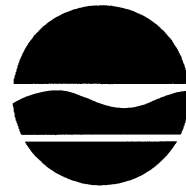


**New York State Department of Environmental Conservation**  
**Division of Water, 4<sup>th</sup> Floor**

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Alexander B. Grannis  
Commissioner

SEP 27 2007

Mr. Walter Mugdan, Director  
Division of Environmental Planning and Protection  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 25<sup>th</sup> Floor  
New York, New York 10007-1866

Dear Mr. Mugdan:

Enclosed is the final New York State submission of the *Total Maximum Daily Load (TMDL) for Nitrogen in the Peconic Estuary Program Study Area, Including Waterbodies Currently Impaired Due to Low Dissolved Oxygen: the Lower Peconic River and Tidal Tributaries; Western Flanders Bay and Lower Sawmill Creek; and Meetinghouse Creek, Terrys Creek and Tributaries*, dated September 2007. This TMDL has been developed with the cooperation and technical assistance of the United States Environmental Protection Agency (USEPA) and your contractor. The State of New York is submitting this TMDL to the USEPA for review and approval under Section 303(d) of the Clean Water Act for three (3) waterbody segments in New York.

The availability of the proposed TMDL for public comment was noticed in the State Environmental Notice Bulletin on July 18, 2007. A number of interested municipalities, organizations and parties were also notified directly of the availability to comment on the TMDL. A public informational meeting was held in Riverhead, New York on August 2, 2007. The public comment period was closed on August 17, 2007. Comments were received and the document was revised in response to comments. A full response to the comments received is also enclosed.

I look forward to a prompt approval by USEPA. Upon approval by USEPA, the TMDL will be considered to be part of the New York State Water Quality Management Plan.

Sincerely,

Sandra Allen  
Director  
Division of Water

Enclosures