

Long Term Control Plan (LTCP)
2015 Annual Citywide Public Meeting
Summary of Meeting and Public Comments

On January 12, 2016 DEP hosted the fourth Annual Citywide Public Meeting for the Long Term Control Plan (LTCP) of combined sewer overflows (CSOs). The two-hour event, was held at the LaGuardia Community College in Long Island City, Queens. DEP presented information on:

- New York City's Wastewater Infrastructure
- Long Term Control Plan and LTCP Submittal Status
- NYC Green Infrastructure Program
- Ongoing Public Participation Program

Four breakout sessions were then held to further discuss public concerns and interests in affordability, water quality classifications and uses, CSO control, and green infrastructure. The event finished with DEP providing a summary of discussions held during the breakout sessions, the ongoing LTCP public participation program, and next steps for LTCP. The presentation and breakout session poster boards can be found at <http://www.nyc.gov/dep/ltcp>.

Approximately eighty people from the public attended the event as well as representatives from the Department of Environmental Protection. The following summarizes the questions and comments from attendees as well as responses given.

Q: An attendee asked for clarification on the CSO figure shown on slide 6.

A: DEP responded that 80% is an annual figure of wet weather CSOs captured. Dry weather flows always go to the treatment plant.

Q: An attendee asked about the wet-weather notifications in various waterbodies and if DEP notifies when there is an outflow. The website says it is based on rainfall, not any real time overflows. Will this change to provide more real time notifications?

A: DEP responded that some of the monitoring was found to be a little unreliable and difficult to maintain, so at this point it is not reliable enough for wet-weather notifications to be based on actual overflows. Current advisories are based on rainfall trigger and projections of calibrated hydraulic models of the sewer system. DEP is continuing to collect data to improve this program. New Yorkers can view these waterbody advisories by visiting www.nyc.gov/dep or by signing up for alerts with NotifyNYC.

Q: An attendee asked when DEP looks at the percent of households, how are apartments that house hundreds of families taken into account and how is that weighed into the customer base?

A: DEP responded that the customer base is calculated by the actual number of households within the census tracts.

Q: An attendee asked how DEP works with neighborhoods targeted for affordable housing (specifically Inwood)? How does DEP factor in projections of population growth?

A: DEP responded that for the Inwood Neighborhood, sampling on the Harlem River is scheduled to begin March 2016 through July 2016 (dependent on rain events). DEP also works very closely with the Department of City Planning to look at areas for affordable housing. Typically, the sanitary sewage for additional units is not the big problem the sewer has more than enough capacity to handle the additional flows as all sewage flows to the Wastewater Treatment Plants during dry weather. The focus is on what is happening with stormwater, but DEP is making sure that the sewer systems in these areas are adequate for additional housing units and have the capacity for stormwater flow.

Q: An attendee asked how do you use additional water quality data from third parties?

A: DEP responded that they look at all data that is sent to the agency. In most circumstances, however, DEP has more stringent collection methods than citizen samplers. Also, since DEP targets specific storm events, the data may have discrepancies. Citizen scientists are an important component of the public participation program, and their data can be an indicator for certain findings, but DEP uses a more rigorous sampling protocol for the data that is included in LTCP modelling.

Q: An attendee asked to clarify what it means to revisit the Flushing Creek LTCP. Does that mean that DEP is going to reevaluate the options to reduce CSO loadings to Flushing Creek during Flushing Bay LTCP process?

A: DEP responded that they were referring to revisiting (or updating) the percent compliance for Flushing Creek. DEP is currently treating about 90% of CSO volume into Flushing Creek. Currently, DEP is not controlling CSOs in Flushing Bay and will revisit the Flushing Creek percent compliance once the Flushing Bay recommendation is in place.

Q: An attendee asked if NYC's waterways will ever be fishable/swimmable?

A: DEP responded yes, there may be some challenges in some tributaries but yes, eventually it's just a question of when.

Q: An attendee asked what role the public can play on to build upon the outcomes of the meeting. Is DEP open to creating a community program for LTCP?

A: DEP responded that there is a robust public engagement program to discuss water quality policies and programs. DEP has also created more opportunities for public outreach specifically for stormwater related topics. Mikelle Adgate is in a new position to lead that community engagement.

Breakout Session Questions

Following the presentation, 4 breakout sessions were convened throughout the room for 1 hour to allow for more detailed discussion surrounding the following topics:

- CSO controls
- Water Quality Classification and Uses
- Green infrastructure
- Affordability

CSO Controls

Approximately 25 individuals visited the CSO controls breakout session hosted by Jim Mueller, Keith Beckmann and Keith Mahoney. The following topics were discussed during the hour long session:

- the disinfection pilot project being conducted in Spring Creek as opposed to a location which has less wildlife;
- the time frame for the pilot study;
- concerns surrounding poisoning the waterways with chlorine;
- whether DEP is doing baseline monitoring to determine effects on aquatic life;
- the disinfection of waterways being more aggressive in the summer rather than winter;
- whether CSO disinfection is untested in NYC;
- why DEP doesn't just install dechlorination equipment instead of pilot testing;
- if DEP is chlorinating the waterway or before the tank;
- whether DEP is looking at the effect of solids and settling;
- if DEP has records of people with infections using water in Flushing Bay;
- where floatables are coming from on Staten Island beaches;
- how DEP is handling the illicit discharges in Alley Creek;
- how to capture the cost efficiencies of various alternatives (ie. pathogen reduction vs. solids reduction); and
- what the public can do to help.

Water Quality Classification and Uses

Approximately 20 individuals visited the Water Quality Classification and Uses breakout session hosted Vinny Sapienza and assisted by consultants Peter Young and Don Walker. The following topics were discussed during the hour long session:

- sampling of fecal coliforms versus enterococcus; whether enterococcus standards are more stringent and whether DEP shows similar figures with Entero compliance;
- DEP's focus on the current regulations rather than more stringent standards as that can result in always being behind;
- if DEP switched to entero standards, would DEP get more citizen data;
- where is DEP sampling and by what parameters, other than bacteria, are monitored;
- how sampling locations are selected and whether the public suggest waterbodies to be sampled;
- the presence of heavy metals in fish.
- the LTCP's focus on limiting impacts on recreational uses rather than the impacts to the waterbody itself and whether more comprehensive analysis can be done;
- local studies on impacts of water quality on human health and human health costs;
- the preparation of maps that demonstrate the water quality problem;
- the number of overflows that occur and when it is safe to go in the water;
- the concern that percent compliance is not the same as how often the public can actively use the waterbody;
- how trash and floatables are controlled;
- if there are other sources of funding beyond water rates;
- how to quantify the economic benefit to the city resulting from improving water quality;
- EPA TMDL approach: how that relates to the CSO problem and if DEP can look at an integrated planning approach;
- the concern that site-specific impacts will be lost in developing average performance for East River/ open waters in the Citywide LTCP;
- how LTCPs will overlap with Waterbody/Watershed Facility Plan recommendations;
- whether the Newtown Creek Aeration Project will lead to the conclusion not to do more work in Newtown Creek; and
- why non-attainment was blamed on the East River and how will that be addressed in Open Waters LTCP.

Affordability

Approximately 15 individuals visited the Affordability breakout session hosted by Angela Licata, Steve Lawitts and Sangu Iyer. The following topics were discussed during the hour long session:

- how DEP takes stormwater costs into account;
- the potential for development of separate stormwater rates;
- the possibility for NYC to get around the data intensive aspects by using a flat stormwater rate for residential customers and per parcel rates for larger properties, like other cities have done;
- the timeline for rate structure studies on same timeframe as billing system updates;
- whether DEP work with DOB to get the coverage data needed for stormwater rate;
- the opportunity for DEP get state/federal funding;
- incentives for stormwater controls;
- whether DEP assumes all money gets spent at the same time in LTCP;
- how many people pay less than 2% and if DEP can show a comparison of average bills to income levels;
- comparison of total water and wastewater spending to income levels;
- the equity in stormwater costs, for example, a Home Depot with a large parking lot vs. a low income building;
- preparation of charts showing the economic benefits of clean water;
- whether the long term control plans will have long term sustainability; and
- Whether chlorine is a sustainable solution.

Green Infrastructure

Approximately 15 individuals visited the Green infrastructure breakout session hosted by Margot Walker and Mikelle Adgate. The following topics were discussed during the hour long session:

- the types of projects being implemented on public properties;
- a description of the maintenance program;
- whether GI can help with street flooding and ponding;
- a description of the porous pavement pilot project;
- whether the public is disappointed with the extent of GI included in individual LTCPs and whether there will be an opportunity to re-evaluate in the Citywide LTCP;
- a description of the coordination between the GI program and the LTCP process because there appears to be a lack of integration;
- for LTCPs that have been submitted with an assumed GI penetration rate what the planning or coordination will entail if the city cannot meet the assumed rate;
- a description of the grant program; and
- the feasibility of the GI program.

KEY ATTENDEES:

DEP Representatives: DEP Commissioner Emily Lloyd; Steve Lawitts (First Deputy Commissioner), Eric Landau (Acting Deputy Commissioner); Angela Licata (Deputy Commissioner); Vincent Sapienza (Deputy Commissioner); James Mueller (Assistant Commissioner); Ibrahim Abdul-Matin (Director of Community Affairs); Mikelle Adgate (Director of Stormwater Outreach); Keith Beckmann (LTCP Program Manager); Keith Mahoney (Division Chief of Regulatory Planning); Margot Walker (Director Capital Planning, OGI); Sangu Iyer (Director, Bureau of Environmental Planning and Analysis); and Max Litt (Sustainability)

Consultants: Donald walker (AECOM); Peter Young (Hazen); and Aimee Boulet (AECOM).