



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2  
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NEW YORK, NY 10007-1866

JAN 18 2007

Mr. Robert Arnold  
Division Administrator  
Federal Highway Administration  
Leo W. O'Brien Federal Building  
Clinton Avenue & N. Pearl Street  
Albany, New York 12207

Dear Mr. Arnold:

The Environmental Protection Agency (EPA) has reviewed the final environmental impact statement (FEIS) on the New York State (NYS) Route 17, Parksville Improvement Project, in the Town of Liberty, New York, (CEQ # 20060515). This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat. 1709), and the National Environmental Policy Act (NEPA). The project is located within the Delaware River drainage basin, in particular the Beaver Kill watershed. The Beaver Kill system is noted for its trout fishery and is considered to be of local, state, and national importance.

The stated purpose for the project is to upgrade NYS Route 17 to interstate standards by controlling access, enhancing the through traffic mobility, and improving safety. In addition to the No-build alternative, the FEIS presents four build alternatives: alternatives A1/A1a, A4, A4NE, and B4. The "A" alternatives are all aligned on a hillside south of existing Route 17 but with varying interchange features, and alternative B4 utilizes portions of existing Route 17. The FEIS identifies Alternative A4 as the preferred alternative.

The Draft EIS (DEIS) for this project was released in November of 2004. EPA's rating on the DEIS was an EC2 (environmental concerns – insufficient information) as we were concerned with the indirect impacts from the project on the relationship between the seeps and springs on the hillside and the viability of downstream wetlands. The draft EIS did not discuss the potential for further wetlands loss due to the interruption or relocations of flows from those important water sources to the wetlands down slope. The wetlands and seeps on the southerly hillside are important cold water sources contributing to base flows and temperatures conducive for sustaining viable trout fisheries within the Beaver Kill.

Since that time, EPA, U.S. Army Corps of Engineers, U.S. Fish and Wildlife (FWS), Federal Highway Administration (FHWA) and New York State Department of Transportation (NYSDOT) have worked together to modify the preferred alternative alignment to minimize wetland and stream impacts. Specifically, culverts have been replaced with bridges to span important seep, stream and wetland areas, oversized culverts have been used to allow wildlife passage and facilitate flow to down slope areas, retaining walls and steeper side slopes have been

used to reduce the footprint of the highway, and the storm water management plan calls for a separation of highway runoff from the area water bodies. The preferred alternative will also include stream bank repair and restoration, retention of existing vegetation to the maximum extent practicable and replacement planting where necessary. Wetlands/stream fill has been reduced to 1.24 acres of jurisdictional wetlands, 0.5 acres of isolated wetlands and 0.96 acres of un-vegetated channel. All wetlands will be mitigated at a 1.5 to 1 ratio.

We appreciate the FHWA's and NYSDOT's efforts to minimize the potential impacts to the water quality and wetlands in the area. However, as insufficient information exists to determine whether significant hydrologic modification will result from the project, and due to the Beaverkill Watershed's importance as trout habitat, we concur with the FWS's recommendation that the water quality in the Little Beaver Kill and Coddington Brook be monitored during and after project construction. Should changes to the existing water quality occur, corrective measures should be implemented.

Thank you for the opportunity to comment. Should you have any questions concerning this letter, please contact Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,



John Filippelli, Chief  
Strategic Planning and Multi-Media Programs Branch

cc: John R. Williams, Regional Director, NYDOT  
Tim Sullivan, FWS NY Office