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January 27, 2015

Mr. Robert Simson
NYS DEC - Division of Water
625 Broadway
Albany NY 12233-3500
e-mail to: Comments.NYCRR701and703@dec.ny.gov

Dear Mr. Simson:

Please accept these comments in favor of the reference proposed rulemaking to amend Parts 701 and 703 of Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (6 NYCRR) to require that the quality of **Class I and Class SD saline surface** waters be suitable for primary contact recreation, such as swimming. This rulemaking is necessary to meet the "swimmable" goal of the federal Clean Water Act.

The Bronx Council for Environmental Quality (BCEQ) is pleased to express our enthusiastic support for this rulemaking, meeting the swimmable goal of the Clean Water Act for the Harlem River and the tidal part of the Bronx River. We have been waiting for this for a long time.

Since 1971, BCEQ has sought to establish — as an Inherent Human Right — a sound, forward-looking environmental policy regarding an aesthetic, unpolluted, environment protecting a natural and historic heritage. For decades, water quality issues and the Clean Water Act have been an interest of our organization in the Bronx and Harlem Rivers. In 2011, the Urban Waters Federal Partnership (UWFP) announced efforts on seven pilot locations -- the **Bronx & Harlem River** Watersheds (New York) were chosen because both “locations had a strong restoration effort underway, spearheaded by local governments and community organizations.”

We appreciate the timeliness of this proposal as we await the City’s CSO LTCP for our rivers, and we expect you will enforce this rule change. However, we urge the Department consider adopting stronger standards to protect the public’s health, such as *enterococci*, as this is the best method to determine the health risk for primary contact recreation for saline surface waters.

If you have any questions, we can be reached at 646-529-1990 (Karen) or 917-805-9566 (Dart). Thank you for this opportunity to comment.

Sincerely,

Karen Argenti

Karen Argenti
Co-Chairs, Water Committee, BCEQ

Dart Westphal

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