated areas and golf course turf.

The Modified Project, if properly implemented, will effectively mitigate these pollution risks while also providing for the State's acquisition from Crossroads of over 1200 acres of land to be added to the State's Forest Preserve in Catskill Park within New York City's Ashokan Reservoir drainage basin. The Original Project has been scaled down to reduce radically the areas of disturbance, creation of impervious surfaces, and construction on steep slopes – changes that will all reduce storm water pollution. Given the State's acquisition of lands under the Modified Project, there will now be no resort development within the Big Indian Plateau in the eastern portion of the project site which drains to the Ashokan via the Esopus Creek. As a result, the adverse impacts from storm water pollution from the resort to both the Esopus and the Ashokan will be eliminated as will the discharge of treated effluent from a proposed sewage treatment plant that will now not be built there.²

The Modified Project would also mitigate environmental risks from development of the "Wildacres" western portion of the project site, which drains to the Delaware system's Pepacton Reservoir. The land disturbances from construction of the hotel and lodging units will decrease, building design and operation will proceed in accordance with Leadership in Energy and

² These beneficial changes in the project are especially significant because the Ashokan Reservoir is part of the City's Catskill water system which is particularly vulnerable to pollution from large scale development such as the Original Project. The Catskill system includes only two reservoirs, the Schoharie and Ashokan, each of which has been placed by DEC on its list of impaired water bodies pursuant to § 303(d) of the Clean Water Act due to pollution from sediment and silt. The Schoharie Reservoir feeds the Ashokan Reservoir via the Esopus Creek, which also has been placed on this list as a result of sediment and silt pollution. Development of the eastern portion of the project site could have exacerbated these problems by contributing additional pollution to the Esopus Creek and Ashokan Reservoir. The Ashokan Reservoir basin is only approximately 257 square miles in size and is a "terminal" reservoir, meaning that its water can be and is drawn directly from that reservoir into the water distribution system with very limited opportunity for pollution to settle out.

Environmental Design (LEED) certification requirements, Crossroads will contribute \$500,000 in funds for “smart growth” within the Catskills, and the golf course will be situated on shallower slopes and will be managed organically to eliminate pesticide and fertilizer applications that would threaten water pollution and other adverse ecological impacts. Crossroads is also obligated by paragraph 43 of the Agreement in Principle to use its “best efforts” to avoid use of such chemicals on vegetated areas outside of the golf course.

II. The Draft Scope

Any major development project, however protective of the environment in concept, may result in significant adverse environmental impacts if not implemented with care. The Modified Project, though greatly scaled down from its original footprint, is no exception. The project holds the promise of great environmental benefit, principally through the acquisition of over 1200 acres of land to be added to the State’s Forest Preserve. While over 35 acres of new impervious surfaces will be created along with 1.14 miles of roads on steep slopes of over 20 percent – conditions that could pose significant risks of storm water pollution to that watershed if appropriate pollution prevention measures are not implemented – such pollution prevention measures are entirely feasible. The purpose of these comments is to help ensure that they are implemented. The detail of analysis, scope of alternatives, and stringency of mitigation measures to be presented in the SDEIS should reflect both the substantial size of the Modified Project and its sensitive location within the New York City Watershed.

The comments below are intended to ensure that the scope and detail in the SDEIS encompasses all information and analysis needed to ensure that risks of storm water pollution from construction and development of the Modified Project are minimized to the maximum degree feasible and that application of pesticides and fertilizers are avoided:

A. Stormwater

1. Greater specificity in project design for the Highmount Spa and Access Road are required

Paragraph 16 of the Agreement in Principle acknowledges that the configuration (shape and placement) of the Highmount Spa Hotel and East and West Lodges has not been finalized. Paragraph 17 of the Agreement in Principle indicates that the ultimate location of the Access Roadway to the Highmount Spa has not been chosen. The scope of the SDEIS should include specification of the final design (exact configuration of residences and route of access road) and analysis of implications of such design for pollution risks. This design is essential for the preparation of an effective Storm Water Pollution Prevention Plan (SWPPP). Moreover, the design itself should be chosen in such manner as to minimize potential storm water impacts.

2. All sites within Modified Project must be addressed

The scope should address stormwater impacts from, and mitigation measures to be employed for, construction by Crossroads at the Highmount Spa and Wildacres sites and also DEC's proposed improvement of the Belleayre Mountain Ski Center.

3. Conduct a Complete Evaluation of Soil Conditions

Examining site soils is an essential element of the effective evaluation of the impacts of polluted runoff. For example, some soils are particularly susceptible to erosion, whereas others tend to promote flooding, and still others are ill-suited to supporting buildings, roadways, and parking lots. We strongly recommend that the SDEIS include the following information concerning the various soils located on the Modified Project site and organize this information in understandable charts and maps with an appropriate narrative. The maps should include an overlay of proposed building and other disturbances.

(a) Map and Chart All Soils Employing the National Resources Conservation Service (NRCS) Soils Codes

(b) Provide the Percentage and Acreage of each Soil Type that is to be Disturbed at the Project Site

(c) Present the Percentage Slope of all Soils: Slopes exceeding 15% are designated as "steep slopes" by the New York State erosion control guidance manual. Slope influences the retention and movement of water, the potential for soil slippage, accelerated erosion, the ease with which machinery can be used and the engineering uses of the soil.

The slopes should be categorized as: 2 or 3 - 8%; 8 - 15%; 15 - 25%; and 25 - 35%; 35 - 45%; etc. to agree with applicable Soil Surveys. In addition, slopes should be categorized as greater than 20 percent or less than or equal to 20 percent.

(d) Hydrologic Soils Group: The NRCS has grouped soils into four distinct classes based on how they respond to water. The four classes are hydrologic soils group:

- A: High Infiltration Rate (water "seeps" into the ground quickly)
- B: Moderate Infiltration Rate
- C: Slow Infiltration Rate
- D: Very Slow Infiltration Rate (if the site is "flat" water is prone to form puddles, if the site is "hilly" the water will likely flow downhill)

(NRCS 2003 Part 618.35). Group A soils are often sandy, whereas Group D soils often have a high clay content or a restrictive layer (e.g., bedrock).

(e) Erosion Factor (Kf): Erosion is an important process that affects soil formation and may remove all or parts of the soils formed in natural landscapes. Evaluating the degree of erosion that takes place is important in assessing the health of the soil and in assessing the soil's potential for different uses. Removing increasing amounts of soil alters various properties and capabilities of the soil. Soil erosion factors (Kf) were developed to quantify how susceptible very small soil particles (e.g., clay, fines, <2.0 millimeters) are to being detached from soil and rock by water. These factors are particularly important in the Watershed because detached clay particles suspended in water cause turbidity and adversely impact drinking water quality. The Kf soil erosion factor also accounts for freeze thaw cycles and predicts long term average soil loss. Kf erosion factors range from none or slight (0.02) to severe or very severe (0.49 in the northeastern US). The higher the Kf erosion factor the greater the probability that small particle erosion will occur. (NRCS 2003 Part 618.55).

(f) Runoff Class: The index surface "runoff class" refers to the loss of water from an area by flow over the land surface. Runoff classes can be estimated using soil slope and permeability. There are six runoff classes: negligible (N), very low (LV), low (L), medium (M), high (H), and very high (HV). (NRCS 2003 Part 618.49).

(g) Soil Interpretation Rating Guides: Soil Interpretation Rating Guides have been prepared by the NRCS and should be employed to assess a soil's limitations for different uses. Use of the soil interpretation rating guides in the planning and evaluation process allow the user to identify and recommend site selection and plan measures that minimize impacts on the soil resource (NCRS 2003 Part 620.05). These soil ratings are defined in terms of severity such as "slight," "moderate," or "severe."

(i) Slight (Not limited): This rating is given to soils that have properties favorable for the proposed use. The degree of limitation is minor and can be overcome easily. Good performance and low maintenance can be expected (NRCS 2003 Part 620.03).

(ii) Moderate (Somewhat limited): This rating is given to soils that have properties moderately favorable for the proposed use. This degree of limitation can be overcome or modified by special planning, design, or maintenance. The expected performance of the structure or other planned use is somewhat less desirable than for soils rated slight. The needed measures usually increase the cost of establishing or maintaining the use, but the cost is generally not prohibitive.

(iii) Severe (Very limited): This rating is given to soils that have one or more properties unfavorable for the proposed use. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance. Some of the soils, however, can be improved by reducing or removing the soil feature that limits use; but in most situations, it is difficult and costly to alter the soil or to design a structure so as to compensate for a severe degree of limitation. This rating does not imply that the soil cannot be adapted to a particular use, but rather that the cost of overcoming the limitation would be high.

The information above concerning soils should be provided in the SDEIS in electronic format as either CAD or GIS files, geo-referenced to a geographic coordinate system, such as UTM or Stateplane. In addition, the planned footprint of all buildings, roads, parking lots, and all other impervious surfaces, and lawns, fairways, and landscaped areas for the project site should be provided in the same electronic format. The electronic data should be provided in the SDEIS as separate files that are clearly distinguishable from any other CAD or GIS layers.

The WIG Office previously submitted the data relating to soil conditions discussed above concerning the Original Project in the WIG's July 14, 2004 comments concerning the DEIS for that project. See Tables 2, 4, 6, 8, and 9 of Exhibit 3 to those comments, attached hereto as Exhibit A. The Scope for the SDEIS for the Modified Project should take these four tables and modify them in accordance with the changes to the Original Project.

4. DEP and DEC Permit Approvals for Stormwater

The Scope for the SDEIS should articulate that Crossroads must comply with both DEP and DEC stormwater permit requirements. Due to the different approaches required by these two agencies to acquire permits, it would be prudent for the applicant to approach both agencies before preparing the SDEIS to establish a plan of action that will comply with each

The volume and quality of runoff (*i.e.*, sediments and contaminants) from the currently vegetated Modified Project site should be fully calculated and described in the DEIS for comparison to the projected level of runoff for each studied alternative. Real data from other large development projects that have been constructed in this area should be obtained and presented for comparison. Contaminant levels and loads in the runoff (including phosphorus, turbidity, total suspended solids, pesticides, salts, and oils) should be quantitatively presented (*i.e.*, hard numbers with backup calculations and clearly defined assumptions) for each alternative. In addition, the specific design, operation and long-term maintenance procedures for all stormwater collection and treatment should be addressed in detail the SDEIS.

5. Need for a Fully Engineered SWPPP

Paragraph 20 of the Agreement in Principle refers to the existence of a “conceptual layout for stormwater management practices.” The scope of the SDEIS must expand on this and include a fully engineered SWPPP including a detailed narrative plan along with large-scale blueprinted plans which depict all planned stormwater management practices. The plans must be based on actual site conditions (including all final designs for buildings, roads, and improvements to the Belleayre Mountain Ski Center), topography and calculated severe storm event flows that will, when implemented, act to infiltrate, direct, detain, and treat runoff so that contaminants do not reach the reservoirs. State-of-the-art methods should be employed throughout, *as other construction projects in the New York City Watershed have failed sending significant plumes of muddy runoff into reservoirs*. An appendix to the SDEIS should contain all engineering assumptions and calculations with respect to the SWPPP.

The applicant should employ the guidance provided by two State publications in their most recent versions when developing its SWPPP: New York State Stormwater Management Design Manual and New York Guidelines for Urban Erosion and Sediment Control as well as other heightened design methods available in the scientific literature.

6. Methods and Criteria for Limiting Polluted Runoff

The exact attributes of the SWPPP should be developed and certified by a qualified professional taking into account site-specific conditions. This office, DEC, and DEP should be given an opportunity to review and comment upon the SWPPP, and reject it as deficient if necessary. The following methods and criteria should be incorporated into the stormwater controls during the construction phase as SEQRA mitigation:

(i) Design the SWPPP so that violations of state water quality standards are prevented under all conditions; particular attention needs to be given to the narrative water quality standards for turbidity and suspended solids, see 6 NYCRR § 703.2.

(ii) Water flowing from areas up-slope of construction must be fully diverted away or around exposed construction areas to limit erosion.

(iii) Controls for stormwater should be designed, *at a minimum*, for the detention or retention of the 10 year 24 hour storm for the constructed area during construction and before full re-vegetation. More stringent controls should be employed if technically feasible and should be presented and supported with specific engineering calculations in the SWPPP.

(iv) Construction phasing is a highly important attribute of an effective SWPPP. No more than 3 acres of exposed soils (defined as soils that are not completely stabilized – e.g., revegetated, covered with jute matting, etc.) should exist at the site at any one time.

Construction of roads on steep slopes present particular risks of storm water pollution. Construction of the 1.14 miles of roads having slopes over 20 percent must be phased such that no more than 1 acre of soil is exposed at any one time. All slopes over 8%, all soil piles, and lose fill areas should be covered immediately with a jute or synthetic mat or hydroseeded with a slurry containing a durable tacking agent. Stormwater controls and detention basins must be constructed before other construction excavations, except for those excavations necessary to construct the stormwater controls.

(v) Construction timing should be designed to avoid all excavation or clearing activities from October 15th to May 1st of the year; this avoids the most likely wet weather season and allows sufficient time for the complete re-vegetation of disturbed areas before cold weather. To the extent possible, construction through the most sensitive areas (such as streams, wetlands, and steep slopes) should be limited to portions of the summer that are historically the driest.

(vi) The applicant's construction contract for the Project should not have any fiscal incentives or other monetary benefits with respect to an expedited work schedule. Protection of water quality through deliberate implementation of stormwater controls must be a contractual priority.

(vii) All surface water released from the construction site or from associated stormwater controls must have concentrations of total phosphorus and turbidity that do not exceed levels in runoff from existing baseline conditions at the undisturbed site. Existing baseline total phosphorus and turbidity levels must be presented by the applicant in the SWPPP.

(viii) The construction site must be assessed and mapped for clay and colloidal soils; construction upon such soils should be avoided if at all feasible and special precautions should be taken to limit the erosion of these soils. Suspended clay soils can pass through many erosion controls and remain suspended in water for over 6 months.

7. Post-Construction Stormwater Controls

Post construction stormwater controls should employ all applicable conditions of the SWPPP discussed above. However, the SWPPP's provisions concerning post-construction storm water management should also include the following:

(i) A detailed site re-vegetation and stabilization plan that will effectively re-establish vegetation.

(ii) Post construction stormwater controls should be designed to handle the 2 year 24 hour storm at a minimum. Engineering design criteria should be employed that assures the survival and routine operation of stormwater management devices after major (i.e., 100 year) storm events.

(iii) All wetlands (state, local, and federal) must be fully assessed and delineated. All wetlands, streams and adjacent buffer areas should be completely avoided.

(iv) The SWPPP should identify methods that will be employed to relieve the soil compaction (with associated increased imperviousness) caused by the extensive use of heavy equipment along and upon the construction site. The goal should be to re-establish the soil percolation rates that existed prior to construction. Existing or baseline percolation rates must be presented by the applicant as part of the SWPPP.

B. Fertilizers and Pesticides.

Under the Modified Project, fertilizers and pesticides will be applied within the drainage area of the Pepacton Reservoir in the City's Delaware Watershed. The Pepacton Reservoir provides about 25 percent of the City's total drinking water supply and also feeds portions of the Delaware River having among the best fishing waters in the State for brown and rainbow trout. The Pepacton has relatively good water and is not eutrophic. To maintain this water quality, it is vital to protect the reservoir from excessive discharges of phosphorus.

Vegetated and landscaped areas, and especially golf courses, generally entail the use of fertilizers and pesticides. Runoff from these areas can transport such chemicals into nearby waterways and into downstream reservoirs. Fertilizers generally contain large amounts of the nutrient phosphorus which can cause eutrophic conditions (algae blooms in reservoirs and other waterbodies).³ Limiting phosphorus loadings into tributaries and reservoirs is a major objective of the entire Watershed protection program. A key focus of the SDEIS should be to devise mechanisms to prevent the discharge of any additional phosphorus in excess of natural conditions.

Paragraph 19 of the Agreement in Principle requires that the SDEIS specify criteria for organic management of the Wildacres Golf Course. Paragraph 43 of the Agreement addresses "green landscaping" for all areas (excluding the golf course) with lawns, shrubs, flowers, trees, and other plantings and greenery at both resort areas (Wildacres and Highmount Spa). Unfortunately, the Agreement does not call for organic management of

³ The adverse impacts of algae blooms due to phosphorus pollution are well established. Algae blooms lead to bacterial growth that, in turn, depletes reservoir bottom waters of dissolved oxygen. This makes such water inhospitable to fish, and impairs the taste, odor, and color of the water. Algae blooms produce more bacteria and organic matter. When organic matter is exposed to chlorine during the drinking water disinfection process, disinfection by-products are created. Some of these disinfection by-products are believed to help cause cancer and have been identified in medical studies as a factor linked to early-term miscarriages. In addition, the increased organic material suspended in the water can interfere with the effectiveness of chlorination itself and thus help to transport waterborne pathogens to water consumers.

these “green landscaping areas” even though organic management of them should be relatively easy to implement because the higher aesthetic standard of a golf course would generally not need to be met in these areas. The scope of the SDEIS should consider requiring organic management of the green landscaping areas as a mitigation strategy applying the same criteria for organic management of these areas as provided in paragraph 19 for the golf course.⁴

Under paragraph 19, organic management of the golf course would be discontinued after 5 years if DEC accepts an application by Crossroads establishing, among other things, that organic management is infeasible. In such event, Crossroad would be required to substitute for organic management a “state-of-the-art Integrated Pest Management system that utilizes the fewest inputs necessary to provide a sustainable, high quality, nationally recognized golf course operation.” The Agreement in Principle does not define the contours of such a system.

The scope of the SDEIS should include a complete description of a “state-of-the-art” program of integrated pest management (IPM) and nutrient management to severely limit the application of pesticides and fertilizers – in the event organic management is discontinued on the golf course. If organic management of the green landscaping is not implemented, this state-of-the-art program should be applied to the green landscaping areas as well. Site-specific scientific analysis should be employed to explain and support the details of the program within the context of the overall SWPPP.

The objective of the IPM portion of the program would be to apply only the least potentially harmful pesticides in the least amounts and only when other measures to control pests have failed. The nutrient management portion of the program should permit application of fertilizers only when necessary.

⁴ Instead of requiring organic management of the green landscaping areas, paragraph 43 of the Agreement requires Crossroads to use “best efforts” to avoid the use of synthetic chemicals on these areas. The specific operational details for such efforts are not defined in the Agreement.

The scope of the program to be addressed in the SDEIS should include the following:

1. Pesticides

(a) Exclude Application of the Most Hazardous Pesticides

The following pesticides would be excluded from use on the golf course and on other vegetated or landscaped areas: Toxicity Category I pesticides (these are deemed by EPA to be known, likely, or probable human carcinogens); Toxicity Category II pesticides (these are deemed by EPA to be possible human carcinogens); and any pesticide classified as a “restricted use” pesticide by EPA or DEC.

(b) Only Allow Use of Pesticides “by Prescription”

In addition to the excluded pesticides under (a) above, no pesticide may be applied except under limited conditions as approved by the Crossroads Vice President responsible for landscaping. Approval would require demonstration by an expert within the field of IPM to be appointed by Crossroads as its “Chemical Application Manager” that no other control method has worked and that the specific “prescription” for pesticide use is necessary.

(c) Establish Tolerance Thresholds

Establish pre-determined pest-specific tolerance thresholds that are also plant and situation specific. For instance, easily replaced plants might have a higher tolerance than rare ones. Plants in busy public display areas might also have different thresholds than plants subject to less public exposure.

(d) Monitoring Program

Establish a formal monitoring program that produces written records of observations, and serves as the basis for the refinement of preventative and responsive actions.

(e) Record Keeping

Establish record keeping for all responsive pest control actions to allow proper assessment of their efficacy.

(f) Pesticide Prescription Program

Establish a pesticide prescription program (as discussed in (b) above) that requires specific written direction for the use of any pesticide, signed by both the Chemical Application Manager and the Crossroads Vice President responsible for landscaping.

(g) Post Public Signs

A requirement for posting of areas in which pesticides have been applied, including those areas accessible to the general public. Posted notices should advise the reader of the date and time of application, the identity of the pesticide applied, and the location at which the reader may see the label and Material Safety Data Sheet for the pesticide.

(h) Warnings for Employees and the Public

A requirement for notification of employees and the public prior to the application of pesticides in areas they frequent in the course of their usual work responsibilities. This notice should identify the pesticide to be applied, the date and time of application, and the plant(s) or collection(s) that will be treated.

2. Fertilizers

(a) Initial Establishment

Fertilizers containing phosphorus may be applied during the period of initial establishment of vegetated, landscaped, or golf turf areas because deficiencies in phosphorus in soil may be expected during this time period.

(b) Application by Prescription

The only other circumstances in which fertilizers containing phosphorus may be applied on vegetated, landscaped, or golf turf areas is when soil tests, performed under the supervision of the Chemical Application Manager, disclose deficiencies in phosphorus in particular soils. Specifically, no phosphorus fertilizers should be applied if soil tests show phosphorus concentrations in soils of 9 pounds of phosphorus or more per acre. Application of fertilizers containing phosphorus in soils in lower concentrations would require specific written direction signed by both the Chemical Application Manager and the Crossroads Vice President responsible for landscaping.

(c) Record Keeping

Establish record keeping for all applications of fertilizers containing phosphorus and all soil tests to determine the need for any such applications.

3. Additional Limitations on Applications of Pesticides and Fertilizers

(a) Buffer Zones

“No spray” and “no fertilizer application” areas, including buffer zones for all waterways, should be clearly identified and posted.

(b) Weather

No application of any chemicals may occur during precipitation, if forecasts indicate precipitation is likely, or within 48 hours of precipitation.

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The WIG Office appreciates this opportunity to submit these comments on the Draft Scope of the SDEIS for the Modified Project.

Respectfully submitted,

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EXHIBIT A

Table 2: Wildacres (Western) Surface Soil Characteristics

----- Construction & Maintenance Risk -----

DEIS Soils Code	Delaware County Soils Code	% of Western Project Site (& Acres)	Slope (%)	Hydro-logic Group	Erosion Factor (K _f)	Runoff Class	Dwellings with (w/) or without (w/o) Basements	Local Roads & Streets	Lawns, Fairways, & Land-scaping
EKB	None	1.0 (7)							
EKC	EdC	3.5 (26)	8-15	C	.32	M	Moderate	Moderate	Moderate
EKD	EdD	3.4 (25)	15-25	C	.32	H	Severe	Severe	Severe
HrF	HcF	22.3 (160)	35-70	C or C/D	.32	HV	Severe	Severe	Severe
HvF	HcF	3.9 (28)	35-70	C or C/D	.32	HV-H	Severe	Severe	Severe
LeC	LhC or LkC	2.8 (20)	8-15	C	.28-.32	H	w/ Severe, w/o Moderate	Moderate	Moderate
LeD	LhD or LkE	3.7 (27)	15-25	C	.28-.32	HV	Severe	Severe	Severe
LeF	LhE or LkF	2.2 (16)	>25	C	.28-.32	HV	Severe	Severe	Severe
OsB	OeB and No	1.4 (10)	0-8	C	.24-.32	HV	Severe	Severe	Severe
VeD	EIE	1.7 (12)	15-35	C	.28-.32	H	Severe	Severe	Severe
VeF	EIF	2.4 (17)	35-70	C or C/D	.28-.32	H	Severe	Severe	Severe
VhC	HcC	5.1 (37)	2-15	C or C/D	.32	H-L	Severe/Moderate	Sev/Mod	Sev/Mod
VhD	HcE	17.3 (125)	15-35	C/D	.32	HV-H	Severe	Severe	Severe
VhF	HcF	10.4 (75)	35-70	C or C/D	.32	HV-H	Severe	Severe	Severe
VyB	VIB	2.4 (17)	2-8	C	.28-.32	M	w/ Severe, w/o Moderate	Moderate	Moderate
VyC	VIC	5.9 (43)	8-15	C	.28-.32	M	w/ Severe, w/o Moderate	Moderate	Moderate
VyD	VID	2.5 (18)	15-25	C	.28-.32	H	w/ Severe, w/o Moderate	Severe	Severe
WIB	WmB or WnC	3.9 (28)	3-8	C	.28-.32	M	Severe	Severe	Severe
WIC	WmC or WhC	2.2 (15)	8-15	C	.28-.32	M	Severe	Severe	Severe
Total		98.0 (707)							

Table 4: Wildacres (Western) Surface Soils - Characteristics of Areas Disturbed for Structures

--- Construction & Maintenance Risk ---

DEIS Soils Code	Delaware County Soils Code	Acres of Western Project Site	Slope (%)	Rating Class With (w/) or Without (w/o) Basement	Slope	Depth to Hard Rock	Depth to Saturated Zone
EKB	None	0.1					
EKC	EdC	0.2	8-15	Moderate	Yes		
HrF	HcF	1.7	35-70	Severe	Yes	Yes	
LeB	LhB or LkC	0.5	3-8	w/Severe, w/o Moderate			Yes
LeC	LhC or LkC	0.6	8-15	w/ Severe, w/o Moderate	Yes		Yes
VeF	EIF	0.1	35-70	Severe	Yes	Yes	
VhC	HcC	0.7	2-15	w/ Severe, w/o Moderate	Yes	Yes	
VhD	HcE	2.0	15-35	Severe	Yes	Yes	
VhF	HcF	0.2	35-70	Severe	Yes	Yes	
VyB	VIB	2.2	2-8	w/ Severe, w/o Moderate		Yes	
VyC	VIC	0.4	8-15	w/ Severe, w/o Moderate	Yes	Yes	
VyD	VID	0.8	15-25	Severe	Yes	Yes	
WIB	WmB or WmC	0.7	3-8	Severe			Yes
WIC	WmC or WnC	0.3	8-15	Severe	Yes		Yes
Total		10.5					

Table 6: Wildacres (Western) Surface Soils - Characteristics of Areas Disturbed for Roads and Parking Lots

DEIS Soils Code	Delaware County Soils Code	Acres of Western Project Site	Slope (%)	Rating Class Roads and Parking Lots	Slope	Depth to Saturated Zone	Frost Action	Depth to Hard Rock
EKB	None	0.3						
EKC	EdC	0.6	8-15	Moderate	Yes		Yes	
EKD	EdD	0.2	15-25	Severe	Yes		Yes	
HrF	HcF	2.2	35-70	Severe	Yes		Yes	Yes
HvF	HcF	0.9	35-70	Severe	Yes		Yes	Yes
LeB	LhB or LkC	0.9	3-8	Moderate		Yes	Yes	
LeC	LhC or LkC	1.2	8-15	Moderate	Yes	Yes	Yes	
LeD	LhD or LkE	0.2	15-25	Severe or Moderate	Yes	Yes	Yes	
OsB	OeB and No	1.6	0-8	Severe		Yes	Yes	
Osc	OeC and No	0.4	8-15	Severe		Yes	Yes	
VhC	HcC	1.8	2-15	Severe/Moderate	Yes		Yes	Yes
VhD	HcE	3.6	15-35	Severe	Yes		Yes	Yes
VhF	HcF	0.4	35-70	Severe	Yes		Yes	Yes
VyB	VlB	1.7	2-8	Moderate			Yes	Yes
VyC	VlC	3.0	8-15	Moderate	Yes		Yes	Yes
VyD	VlD	1.3	15-25	Severe	Yes		Yes	Yes
WlB	WmB or WnC	3.5	3-8	Severe/Severe-Mod		Yes	Yes	
WlC	WmC or WnC	0.8	8-15	Severe/Severe-Mod	Yes	Yes	Yes	
Total		24.6						

-----Construction & Maintenance Risk -----

Table 9: Catskill Watershed Surface Soil Characteristics

Soil Types are Listed Alphabetically based on the NYC Watershed Soil Key										
DEIS Soils Code	NYC Watershed Soils Code	Delaware Co. Map Units	% of Catskill Portion of the NYC Watershed	Hydro-logic Group	Erosion Factor (Kf)	Slope (%)	Runoff Class*	Dwellings with (w/o) Basements	Local Roads & Streets	Golf Fairways, Lawns & Land-scaping
EKD	EgD	EDD	4.0	C	.32	15-25	H	Severe	Severe	Severe
None	Ff	Ff	1.5	D and B	.15-.32	0-3	HV	Severe	NR	Severe
HhF	HbF	HcF	2.4	C or C/D	.32	35-70	HV	Severe	Severe	Severe
VhC	HcC	HcC	4.8	C or C/D	.32	2-15	H-L	Severe/Moderate	Sev/Mod	Sev/Mod
HvD	HcE	HcE	12.1	C/D	.32	15-35	HV-H	Severe	Severe	Severe
HvF	HcF	HcF	17.4	C or C/D	.32	35-70	HV-H	Severe	Severe	Severe
LeD	LhdD	Lhd or LkE	1.8	C	.28-.32	15-25	HV	Severe	Severe	Severe
LeC	LhC	LhC or LkC	1.1	C	.28-.32	8-15	H	w/ Sev, w/o Md	Moderate	Moderate
LeD	LkE	Lhd or LkE	7.5	C	.28-.32	15-25	HV	Severe	Severe	Severe
OsB	OB	OB	2.8	C	.24-.32	2-10	HV	Severe	Severe	Severe
VhC	ORC	ORC	1.5	C/D	.24-.37	2-15	H-L	w/ Sev, w/o S/M	Sev/Mod	Sev/Mod
VhD	ORF	ORF	2.5	C/D	.24-.37	15-35	HV-H	Severe	Severe	Severe
VhF	ORF	HcF	4.5	C or C/D	.32	35-70	HV-H	Severe	Severe	Severe
W	W	W (water)	2.9							
WIC	WfFB	WfC	1.5	C	.28-.43	2-15	M	Severe	Sev/Mod	Moderate
WIB	WmB	WmB or WnC	1.2	C	.28-.32	3-8	M	Severe	Severe	Moderate
WIC	WmC	WmC or WnC	1.2	C	.28-.32	8-15	M	Severe	Severe	Moderate
WIB/ WIC	WnC	WmB or WmC or WnC	5.7	C	.28-.32	3-15	M	Severe	Severe	Moderate
Total			76.4							

-----Construction & Maintenance Risk-----