



November 12, 2014

Supervisor James Quigley
Town of Ulster Town Hall
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Lake Katrine, NY 12449

Emily Lloyd
Commissioner

Pinar Balci
Director
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Dear Supervisor Quigley,

The New York City Department of Environmental Protection (DEP) is aware of the Town of Ulster's Declaration of Intent to be Lead Agency for the proposed Niagara Water Bottling Facility in the Town of Ulster, Ulster County, NY.

The proposed 415,000 sq. ft. water bottling facility would be constructed by the applicant, Enterprises Properties, LLC, on a parcel of land at 605 Boices Lane, Ulster, NY. The proposed project would also include the extension of municipal water and sanitary sewer services and natural gas and electrical utilities to the project site.

Under full build out conditions, it is estimated that about 1.75 million gallons per day (MGD) of water would be obtained from the City of Kingston to support bottling plant operations. Pending completion of the City of Kingston's water treatment plant upgrades in 2015, the applicant anticipates the City of Kingston would be able to supply 1.0 MGD to the bottling plant initially. Full build out conditions would require additional infrastructure to convey water from the source to the City of Kingston's treatment plant.

DEP has no issues with the Town of Ulster serving as the Lead Agency for the proposed bottling facility, however, we would like to raise some potential issues regarding the proposed project and its environmental review.

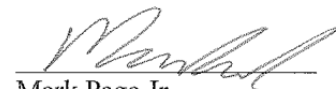
While the bottling facility lies outside of New York City's Watershed, the source of the water that would be supplied by the City of Kingston originates in NYC's watershed. The project study area for this environmental review should be expanded to include the source waters and conveyance, storage and treatment infrastructure in addition to the bottling plant location.

It should also analyze how the City of Kingston would be able supply the needs of the bottling plant during a time of drought, emergency or other water shortage. Should the City of Kingston need to enter into a water supply agreement with DEP to supply this demand, this should be disclosed and analyzed. Any newly proposed or modified

infrastructure built with the intention of drawing water from the New York City Water Supply System would be subject to the *Rules and Regulations for Withdrawal of Water from the New York City Water Supply System including Occupation Or Use of New York City Property* Furthermore, any proposed or modified infrastructure built within the NYC watershed would be subject to the *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources*.

If you have any comments or questions, feel free to contact me at (718)595-4395 or MarkPa@dep.nyc.gov

Sincerely,


Mark Page Jr.
Managing Director

cc: Jason Cosenza, Town Clerk
David Warne, DEP