



NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF WASTEWATER TREATMENT
CSO Order on Consent
DEC Case #CO2-20110512-25 CSO Order Modification to CO2-20000107-8

Combined Sewer Overflow Order on Consent

Quarterly Progress Report – First Quarter 2012



April 2012

City of New York
Department of Environmental Protection
Bureau of Engineering Design & Construction

CSO Order on Consent
DEC Case # CO2-20110512-25 CSO Order Modification to CO2-20000107-8

QUARTERLY PROGRESS REPORT

FIRST QUARTER 2012
(January 1 to March 31)

April 30, 2012

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1.0 Executive Summary

The Combined Sewer Overflow “CSO” Order on Consent, DEC Case # CO2-20070101-1 was entered into by the City of New York (“City”) and the New York State Department of Environmental Conservation (“DEC”) on January 14, 2005, and was modified on April 14, 2008, September 3, 2009, and March 8, 2012 (collectively, the “Order”). Pursuant to Section IV, Paragraph A of the Order, the City shall submit quarterly status reports to DEC (“Quarterly Reports”). The Quarterly Reports shall describe the actions that have been taken toward achieving compliance with this Order during the past three-month period. This Quarterly Report sets forth the status of and progress by the New York City Department of Environmental Protection (“DEP”) in complying with the milestones set forth in the Order during the period from **January 1, 2012 to March 31, 2012.**

Critical Events This Quarter

The following critical events occurred this quarter:

1. A modification to the 2005 CSO Consent Order was signed March 8, 2012 by the DEC Commissioner and on October 11, 2011 by the DEP Commissioner. This Order resolved violations, outstanding modification requests, and notices of force majeure, modifies and replaces certain portions of the 2005 and 2008 Orders, and substantially modifies the enforceable Milestones in Appendix A. This Quarterly Report is the first one covering requirements under the 2012 Order.
2. DEP issued a Notice of Force Majeure related to the Inner Harbor Flushing Tunnel Modernization (Milestone III.F.2). The Notice was submitted to DEC on January 4, 2012, identifying the partial collapse of the structure at 185 Columbia Street in the vicinity of work activities related to the Flushing Tunnel as a potential force majeure event.
3. DEP Certified Submittal of All Dredging Permit Applications for Dredging of Gowanus Canal on February 27, 2012 in satisfaction of Milestone III.H.1. DEC accepted the Certification on March 13, 2012. A copy of the Certification letter is provided in Appendix A.
4. DEP responded to DEC comments on the Paerdegat Basin Environmental Dredging Design (Milestone IV.G.3) on January 13, 2012.
5. DEC acknowledged the Certification of Notice to Proceed to Construction for the Flushing Bay Whitestone Interceptor (Milestone V.I.3) on January 4, 2012. DEP certified completion of this Milestone on December 31, 2011.
6. DEP Certified Completion of the Flushing Interceptor Report and Milestones Submittal on March 30, 2012, in satisfaction of Milestone V.I.5. A copy of the Certification letter is provided in Appendix A.
7. DEP Certified Construction Completion of the Jamaica Tributaries Destratification Facility on March 30, 2012 in satisfaction of Milestone VI.E.4. A copy of the Certification letter is provided in Appendix A.
8. DEP issued a Notice of Force Majeure related to the Newtown Creek Enhanced Aeration in Lower English Kills (Milestone VIII H.3). The Notice was submitted to DEC on

March 5, 2012, identifying the selected contractor's bid withdrawal as a potential force majeure event.

9. DEP issued a Modification Request for the Submit Engineering Report and Design Milestone for the Green Infrastructure Demonstration in Bronx River Watershed project on March 30, 2012 (Milestone X.D.1). The Request proposes relocating the demonstration to the Hutchinson River watershed, and extending the deadline from April 30, 2012 to May 31, 2012.
10. DEP submitted a letter to the City of Mount Vernon requesting access for initiating comprehensive field sampling related to the Hutchinson River Waste Load Allocation (Milestone XI.F.1) on January 12, 2012. DEP also submitted a revised Water Quality Sampling Plan to DEC on February 14, 2012.
11. DEP Certified the Submittal of the Engineering Report and Design for the Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed on March 30, 2012 in satisfaction of Milestone XII.J.1. A copy of the Certification letter is provided in Appendix A.
12. On January 17, 2012, DEP responded to DEC comments dated November 17, 2011 related to the Design of the 26th Ward Wet Weather Stabilization Low Level Main Sewage Pumps (Milestone XII.K.1). DEC approved the Final Design on March 12, 2012.
13. DEC acknowledged the Certification of Design Initiation of the Jamaica Bay 26th Ward Wet Weather Stabilization (Milestone XII.K.4) on January 4, 2012. DEP Certified Completion of this Milestone on December 30, 2011.

Major Actions This Quarter

DEP continued to make progress in the planning, design and construction of its CSO facilities during this quarter, as documented in this report. As stipulated by the Order, DEP and DEC held a Quarterly Progress Meeting on **March 21, 2012 in Kingston, NY** to discuss issues related to the Order and to review milestones met during the last quarter.

Table 1 presents the milestones that occurred this quarter. For each milestone listed in Table 1 below, either met or postponed, written notification was submitted by DEP to DEC. Table 2 presents milestones from the reporting quarter that is under consideration for potential modification.

Major Actions Next Quarter

The following major actions are expected to occur from April 2012 through June 2012:

Hold the next Quarterly Progress Meeting between DEC and DEP **at a time and place to be determined.**

Table 1 – Milestones This Quarter (Jan 2012 – Mar 2012)

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Inner Harbor	Dredging of Gowanus Canal	Feb 2012	Submittal of All Dredging Permit Applications	Certified 2/27/2012
Flushing Bay	Flushing Interceptor	Mar 2012	Report and Milestones Submittal	Certified 3/30/2012
Jamaica Tributaries	Destratification Facility	Mar 2012	Construction Completion	Certified 3/30/2012
Jamaica Bay	Green Infrastructure Demonstration Project in 26 th Ward Sewershed	Mar 2012	Submittal of the Engineering Report and Design	Certified 3/30/2012
Jamaica Bay	Hendrix Creek Dredging	February 2012	Construction Completion	Certified 11/18/2011

Table 2 – Milestones this Quarter to be Considered for Potential Modification

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Table reserved. No Milestones to be considered for modification this Quarter.				

Table 3 – Milestones Next Quarter (Apr 2012 – Jun 2012)

LOCATION / PROJECT AREA	ITEM DESCRIPTION	MILESTONE DATE	ACTION REQUIRED	STATUS
Coney Island Creek	Avenue V Force Main	Jun 2012	Construction Completion	On Schedule
Westchester Creek	Pugsley Creek Parallel Interceptor	Jun 2012	Design Initiation	On Schedule
Bronx River	Floatables Control	Jun 2012	Construction Completion	On Schedule
Bronx River	GI Demonstration in Bronx River Watershed	Apr 2012	Submit Engineering Report and Design	Scheduled for completion on 5/31/12; Relocated to Hutchinson River watershed
Hutchinson River	Waste Load Allocation	May 2012	Initiate Field Sampling	Coordination with Mount Vernon may delay start
Jamaica Bay	GI Demonstration in 26th Ward Sewershed	Jun 2012	Notice to Proceed to Construction	On Schedule

Table 4 – Force Majeure Notifications and Outstanding Modification Requests

LOCATION/ PROJECT AREA	ITEM DESCRIPTION	ACTION(S)	REASON FOR ACTION(S)	MILESTONE DATE	STATUS
Inner Harbor	Flushing Tunnel Modernization	Notice of Force Majeure	Damage to 185 Columbia Street near work activities	Construction Completion Sep 2014	Notice submitted 1/4/2012
Newtown Creek	Enhanced Aeration in Lower English Kills	Notice of Force Majeure	Selected contractor withdrew bid	Notice to Proceed to Construction Dec 2012	Notice submitted 3/5/2012
Bronx River	Floatables Control	Notice of Force Majeure	Unanticipated bedrock	Construction Completion June 2012	Notice submitted 10/3/11 and update submitted 4/27/12
Bronx River	GI Demonstration in Bronx River Watershed	Mod Request	Move from Bronx River to Hutchinson River watershed; extend deadline to May 2012	Submit Engineering Report and Design	Request submitted 3/30/2012

2.0 Construction Contracts

The **2012 CSO Consent Order** contains milestones and schedules governing the planning, design and construction of DEP's Citywide CSO Program. Numerous CSO related facilities will be constructed to reduce combined sewage discharges to the receiving waters surrounding the City. The table below provides a list of construction contracts, identified in Appendix A of the Order, necessary to fulfill the requirements of the Order. This table identifies, by percentage, the estimated amount of construction that has been completed.

Table 5 – Construction Contracts and their Status

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED ⁽¹⁾
Alley Creek	CSO Retention Facility	Dec 2006	Dec 2009 ⁽²⁾	Certified Complete ⁽²⁾	100%	100%
Inner Harbor	Gowanus Flushing Tunnel Modernization	Feb 2010	Sep 2014	Sep 2014	47%	42%
	Gowanus Pump Station Reconstruction	Feb 2010	Sep 2014	Sep 2014	52%	53%
	Dredging of Gowanus Canal	TBD ⁽³⁾	TBD ⁽³⁾	TBD ⁽³⁾	-	-
Paerdegat Basin	Structures and Equipment	Sep 2005	May 2011	Certified Complete ⁽²⁾	100%	100% ⁽⁴⁾
	Dredging of Paerdegat Basin	3/19/2013	3/19/2015	3/19/2015	-	-
Flushing Bay	Tallman Island Whitestone Interceptor	Dec 2011	Jul 2015	12/20/2014	12%	0%
	Tallman Island Flushing Interceptor	TBD	TBD	-	-	-
	Divert Low-Lying Sewers / Raise Weir BB-R02	Jun 2014	Dec 2016	Dec 2016	-	-
	Regulator Modifications	Dec 2015	Jun 2018	Jun 2018	-	-
	Environmental Dredging of Flushing Bay	TBD ⁽⁵⁾	TBD ⁽⁵⁾	TBD ⁽⁵⁾	-	-
Jamaica Tributaries	Destratification Facility	Sep 2010	Mar 2012	Mar 2012	100%	100%
	Parallel 48-Inch Siphon / Interceptor	Dec 2013	Jun 2016	Jun 2016	-	-
	Bending Weirs	Dec 2014	Jun 2016	Jun 2016	-	-
Coney Island Creek	Avenue V Pumping Station Upgrade	Nov 2005	Jun 2012	Jun 2012	97%	80%
	Avenue V Force Main	Jul 2007	Jun 2012	Jun 2012	97%	100%
Newtown Creek	Enhanced Aeration Lower English Kills	Dec 2012	Dec 2013	Dec 2013	-	-
	Enhanced Aeration East Branch & Upper Newtown Cr	Jun 2015	Jun 2018	Jun 2018	-	-
	Enhanced Aeration Dutch Kills and Lower Newtown Creek	Dec 2016	Dec 2019	Dec 2019	-	-
	Bending Weirs / Floatables Control	Dec 2014	Dec 2017	Dec 2017	-	-

WATERBODY	ITEM DESCRIPTION	NOTICE TO PROCEED	CONSTRUCTION COMPLETION	PROJECTED COMPLETION	% OF TIME ELAPSED	% OF CONSTRUCTION COMPLETED ⁽¹⁾
	GI Demonstration in Newtown Creek Watershed	Oct 2012	May 2013	May 2013	-	-
Westchester Creek	Modifications to CSO-29 and CSO-29A	Dec 2015	Dec 2019	Dec 2019	-	-
	Pugsley Creek Parallel Interceptor start from CSO-24	Jun 2016	Dec 2019	Dec 2019	-	-
Bronx River	Floatables Control	Jun 2009	Jun 2012	Jun 2012	94%	85%
	GI Demonstration in Bronx River Watershed	Aug 2012 ⁽⁶⁾	Apr 2013 ⁽⁶⁾	Apr 2013 ⁽⁶⁾	-	-
Jamaica Bay	Hendrix Creek Dredging	Feb 2010	Feb 2012	Oct 2011	100%	100%
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-
	26 th Ward HLSS Phase 1	Mar 2016	Dec 2018	Dec 2018	-	-
	26 th Ward HLSS Phase 2	Mar 2018	Dec 2020	Dec 2020	-	-
	26 th Ward HLSS Phase 3	Mar 2020	Dec 2022	Dec 2022	-	-
	GI Demonstration in 26 th Ward Watershed	Jun 2012	Dec 2012	Dec 2012	-	-
	26 th Ward Low Level MSPs	Sep 2012	Apr 2015	Apr 2015	-	-
	26 th Ward PST#5 and High Level MSPs	Apr 2014	Dec 2017	Dec 2017	-	-
	26 th Ward Stabilization of PSTs #1 to 4	Dec 2017	Jul 2019 ⁽⁴⁾	Jul 2019	-	-
	Rockaway WWTP Conveyance Improvements		Dec 2017	Dec 2017	-	-

Notes:

- (1) Percentage Construction Completion is tracked based on cost incurred.
- (2) DEP certified Construction Completion but DEC has not performed final inspection or formally accepted the certification.
- (3) Dredging NTP 3 years from effective date of permit; completion within 5 years of EDP.
- (4) For escrow recovery; enforceable milestone is July 2020.
- (5) Dredging NTP 2 years from effective date of permit (DEC and USACE); completion TBD per permits.
- (6) Due to lack of viable sites, the location has been modified to take place in the Hutchinson River drainage area.

3.0 Detailed Description of Work Performed

3.1. Alley Creek CSO

The Alley Creek CSO Facilities Planning area includes approximately 1,975 acres within the Tallman Island Wastewater Treatment Plant (WWTP) service area that discharges to Alley Creek in northeastern Queens. The Consent Order projects are constructed under contracts ER-AC1 and AC2, which include the following items:

- ◆ A 5 MG CSO storage facility to capture discharges from Outfall TI-008 just south of Northern Boulevard on the west bank of Alley Creek
- ◆ A double-barrel outfall sewer and outfall structure
- ◆ Upgrading the Old Douglaston Pumping Station
- ◆ Rehabilitation of Outfall TI-008 and restoration of a 1.51-acre surrounding area
- ◆ Additional water mains, stormwater sewers, and combined sewers.

DEP Certified Construction Completion of the Alley Creek CSO Facility on June 27, 2011. The facility was certified as being operational as of March 11, 2011.

No Planning, Design, or Construction Work Performed During This Quarter

The facility was certified as being operational as of March 11, 2011.

Table 6 – Alley Creek CSO Projects

<i>Phase I, Stage 2</i>	
<i>Contract ID</i>	ER – AC2
<i>Plan Elements</i>	Alley Creek CSO Abatement Facilities
<i>Location</i>	Northern Boulevard and Alley Park in Bayside, Queens
<i>Actions</i>	Construction of CSO abatement facilities, including modifications to the Old Douglaston Pumping Station; hydraulic control structures and facilities to activate the 5 MG CSO storage facility constructed under Phase I, Stage 1; and rehabilitation of the CSO Outfall TI-008 structure.
<i>Cost</i>	\$35,629,594
<i>Status</i>	Construction Completed
<i>Other Issues</i>	

3.2. Inner Harbor CSO

The Inner Harbor CSO Facility Planning area consists of the drainage areas of the North River, Newtown Creek, and Red Hook Wastewater Treatment Plants (WWTPs) and their associated sewers and pumping stations. The receiving waters of the study area include the Lower East River, Hudson River, Upper New York Bay, and Gowanus Canal and Bay. The Consent Order projects are designed under contracts CSO-DRDG/DRG-GC, which include the following items:

- ◆ Environmental dredging in approximately 825 feet of the head end of Gowanus Canal to a final water depth of 3.0 feet below mean lower low water
- ◆ Gowanus Canal Pumping Station reconstruction to improve operational reliability and to redirect flow directly to the Columbia Street Interceptor via a new force main to be constructed within the Flushing Tunnel.
- ◆ Rehabilitation of the Gowanus Flushing Tunnel to eliminate shutdowns during low tide and many maintenance operations with the installation of a new pumping system with redundant, interchangeable pumps.

Gowanus Canal was added to the US EPA Superfund National Priorities List (NPL) on March 2, 2010. According to EPA, placing the Gowanus Canal on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination.

Design Work Performed During This Quarter

- DEP Certified Submittal of All Dredging Permit Applications for Dredging of Gowanus Canal on February 27, 2012 in satisfaction of Milestone III.H.1. DEC accepted the Certification on March 13, 2012. A Copy of the Certification letter is attached.

Construction Work Performed During This Quarter

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station
 - DEP issued a Notice of Force Majeure related to the Inner Harbor Flushing Tunnel Modernization (Milestone III.F.2). The Notice was submitted to DEC on January 4, 2012, identifying the partial collapse of the structure at 185 Columbia Street in the vicinity of work activities related to the Flushing Tunnel as a potential force majeure event.

Anticipated Construction Activities for Next Quarter

- Gowanus Canal – Rehabilitation of Flushing Tunnel and Reconstruction of Gowanus Pump Station

Table 7 – Inner Harbor CSO Projects

	<i>Dredging of Gowanus Canal</i>	<i>Gowanus Canal Pumping Station and Flushing Tunnel</i>
<i>Contract ID</i>	CSO-DRDG/DRG-GC	CSO-GC
<i>Plan Elements</i>	Dredging Gowanus Canal Head End	Rehabilitation of Pumping Station and Flushing Tunnel
<i>Location</i>	Gowanus Canal	Gowanus Pumping Station Property Brooklyn
<i>Actions</i>	Certified submittal of all dredging permit applications	Wastewater Pumping Station and Flushing Tunnel Pumping System upgrades
<i>Construction Cost</i>	\$13,100,000	\$136,437,568
<i>Status</i>	Contract procured. Design initiated.	In Construction
<i>Other Issues</i>	Design on hold pending JAP Approval.	

3.3. Paerdegat Basin CSO

The Paerdegat Basin CSO Facility Planning area includes the portion of the Coney Island WWTP service area, associated sewers, and pumping stations that discharges to Paerdegat Basin in Brooklyn. The Consent Order projects are constructed under contracts CSO-5 and CSO-DRDG, which include the following items:

- ◆ The Paerdegat Basin CSO Retention Facility, located at the intersection of Flatlands and Ralph Avenues. The facility receives combined sewer overflows from outfalls CI –004, CI-005, and CI-006 serving approximately 6,000 acres of Brooklyn. The facility consists of a four bay underground storage tank and operations buildings. The stored CSO is pumped back to the Coney Island WWTP for treatment after each rain event.
- ◆ Environmental dredging in the head end of Paerdegat Basin to a final water depth of 3.0 feet below mean lower low water

Design Work Performed During This Quarter

- Environmental Dredging
 - DEP responded to DEC comments on the design on January 13, 2012.
 - Completed evaluation of new data and incorporated results of sediment chemistry and geotechnical analysis in the newly defined dredge area into the design documents, as necessary on 2/14/2012.
 - Responded to DEC's further Requests for Information on the Final Design related to scour protection (1/17/2012 – ongoing).
 - Continued with legal review of Final Design Package for legal review, including PSR forms and updates to the design documents based on the USACE permit modification (12/9/2011 - ongoing)

Construction Work Performed During This Quarter

- Phase III - Structures and Equipment
 - All contract work was found to be substantially complete on August 5, 2011 with only change order work, minor punchlist work and warranty repairs remaining.
 - All contractors have begun turnover of final O&M documents, as-built drawings and final copy working drawings
 - The 5G contractor performed the following work: completed reinstallation of the grinder in the Existing Pumping Station and all associated work in the area; started removal of onsite office complex; started repairs in the Five Barrel, noting more extensive damage than anticipated, which has resulted in the scheduling of additional structural inspections; completed security system startup and continued performing punchlist work.

- The 5E contractor continued performing banding, labeling and tagging; completion of installation of light poles on the east side; began installation of the Electrical Power Monitoring Control System.
- The 5H contractor completed commissioning of the Master Boiler Control Panel and continued performing punch list on the Boilers and throughout the Process Buildings.
- The 5P contractor completed change order installation of the eye wash station.
- Environmental Dredging
 - Released Request for Proposal (RFP) for Construction Management (CM) Services on 3/6/2012.

Anticipated Design Activities for Next Quarter

- Environmental Dredging
 - Continue procurement process for environmental dredging construction contract.
 - Continue to respond to DEC Requests for Information on Final Design.

Anticipated Construction Activities for Next Quarter

- Phase III - Superstructures and Equipment
 - All contractors will continue to turnover O&M Manuals, as-built drawings and final copy working drawings. All contractors will also complete removal of onsite office trailers and restore the area to previous conditions.
 - The 5G contractor will execute the following: complete punch list work; perform warranty work in the Process Buildings as needed; complete security system change order modifications and final removal of onsite office complex; remaining work at the 5-Barrel now that the change order repair work will be partially rescinded.
 - The 5E contractor will execute the following: finalize Electrical Power Monitoring Control System; continue performing punch list and warranty work in the Process Buildings as needed; finalize light pole foundations for tank roof and complete lightpole installation.
 - The 5H contractor will execute the following: continue performing punch list and warranty work in the Process Buildings as needed; dispose of all debris from the Existing Pump Station.
 - The 5P contractor will execute the following: complete all punch list work and perform warranty work in the Process Buildings as needed.

Table 8 – Paerdegat Basin CSO Projects

	<i>Phase III</i>	<i>Dredging</i>
<i>Contract ID</i>	CSO - 5	CSO - DRDG
<i>Plan Elements</i>	Structures and Equipment	Environmental Dredging
<i>Location</i>	West Shore of Paerdegat Basin	Head end of Paerdegat Basin
<i>Actions</i>	Minor punchlist and warranty work on aboveground structures and buildings	Dredge bottom sediments to finish depth of 3 ft below MLLW
<i>Construction Cost</i>	\$ 207,324,114	\$17,611,000
<i>Status</i>	Construction complete	DEC Permit issued 3/19/10 and modification request submitted 9/19/2011 (pending); USACE issued 5/10/11 and modification request submitted and approved 8/11/2011. Responded to DEC comments 1/13/12.
<i>Other Issues</i>	Five Barrel Outfall repairs were more extensive than anticipated; additional work will not be performed under CSO-5 contract; DEC inspection is being delayed due to dry weather inflow conditions.	NTP Construction Milestone is 3/19/2013.

3.4. Flushing Bay CSO

The Flushing Bay CSO Facility Planning area includes the portions of the Tallman Island WWTP and the High Level Interceptor of the Bowery Bay WWTP drainage areas, associated sewers, and pumping stations that discharge to Flushing Bay and Flushing Creek in Queens. The Consent Order projects are constructed under contracts TI-WW-1, EE-DSGN-4, CS-FB-LLD, CS-FB-BWR, and CSO-DRDG, which respectively include the following items:

- ◆ Tallman Island Whitestone Interceptor
- ◆ Tallman Island Flushing Interceptor
- ◆ Diversion of low-lying sewers and raising of the weir at BB-R02
- ◆ Regulator Modifications
- ◆ Environmental dredging of Flushing Bay

Design Work Performed During This Quarter

- Tallman Island Flushing Interceptor
 - DEP Certified Completion of the Report and Milestones Submittal on March 30, 2012. A copy of the Certification letter is attached.
 - Reviewed CCTV tapes to evaluate the internal condition of the sewer.
 - Conducted a snow load analysis on the street to evaluate the effect of snow removal operations conducted by the NYCDOS over the past years.
- Divert Low-Lying Sewers/Raise Weir BB-R02
 - Geotechnical borings were reviewed and a recommendation was made for the new sewers. A basis of design report (BODR) was prepared summarizing the scope of the construction project. A workshop was held to review the BODR. The report is currently under review.
- Regulator Modifications
 - Structural inspections and as-built verifications for 6 regulators
 - Began work on the Basis of Design Report
- Environmental Dredging
 - Continued field work (topographic survey, wetland delineation).
 - Continued development of conceptual design and Basis of Design Report.
 - Initiated work on environmental review and planned for development of JAP.
 - Met with DEC Staff on 2/22/2012 to discuss wetland impact/mitigation and capping approaches.
 - Submitted Intertidal and Subtidal Benthos Sampling Work Plan to DEC on 3/8/2012.

- Completed sampling for Habitat Characterization Study for Winter Flounder and Striped Bass on 3/19/2012.
- Submitted Sediment, Surface Water and Pore Water Sampling Work Plan to DEC on 3/23/2012.

Construction Work Performed During This Quarter

- Tallman Island Whitestone Interceptor
 - DEC acknowledged the Certification of Notice to Proceed to Construction on January 4, 2012. DEP certified completion of this Milestone on December 31, 2011. A copy of the Certification letter is attached.
 - TI-WW-1; Pre Construction Conference held January 2012.
 - Received NYSDEC Joint Permit in January, 2012.
 - Design Modification 1 issued January 19, 2012
 - Received BWSO Plan Review approval on March 6, 2012.
 - Continued work associated with obtaining the construction phase dewatering permits.
 - Coordinated with Utilities to relocate existing overhead electrical lines and underground gas mains at 11th avenue between 130th and 132nd streets.

Anticipated Design Activities for Next Quarter

- Tallman Island Flushing Interceptor
 - None
- Divert Low-Lying Sewers/Raise Weir BB-R02
 - Obtain approval of the BODR and begin final design phase of the project.
- Regulator Modifications
 - Complete basis of design report
 - Complete preliminary design
- Environmental Dredging
 - Submit Habitat Characterization Study for Winter Flounder and Striped Bass to DEC.
 - Complete Basis of Design Report.
 - Complete field work.
 - Continue work on environmental review and JAP.

Anticipated Construction Activities for Next Quarter

- Tallman Island Whitestone Interceptor
 - Prepare Design Modification #2 to incorporate USACE and NYSDEC permit compliance items.

- Mobilization to Powell’s Cove Park
- Begin work for new connection chamber at Tallman Island WPCP
- Complete investigatory Test Pits

Table 9 – Flushing Bay CSO Projects

	<i>Tallman Island Whitestone Interceptor</i>	<i>Tallman Island Flushing Interceptor</i>	<i>Divert Low- Lying Sewers / Raise Weir BB- R02</i>	<i>Regulator Modifications</i>	<i>Environmental Dredging of Flushing Bay</i>
<i>Contract ID</i>	TI-WW-1	EE-DSGN-4	CS-FB-LLD	CS-FB-BWR	CSO-DRDG
<i>Plan Elements</i>	New section of Whitestone Interceptor; Regulators 10, 10A and 13	Address Flushing Interceptor sag in Ulmer Street	Divert Low Lying sewers in the vicinity of Bowery Bay WWTP. Raise the weir at regulator BB - 02	Bowery Bay High Level Interceptor regulator modifications at 10 regulators	Environmental Dredging
<i>Location</i>	From existing junction chamber at 11 th Ave / 130 th St to the WWTP, College Point, Queens	From MH 45 at Whitestone Expressway to MH 29 at Ulmer Street and 25 th Avenue	Regulator BB- 02. Berrian Boulevard and 19 th Ave between 43 rd St. and 45 th St.	Six of ten regulators along 108 th street, Ditmars Blvd and the LaGuardia Airport site.	Proximity of Outfalls BB006 and BB008
<i>Actions</i>					Dredge bottom sediments to finish depth of 3 ft below MLLW
<i>Cost</i>	\$22,071,512	\$139,000	\$2,700,000	\$21,500,000	TBD
<i>Status</i>	Construction NTP Issued December 22, 2011	Draft Report submitted to NYSDEC for review	In Design	In Design	Design initiated. JAP due 12/31/2012.
<i>Other Issues</i>	-				None

3.5. Jamaica Tributaries CSO

The Jamaica Tributaries CSO Facility Planning area includes the drainage area of the Jamaica WWTP and its associated sewers and pumping stations. The receiving waters of the study area are Bergen, Thurston, Shellbank, and Hawtree Basins, which are located along the eastern shore of Jamaica Bay on either side of JFK International Airport. The Consent Order projects are constructed under contracts CSO-JT-SB, CS- JA-BBS, and CS-JA-BWR, which respectively include the following items:

- ◆ The Destratification Facility, a permanent diffused-air bubble mixing system at Shellbank Basin designed to eliminate temperature stratification during the summer season, which leads to poor water quality conditions in the basin, odors and marine life kills.
- ◆ A Parallel 48-inch sewer under the Belt Parkway to complement the existing 36-inch double barrel Belt Parkway crossing in the West interceptor.
- ◆ Bending Weirs at regulators J3 and J14 in the West Interceptor and J6 in the East interceptor drainage area.

Design Work Performed During This Quarter

- Parallel 48-inch Siphon/Interceptor
 - The Basis of Design Report (BODR) was revised to show the use of reinforced concrete pipe (RCP) instead of centrifugally cast fiber reinforced polymer mortar (CCRFM) pipe. New means of crossing utilities were developed and outlined in the BDOR to accommodate the new pipe material. Comments were reviewed and responded to. A proposal was requested for a tunneling specialist to be brought on for the design phase of the project.
- Bending Weirs
 - Completion of Facility Plan.

Construction Work Performed During This Quarter

- Destratification Facility
 - In February of 2012 the Shellbank Basin Destratification Facility reached substantial completion. On February 16, 2012, with the DEC present, operation of the blowers at the facility was confirmed.
 - DEP Certified Construction Completion on March 30, 2012. A copy of the Certification letter is attached.

Anticipated Design Activities for Next Quarter

- Parallel 48-inch Siphon/Interceptor
 - Review BODR with new team member
 - Obtain approval of the BODR.

- Begin the Design Phase with tunneling specialist
- Prepare the Environmental Assessment Statement for the project.
- Bending Weirs
 - Completion of BODR and commencement of Design.

Anticipated Construction Activities for Next Quarter

- Destratification Facility
 - Obtain a temporary certificate of occupancy for the facility.

Table 10 – Jamaica Tributaries CSO Projects

	<i>Destratification Facility</i>	<i>Parallel 48-inch Siphon / Interceptor</i>	<i>Bending Weirs</i>
<i>Contract ID</i>	CSO-JT-SB	CS-JA-BBS	CS-JA-BWR
<i>Plan Elements</i>	Destratification	Parallel 48-inch Sewer	Bending Weirs
<i>Location</i>	Shellbank Basin Queens	Belt Parkway Queens	Regulator J6 on the East Interceptor and regulators J3 and J14 on the West Interceptor
<i>Actions</i>	Construct Permanent Facility	Design and construct system upgrades	Design and construct system upgrades
<i>Construction Cost</i>	\$2,621,918		
<i>Status</i>	Construction	Planning Phase of Design	Planning Phase of Design
<i>Other Issues</i>			

3.6. Coney Island Creek CSO

The Coney Island Creek CSO Facility Planning area includes the drainage area of CSO Outfall OH-021, approximately 2,900 acres within the Owls Head WWTP service area in Brooklyn. Outfall OH-021 discharges into Coney Island Creek approximately midway between its head end and the mouth. The Consent Order projects are constructed under contracts PS-79G, PS-79H, PS-79P, PS-79E, and PS-79F, which include the following items:

- ◆ Avenue V Pumping Station upgrade to increase the wet weather pumping capacity
- ◆ Avenue V Force Mains construction to provide additional conveyance to the increased pumping station capacity

Construction Work Performed During This Quarter

- Avenue V Pumping Station Upgrade
 - Completed activities: Hazardous Materials removal, concrete pedestals/supports for 30” and 16” relief piping, connection between 30” and 42” discharge piping, leakage testing for 42” discharge piping, fuel oil system lines including flowable fill, structural repairs of existing stairs, installation of brick walls and insulation and fire retardant materials for Generator & NPS buildings, painting at walls of NPS building, installation of wooden roof including asphalt shingles for NPS and Generator building, installation of 350 MCM cables, wiring terminations for local control stations and local control panels, MOV’s, welding of neutral and NPS bus bars, LCP-150 installation, slide gate 30A disconnect switch, installation of various electrical conduits, CRAC 3 unit including refrigerant piping, HVAC duct installation in Main Building Valve Room, electric unit heaters, preliminary leakage testing for refrigerant piping, flow meters installation.
 - Commenced/Continued activities: Existing cast iron restoration, water connection, wing walls foundation, sump pump installation, Generator Building acoustical measures and louvers installation, Pump Station perimeter wall, maintenance of temporary bypass system B, wet well extension cleaning, power cable termination at wet well pull box, electrical work inside electrical manholes, megger testing, Scada work, areaway plenums, installation of motor operated/fire dampers, construction of meter vaults, insulation for refrigerant piping, ductwork in MER and Main Building ground floor area, conduits for HV1 and CRAC system,
- New Force Mains
 - Punch List
 - Clean up activities, handrails at home along Ave V a West 11th Street, hydrant work at corner of Ave V and West 12th Street, BWSO sewer TV, 84” pipe inspection RFP.

Anticipated Construction Activities for Next Quarter

- Avenue V Pumping Station Upgrade

- Flood testing for Main Building Roof/complete promenade tiles, cast iron restoration work, bridge crane installation, terra cotta work, grading and paving, Control Room rehabilitation, Wet Well discharge piping hangers and supports, NPS sump pumps/discharge lines, perimeter wall construction, complete force main connection, discharge pipe painting, site lighting, complete CRAC 3 installation, Generator Building HVAC/electrical and fuel system equipment/piping, remaining electrical and HVAC work, final equipment testing and energized the electrical system.
- New Force Mains
 - Punch list activities.

Table 11 – Coney Island Creek CSO Projects

	<i>Avenue V Pumping Station Upgrade</i>	<i>Avenue V Force Mains</i>
<i>Contract ID</i>	PS-79G, H, P, E	PS-79F
<i>Plan Elements</i>	Upgrade Pumping Station	42-inch and 48-inch force mains
<i>Location</i>	Avenue V and West 11th Street Brooklyn	Shore Parkway to Regulator 9A Brooklyn
<i>Actions</i>	Comprehensive upgrade to automate and increase station capacity to 80 MGD; Lower Wet Well operating level to reduce sewer surcharges; Network Protector Structure to reliably transform utility power; Generator system to improve station reliability; Architectural restoration of Main Building to 1915 appearance	New force mains to convey DWF and WWF
<i>Construction Cost</i>	\$78,387,599	\$ 114,692,767
<i>Status</i>	Under Construction	Construction Complete
<i>Other Issues</i>		

3.7. Newtown Creek CSO

The Newtown Creek CSO Facility Planning area includes the portions of the Newtown Creek WWTP and the Low Level Interceptor of the Bowery Bay WWTP drainage areas that discharge to Newtown Creek, English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch along the Brooklyn-Queens border. The Consent Order projects are constructed under contracts CSO-NC-2, CSO-NC-3, CSO-NC-4, CS-NC-REG & FLO, GBNC15-05, which respectively include the following items:

- ◆ Enhanced Aeration in the Lower English Kills
- ◆ Enhanced Aeration in East Branch and Upper Newtown Creek
- ◆ Enhanced Aeration in Dutch Kills and Lower Newtown Creek
- ◆ Bending Weirs / Floatables Control
- ◆ Green Infrastructure Demonstration project in the Newtown Creek watershed

Newtown Creek was added to the US EPA Superfund National Priorities List (NPL) on September 29, 2010. According to EPA, placing Newtown Creek on the list allows the Agency to further investigate contamination at the site and develop an approach to address the contamination.

Design Work Performed During This Quarter

- Enhanced Aeration
 - Bids were received for the construction project for the addition of a third blower to the Phase I Aeration Facilities and associated aeration system for the Lower English Kills.
 - DEP submitted a Notice of Force Majeure to DEC on March 5, 2012, identifying the selected contractor's bid withdrawal as a potential force majeure event. Awarding of the contract to the second low bidder or a re-bidding of the contract is being examined.
 - A Phase 2 Environmental Assessment of the East Branch and Portions of Newtown Creek Enhanced Aeration proposed location for the Blower Building is being developed.
 - Design on the East Branch and Portions of Newtown Creek Enhanced Aeration continues
- Bending Weirs and Floatables Control
 - Develop Basis of Design Report
- Infrastructure Demonstration Project in Newtown Creek Watershed
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Design Activities for Next Quarter

- Enhanced Aeration

- Resolution of the Phase I Aeration Facilities and associated aeration system for the Lower English Kills construction contract.
- Review the Draft Phase 2 Environmental Assessment of the East Branch and Portions of Newtown Creek Enhanced Aeration proposed location for the Blower Building.
- Complete the Basis of Design Report (BODR) on the East Branch and Portions of Newtown Creek Enhanced Aeration.
- Begin 30% Design Completion Contract Drawings and Specifications.
- Begin the BODR for the Dutch Kills and Portions of Newtown Creek Enhanced Aeration.
- Bending Weirs and Floatables Control
 - Submit Basis of Design Report for review
- Infrastructure Demonstration Project in Newtown Creek Watershed
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 12 – Newtown Creek CSO Projects

	<i>Enhanced Aeration 1</i>	<i>Enhanced Aeration 2</i>	<i>Enhanced Aeration 3</i>	<i>Bending Weirs / Floatables Control</i>
<i>Contract ID</i>	CSO-NC-2	CSO-NC-3	CSO-NC-4	CS-NC-REG & FLO
<i>Plan Elements</i>	Enhanced Aeration	Enhanced Aeration	Enhanced Aeration	Floatables Controls and Overflow Reduction
<i>Location</i>	Lower English Kills	East Branch and Upper Newtown Creek	Dutch Kills and Lower Newtown Creek	Dutch Kills, Maspeth Creek, English Kills and East Branch
<i>Actions</i>	Construction contract has been bid, but the low bid has been withdrawn.	The design of the blower building and aeration system continues.	The design of the blower building and aeration system continues	Evaluating Bending weirs, baffles, screen to reduce overflows/floatables
<i>Construction Cost</i>	\$1,738,412	\$18,071,426	\$17,300,412	\$70 Million (Estimated)
<i>Status</i>	Construction Bid	Design	Design	Basis of Design being prepared
<i>Other Issues</i>	Notice of Force Majeure submitted; winning bidder withdrew			Contamination issues may affect B-1 and St. Nicks Weir locations.

3.8. Westchester Creek CSO

The Westchester Creek CSO Facility Planning area includes the portion of the Hunts Point WWTP drainage area, its associated sewers, and pumping stations that discharges to Westchester Creek and Pugsley Creek in the Bronx. The Consent Order projects are constructed under contracts CS-ER-WCM and CS-ER-WCP, which respectively include the following items:

- ◆ Modifications to CSO-29 and CSO-29A to increase conveyance to the WWTP and reduce discharges from Outfall HP-014
- ◆ Pugsley Creek Parallel Interceptor to increase conveyance to the WWTP and reduce discharges from Outfall HP-013

Design Work Performed During This Quarter

- Modifications to CSO-29 and 29A
 - 3- and 5-year drainage plan flows were determined using the detailed global method
 - Completed evaluation of weir extensions required at CSO-29A and CSO-29 to maintain head neutral conditions in upstream trunk sewers using fixed and bending weirs.
 - Continued development of BODR.
- Pugsley Creek Parallel Interceptor
 - Drainage plan methodology was discussed on March 27, 2012 for assessing and incorporating design flows from CSO-29 to CSO-24. Combined design flows for catchments upstream of CSO-29, as estimated under the CS-ER-WC-DEC contract, will be included in the analysis.
 - The calculations and drawings for the Pugsley Creek Drainage Plan were revised based on an updated design flow that incorporates the flows and times of concentration from CSO-29, per the Westchester Creek CSO Modifications drainage plan, dated January 17, 2012. The changes to the design flow are small and are not expected to negatively impact the schedule.

Anticipated Design Activities for Next Quarter

- Modifications to CSO-29 and 29A
 - Submit BODR for review.
- Pugsley Creek Parallel Interceptor
 - Finalize the amended drainage plan

Table 13 – Westchester Creek CSO Project

	<i>Modifications to CSO-29 and CSO-29A</i>	<i>Pugsley Creek Parallel Interceptor start from CSO-24</i>
<i>Contract ID</i>	CS-ER-WCM	CS-ER-WCP
<i>Plan Elements</i>	Improve flow control structures in sewers to convey more flow to the Hunts Point WWTP	Add capacity to convey more flow to the Hunts Point WWTP
<i>Location</i>	Eastchester Road, Bronx	Clason Point, Bronx
<i>Actions</i>	Determine extent weir extension using straight or bending weirs	Finalization of drainage planning
<i>Construction Cost</i>	\$56.4 Million (Estimated)	Tbd
<i>Status</i>	Basis of Design Report being prepared.	Drainage Plan under review
<i>Other Issues</i>		

3.9. Bronx River CSO

The Bronx River CSO Facility Planning area includes the portion of the Hunts Point WWTP service area, the associated sewers, and pumping stations that discharge to the Bronx River in the Bronx. The Consent Order project is constructed under contract ER-BR-1 which includes the following items:

- ◆ Floatables Control at the Bronx Park Avenue site (CSO-27A)
- ◆ Floatables Control at the Soundview Park site (CSO-13)
- ◆ Floatables Control at the West Farm Road site (CSO-28)
- ◆ Green Infrastructure Demonstration project in the Bronx River watershed

The green infrastructure demonstration project originally intended for the Bronx River CSO drainage area has been modified to take place in the Hutchinson River drainage area due to a lack of viable sites in the originally planned area. Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Construction Work Performed During This Quarter

- Floatables Control at the Bronx Park Ave site (CSO-27A)
 - Completed removal of encountered bed rock.
 - Completed demolition and removal of existing chamber roof.
 - Commenced chamber expansion by placing new concrete walls.
- Floatables Control at the Soundview Park site (CSO-13)
 - Final netting system test completed on January 3, 2012.
- Floatables Control at the West Farm Road site (CSO-28)
 - Completed field test of netting system on January 3, 2012.
 - Continued forming and placing concrete for the walls of Regulator CSO 27A extension.
 - Completed demolished and removal of existing Regulator CSO 27A chamber roof.
 - Commenced demolition and removal of existing Regulator CSO 27A chamber walls

Anticipated Construction Activities for Next Quarter

- Floatables Control at the Bronx Park Ave site (CSO-27A)
 - Complete chamber extension and test mechanical equipment.
 - Complete installation of new west walls for Regulator CSO 27A expansion.
 - Complete cutting and removal of existing Regulator CSO 27A walls.
 - Form and place Regulator CSO 27A access steps.

Table 14 – Bronx River CSO Project

<i>Floatables Control</i>	
<i>Contract ID</i>	ER – BR - 1
<i>Plan Elements</i>	Floatables Control Facilities at CSO Outfalls HP-004, HP-007 and HP-009
<i>Location</i>	West Farms Road, Bronx Park Avenue, Bronx Zoo, Soundview Park
<i>Actions</i>	Design and construction of floatables control facilities for CSO Outfalls HP-004, HP-007 and HP-009
<i>Construction Cost</i>	\$28,246,659
<i>Status</i>	Construction 85% complete
<i>Other Issues</i>	

3.10. Hutchinson River CSO

The Hutchinson River CSO Facility Planning area includes the portion of the Hunts Point WWTP drainage area, its associated sewers, and pumping stations that discharges to the Hutchinson River in the Bronx. The Consent Order projects are being executed under contracts LTCPI, CSO-PLANYC, and GXHP-24-03 (DPR), which include the following items:

- ◆ Waste Load Allocation Field Sampling
- ◆ The Green Infrastructure Demonstration project that had originally been planned for the Bronx River drainage area, which will now be conducted in the Hutchinson River drainage area within subcatchment HP-024, per Modification Request submitted by DEP to DEC on March 30, 2012.

Planning Work Performed During This Quarter

- Waste Load Allocation Field Sampling
 - DEP sent a letter to the City of Mount Vernon requesting access for initiating comprehensive field sampling on January 12, 2012, and sent a draft agreement on February 13, 2012.
 - DEP submitted a revised Water Quality Sampling Plan to DEC on February 14, 2012.

Design Work Performed During This Quarter

- Hutchinson River Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Anticipated Planning Activities for Next Quarter

- Waste Load Allocation Field Sampling
 - Access agreement is anticipated to be executed in early May 2012.

Anticipated Design Activities for Next Quarter

- Hutchinson River Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 15 – Hutchinson River CSO Project

<i>Waste Load Allocation Field Sampling</i>	
<i>Contract ID</i>	LTCP1
<i>Plan Elements</i>	Surface water and discharge outfall water quality sampling and characterization to develop Waste Load Allocation (WLA) for the Hutchinson River
<i>Location</i>	Hutchinson River
<i>Actions</i>	
<i>Construction Cost</i>	n/a
<i>Status</i>	Planning
<i>Other Issues</i>	Delay in obtaining permission from the City of Mount Vernon may delay start of sampling

3.11. Jamaica Bay CSO

The Jamaica Bay CSO Facility Planning area includes the drainage areas of the 26th Ward, Coney Island, and Rockaway WWTPs and their associated sewers and pumping stations. The receiving waters of the study area include Fresh Creek, Hendrix Creek, Spring Creek, and the open waters of Jamaica Bay. The Consent Order projects are constructed under contracts CSO-DRG and CSO-GCER, which include the following items:

- ◆ Interim dredging of the head-end of Hendrix Creek
- ◆ Improving conveyance to the Rockaway WWTP
- ◆ 26th Ward High Level Sewer Separation (HLSS)
- ◆ Demonstration
- ◆ 26th Ward Wet Weather Stabilization
- ◆ 26th Ward green infrastructure demonstration project

Design Work Performed During This Quarter

- 26th Ward Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.
- 26th Ward Wet Weather Stabilization
 - DEC acknowledged the Certification of Design Initiation on January 4, 2012. DEP Certified Completion of this Milestone on December 30, 2011.
 - On January 17, 2012, DEP responded to DEC comments dated November 17, 2011. DEC approved the Final Design on March 12, 2012.

Construction Work Performed During This Quarter

- Hendrix Street Canal Dredging
 - The Contractor completed Change Order No. CSO-HC-001R and demobilized on January 27, 2012.
 - DEP submitted the Final Inspection Checklist report and As-Built to DEC on March 14, 2012.
 - DEC acknowledged receipt of the Final Inspection Checklist report and As-Built via e-mail to DEP on March 22, 2012.
 - DEC requested that additional information be included in the Final Inspection Checklist report via a March 26, 2012 e-mail to DEP.
 - The CM responded to DEC via e-mail on March 28, 2012 and said that the additional information requested in DEC's e-mail of March 26, 2012 would be incorporated into the Final Inspection Checklist report and reissued to DEC.

Anticipated Design Activities for Next Quarter

- 26th Ward Green Infrastructure Demonstration Project
 - Updates on the GI Demonstration Project are discussed in the Green Infrastructure Section of this report.

Table 16 – Jamaica Bay CSO Projects

	<i>Hendrix Creek Dredging</i>	<i>Rockaway WWTP Conveyance Improvements</i>	<i>26th Ward HLSS</i>	<i>26th Ward Wet Weather Stabilization</i>
<i>Contract ID</i>	CSO-HC	Project not yet initiated	CS-FB-SEW	26W-15 26W-20
<i>Plan Elements</i>	Removal of CSO sediment mounds from the head end of the Hendrix Street Canal	Improve collection system and WWTP capacity to achieve 2DDWF		Low Level MSPs High Level MSPs PST#5 PST1-4 Stabilization
<i>Location</i>	Hendrix Creek, Brooklyn	Rockaway WWTP, Queens	Fresh Creek, Brooklyn	26 th Ward WWTP, Brooklyn
<i>Actions</i>	None	None	None	-
<i>Construction Cost</i>	\$13.2 million	TBD	TBD	TBD
<i>Status</i>	Construction Complete	Project not yet initiated	Project not yet initiated	In Design
<i>Other Issues</i>				

3.12. Environmental Benefits Projects

These projects were undertaken in connection with the settlement of an enforcement action taken by New York State and DEC for violations of New York State law and DEC regulations. The 2008 Modification to the CSO Consent Order requires not less than \$4 million worth of DEP-funded Environmental Benefit Projects (EBPs) designed to abate CSOs and/or address wet weather water quality impacts from CSOs and to benefit the waters in and around New York City. The 2012 Modified Consent Order requires the extension of DEP's existing Green Infrastructure Grant Program and a commitment to use no less than \$3 million of EBP funds over the next three years to expand available grant funding for applicants. DEP will identify awarded projects totaling \$1 million with signed Funding Agreements to commit EBP funds toward before December 31 for each year of the three-year grant program (i.e., 2012, 2013 and 2014).

Work Performed During This Quarter

- 2012 EBP Program
 - Total grant funding for the year 2012 grant program is \$5 million (\$4 million in DEP capital funds and \$1 million in EBP funds).
 - Applications for this year's program were due February 15, 2012. DEP received over 40 applications, 23 of which were determined to have met the eligibility requirements and are, therefore, currently under review by the Review Committee. The Review Committee is comprised of representatives from DEP, DPR, DDC, DOT, DOB and DEC.
- Bronx River
 - An amendment to the original license agreement between DEP and NYCHA has been signed to include soil boring work.
 - Continued design work.
- Flushing Creek
 - Designs for Manhattan College are complete. Modular green roof trays are being grown.
 - Unisphere and RPA designs are nearing completion; soil boring and topographic information has been collected and is being incorporated into designs.
 - Columbia has partnered with NYC Audubon to complete their grant. DEP Legal is currently reviewing contract.
- Gowanus Canal
 - Soil boring RFP issued.
- DEC US Forestry Service Grant
 - LIDRA model completed
 - Tree pits installed and final report under review
 - Newtown Creek site selected and design underway.
 - Reviewed USFS contract.

Anticipated Activities for Next Quarter

- 2012 EBP Program
 - Announcement of awards to eligible proposals is anticipated for April 2012. The awarded proposals will be identified in future quarterly reports along with similar information presented above for the 2008 Modified CSO Consent Order Environmental Benefits Projects.
- Bronx River
 - Commence soil boring work
 - Incorporate soil boring information into design.
- Flushing Creek
 - Install modular green roof trays in later spring 2012
 - Continue to incorporate soil boring information into designs.
 - Complete legal review of contract between Columbia and NYC Audubon.
- Gowanus Canal
 - Award soil boring contract
 - Design will further progress with new soil boring information.
- DEC US Forestry Service Grant
 - USFS contract review may delay progress on Newtown Creek project.
 - Complete final report review; Newtown Creek site selected and design underway.

Table 17 – 2008 Modified CSO Consent Order Environmental Benefits Projects

<i>Plan Elements:</i>	<i>Bronx River</i>	<i>Flushing Bay and Creek</i>	<i>Gowanus Canal</i>	<i>DEC US Forestry Service Grant</i>
Location:	HP-009 service area	Multiple areas	6th St / 2nd Ave, Brooklyn	Bronx River and Newtown Creek CSO Areas
Description :	Stormwater BMP evaluations	Manhattan College New York Hospital Green roof (\$660,440); RPA bioretention basins under the LIE (\$600,000); Unisphere treatment wetlands and rain gardens for Meadow Lake (\$386,551); Columbia University Rego Park Green Streets (\$389,187);	Gowanus Canal Conservancy 6th Street Green Corridor Project	Enhanced tree pit evaluation in HP-009 service area; Green infrastructure installation in Newtown Creek CSO shed; Open source access for Drexel University’s LIDRA model; Education and stewardship activities in the HP-009 area.
Cost:	Budget: \$850,000 Cost to date: \$0 This Qtr: \$0 Next Qtr: \$75,000	Budget: \$2,036,178 Cost to date: \$300,000 This Qtr: \$150,000 Next Qtr: \$150,000	Budget: \$583,470 Cost to date: \$75,000 This Qtr: \$75,000 Next Qtr: \$10,000	Budget: \$250,000 Cost to date: \$205,776 This Qtr: \$4,769.01 Next Qtr: ~17,000\$
Status:	In Design	Manhattan College completed design. Unisphere and RPA are in design. Columbia has partnered with NYC Audubon to complete their grant; contract under review	In design	In design
Other Issues:	None	None	None	USFS contracts under review which may delay progress on Newtown Creek project.

3.13. Green Infrastructure Program Implementation

This section of the quarterly report provides the status of green infrastructure program implementation required under the 2012 CSO Consent Order. The Order sets forth financial commitments, schedule and capture targets, and other requirements for the program to reduce runoff and CSO through the use of green infrastructure. Additionally, Appendix A of the 2012 CSO Consent Order contains completion milestones for three green infrastructure demonstration projects:

- ◆ Newtown Creek Green Infrastructure Demonstration Project
- ◆ Bronx River Green Infrastructure Demonstration Project (moved to Hutchinson River)
- ◆ Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed

This information is in addition to and complementary with the Environmental Benefits Projects described in the previous section.

Design Work Performed During This Quarter¹

- Green Infrastructure Program
 - On March 12, 2012, the New York City Public Design Commission approved DEP's Right-of-Way (ROW) Bioswale Standard Design, the final approval necessary for installation of green infrastructure citywide. The standard designs include three types: a 20-ft by 5-ft design; a 15-ft by 5-ft design; and a ROW bioswale with a stormwater inlet.
 - The designs were developed based on extensive interagency coordination between DEP and the New York City Departments of Transportation (DOT), Parks and Recreation (DPR) and Design and Construction (DDC). These standards will be included as part of future bid advertisements for ROW construction contracts in areas where site surveys and borings demonstrate they are feasible. As these designs are modified or additional designs are developed, this information will be reflected in future quarterly reports.
 - DEP, acting as lead agency, published an Environmental Assessment Statement (EAS) for public comment on March 8, 2012. The initial phase of NYC's Green Infrastructure Program was the subject of this environmental review. Each of the Green Infrastructure Demonstration Projects (i.e., Newtown Creek, 26th Ward and Hutchinson River) were disclosed and reviewed as part of this EAS.
 - An RFP for the development of GI design and engineering services in Gowanus, Newtown Creek, and Flushing Bay drainage areas was issued on February 16, 2012. Proposals were due on March 19, 2012 and are currently under review for contractor selection and award. The design services for all three drainage areas will total approximately \$12 million.

¹ Brief summary of work performed to date is provided for Q1 2012, the first reporting quarter for the project

- DEP, through its Office of Green Infrastructure (OGI), continues to collaborate with multiple City agencies to retrofit the ROW and existing public facilities through agreements, CPIs and contracts. Agencies include DPR, DDC, School Construction Authority (SCA), New York City Housing Authority (NYCHA), Economic Development Corporation (EDC), Health and Hospitals Corporation (HHC) and Department of Cultural Affairs (DCA).
- To address both private and public development, DEP promulgated a stormwater performance standard on January 4, 2012 to modify the flow rate of stormwater to the city's combined sewer system for new development and alterations as part of sewer availability and connection approvals. The rule becomes effective next quarter on July 4th. In conjunction with the new stormwater performance standard, DEP published a companion document, Guidelines for the Design and Construction of Stormwater Management Systems, to assist the development community and licensed professionals in the selection, planning, design and construction of onsite source controls that comply with the new rule.
- Newtown Creek Green Infrastructure Demonstration Project
 - Design was initiated through an existing contract on October 20, 2011. Design included site selection and installation of monitoring equipment, which was completed during the fall of 2011. A limited topographic survey, utility/vault surveys, soil borings, and permeability testing were conducted and incorporated in contract plans.
 - DEP participated in a community meeting with Councilmember Diana Reyna and the Newtown Creek Alliance on September 23, 2011, to present information and answer questions about the demonstration project in their community.
- Hutchinson River Green Infrastructure Demonstration Project
 - DEP submitted a modification request to DEC on March 30, 2012 to relocate the Bronx River watershed demonstration to the Hutchinson River watershed, and to extend the milestone date for the submittal of the engineering report and design from April 30, 2012 to May 31, 2012.
 - Design is currently in progress, and was initiated through an existing contract on October 20, 2011. Site selection, limited topographic survey, utility/vault surveys, and soil borings are completed, and permeability testing is currently underway.
 - Installation of monitoring equipment has been completed. The monitoring equipment was moved from the previously proposed demonstration project area within the Bronx River watershed to Hutchinson River project area on March 5, 2012 in advance of the spring rainfall season.
 - DEP met with Councilmember Larry Seabrook on March 23, 2012 to discuss the demonstration project within his district and DEP's collaboration with NYCHA at Edenwald Houses.
- Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed
 - Bids for construction of the ROW bioswales were advertised on March 14, 2012.

- DEP Certified the Submittal of the Engineering Report and Design on March 30, 2012. A copy of the Certification letter is attached.

Anticipated Design Activities for Next Quarter

- Newtown Creek Green Infrastructure Demonstration Project
 - Continue monitoring data collection related to wet weather flows.
 - Finalize the engineering report and design for submittal to DEC in the third Quarter of 2012, which will require continued coordination with City Departments of Parks and Recreation (DPR) and Transportation (DOT) on issues related to utilities and review and approval of contract plans.
 - Submit contract plans and specifications for legal and other agency review.
 - Advertise the bid in June 2012 for the construction of the ROW bioswales.
- Hutchinson River Green Infrastructure Demonstration Project
 - Continue monitoring data collection related to wet weather flows.
 - Update engineering report to include all permeability test results.
 - Finalize designs, including continued coordination with New York City DPR and DOT, and incorporate comments from these interagency reviews, and continue ongoing coordination to initiate construction in August 2012 through an existing DPR green infrastructure contract.
 - Submit the final engineering report and design for the Hutchinson River Green Infrastructure Demonstration Project to DEC by May 31, 2012.
- Jamaica Bay Green Infrastructure Demonstration Project in 26th Ward Sewershed
 - Continue monitoring data collection related to wet weather flows.
 - Anticipate Notice to Proceed for construction in June 30, 2012.

Table 18 – Green Infrastructure Program Implementation Status

	<i>Green Infrastructure Program</i>	<i>Newtown Creek Demonstration</i>	<i>Hutchinson River Demonstration</i>	<i>26th Ward Demonstration</i>
<i>Contract ID</i>	Implemented under numerous contracts	GBNC15-05	DPR Contract GXHP24-03	GB26W3-01
<i>Plan Elements</i>	Capture first inch of precipitation on 1.5% of impervious surfaces citywide	18-acre GI Demonstration Area	24-acre GI Demonstration Area	23-acre GI Demonstration Area
<i>Location</i>	Citywide	Grove Street Brooklyn	224, 225, Schiefflen, and Baychester Streets Outfall HP-024 The Bronx	Junius St between East New York and Belmont Avenues Outfall 26W-003 Brooklyn
<i>Actions</i>	Design services RFP issued for Gowanus, Newtown, and Flushing (\$12 million allocated)	Borings and survey work complete; Bid documents in review	Borings and survey work complete; Permeability tests, engineering report, and design in progress	Submitted Engineering Report and Design to DEC on March 30, 2012
<i>Construction Cost</i>	\$187 million citywide	\$800,000 allocated for ROW bioswales	\$800,000 allocated for ROW bioswales	\$880,000 bid for ROW bioswales; estimated additional \$1 Million for onsite installations
<i>Status</i>	Procurement	Design	Design	Bids received and under review
<i>Other Issues</i>		None	Awaiting DEC response to DEP's modification request	Pending DEC comments on Engineering Report and Design may influence Hutch and Newtown projects

4.0 Community Relations

The 2012 modification to the 2005 Order was publicly noticed on October 19, 2011 and the public was given 30 days to submit comments. A public meeting was held on November 9, 2011.

During the First Quarter of 2012, the following public meetings took place:

- The Flushing Bay and Creek Waterbody/Watershed Facility Plan public meeting was held on January 19, 2012 at the Al Oerter Recreational Center in Flushing.
- The Westchester Creek Waterbody/Watershed Facility Plan public meeting was held on January 24, 2012 at the Riverbay Community Center on Bartow Avenue in the Bronx.
- The Newtown Creek Waterbody/Watershed Facility Plan public meeting was held on February 22, 2012 at the Newtown Creek Wastewater Treatment Plant Visitor Center in Brooklyn.
- The Jamaica Bay and CSO Tributaries Waterbody/Watershed Facility Plan public meeting was held on March 29, 2012 at the Kings Plaza Community Center at Kings Plaza in Brooklyn.
- On September 23, 2011, DEP's Office of Green Infrastructure participated in a community meeting with Councilmember Diana Reyna and the Newtown Creek Alliance to present information and answer questions about the Green Infrastructure Demonstration Project in Newtown Creek Watershed.
- On March 23, 2012, DEP's Office of Green Infrastructure participated in a community meeting with Councilmember Larry Seabrook to discuss the Hutchinson River Green Infrastructure Demonstration project within his district and DEP's collaboration with NYCHA at Edenwald Houses.

5.0 Key Personnel Changes

The table below provides key personnel as of the **First Quarter of 2012**.

Table 19 – Key DEP Personnel for Contracts Subject to the CSO Consent Order

Planning Area	Project	DEP Responsible Personnel		
		Bureau	Chief	APM
Alley Creek	ER-AC2: Storage Facility	BEDC	Osit	Patel
Outer Harbor	All Projects Complete	-	-	-
Inner Harbor	CSO-DRDG: Gowanus Dredging	BEDC	Tysvaer	Chao
	CSO-GC: Flushing Tunnel	BEDC	Clarke	Patel
	CSO-GC: Gowanus PS	BEDC	Clarke	Patel
Paerdegat Basin	CSO-5: Storage Facility	BEDC	Tysvaer	Novotny
	CSO-DRDG: Dredging	BEDC	Tysvaer	Chao
Flushing Bay	CSO-DRDG: Dredging	BEDC	Tysvaer	Chao
	EE-DSGN-4: Flushing Interceptor	BWT	Lochan	Goldin
	CS-FB-LLD: LL Sewers R2 Weir	BEDC	Tysvaer	Chao
	CS-FB-BWR: Regulators	BEDC	Tysvaer	Szeto
	TI-WW-1: Whitestone Interceptor	BEDC	Solimando	Sadat
Jamaica Tributaries	CS-JA-BWR: Bending Weirs	BEDC	Tysvaer	Szeto
	CS-JA-BBS: 48-Inch Sewer	BEDC	Tysvaer	Szeto
	CSO-JT-SB: Destratification	BEDC	Clarke	Gordon
Coney Island Creek	PS-79F: Ave V Force Main	BEDC	Clarke	Gordon
	PS-79: Ave V Pump Station	BEDC	Clarke	Gordon
Newtown Creek	CSO-NC-4: Dutch, Lower Newtown	BEDC	Tysvaer	Szeto
	CSO-NC-3: East Branch, Upper Newtown	BEDC	Tysvaer	Szeto
	CSO-NC-2: Enhanced Aeration Lower English Kills	BEDC	Tysvaer	Szeto
	CS-NC-REG&FLO: Regulators / Floatables Control	BEDC	Tysvaer	Chao
Westchester Creek	CS-ER-WCM: Modifications to CSO-29 / 29A	BEDC	Tysvaer	Chao
	CS-ER-WCP: Pugsley Creek Parallel Interceptor	BWSO	Garin	-
Bronx River	ER-BR-1: Floatables Controls	BEDC	Clarke	-
Hutchinson River	LTCP1: Waste Load Allocation	BWT	Mahoney	Lee
Jamaica Bay	CSO-HC: Hendrix Creek Dredging	BEDC	Tysvaer	Chao
	CS-FB-SEW: 26th Ward / Fresh Creek HLSS	BWSO	Garin	-
	26W-20: 26th Ward Wet Weather Stabilization	BEDC	Solimando	Meshkati
G.I. Demonstrations	CSO-PLANYC: Newtown Creek	OGI	Farag	Stein
	CSO-PLANYC: 26th Ward Sewershed	OGI	Farag	Stein
	CSO-PLANYC: Hutchinson River	OGI	Farag	Stein

6.0 Other Issues

No Action Items were generated during the **March 21, 2012** CSO Quarterly Meeting.

7.0 Status of LTCP Development

According to the Order, the reporting on the progress of the Drainage Basin Specific Long Term Control Plan (LTCP) and Waterbody/Watershed Facility Plan (WWFP) development shall be included in the first and third quarterly reports of each calendar year beginning in the year 2005 and continuing until all Appendix A requirements have been completed and approved.

- The Jamaica Bay and CSO Tributaries WWFP was resubmitted to DEC on January 17, 2012.
- The 2012 CSO Consent Order established new dates for the submittal of all Long-Term Control Plans. The dates are specified below. Note that one LTCP will be addressing Jamaica Tributaries and Jamaica Bay, and that the Citywide LTCP includes the East River and Open Waters.
 - Alley Creek: June 2013
 - Coney Island Creek: June 2014
 - Hutchinson River: September 2014
 - Flushing Creek: December 2014
 - Bronx River: June 2015
 - Gowanus Canal: June 2015
 - Jamaica Tributaries and Bay: June 2016
 - Westchester Creek: June 2017
 - Newtown Creek: June 2017
 - Citywide: December 2017
- DEC provided comments on DEP's updated Baseline for LTCP development on February 1, 2012. DEP will address these comments in April 2012.

APPENDIX A
CONSENT ORDER CERTIFICATION LETTERS



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February 27, 2012

Mr. Joseph DiMura, P.E.
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625 Broadway, 4th Floor
Albany, NY 12233-3506

Re: Order on Consent DEC Case No. CO2-20000107-8, as modified by DEC Case No. CO2-20110512-25¹ (CSO Order)
Appendix A, III. Inner Harbor CSO, H. Dredging of Gowanus Canal, 1.
Submittal of All Dredging Permit Applications
Certification of Completion of Proposed Milestone

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with the above-referenced milestone of February 28, 2012. Specifically, on February 27, 2012 DEP submitted a Joint Application, a copy of which is attached hereto, for a permit to dredge within the Gowanus Canal to meet the terms of the CSO Order.

In 2009 DEC had approved the Gowanus Canal Waterbody/Watershed Facility Plan (WWFP), wherein DEP had proposed dredging an area of the Canal extending approximately 750 feet from the head; based upon more recent bathymetric surveys, this proposal was increased to 825 feet. On March 2, 2010, the United States Environmental Protection Agency (EPA) placed the Gowanus Canal on its National Priorities List of hazardous waste sites.

As has been previously discussed with DEC, EPA's designation of the Gowanus Canal as a Superfund site has placed restrictions on the amount of data DEP was able to collect to support the enclosed Joint Application. Accordingly, after discussing this constraint with DEC, and consistent with direction from DEC, the dredging application was completed using information contained in EPA's Remedial Investigation. As such, designs for this project are at a less developed stage than would typically be the case if full data collection had been permitted to proceed at the time of permit application submittal. DEP's understanding is that in the course of DEC's review of the application, DEC will communicate with DEP regarding the potential need for more data. If additional data collection is indicated, we will work with DEC and EPA to seek permission to obtain such data.

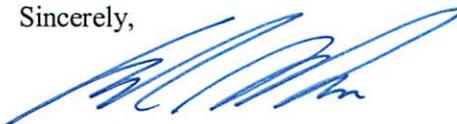
¹CO2-20110512-25 is not yet in effect but is anticipated to be executed in early 2012, which will modify the 2005 Order.

On December 29, 2011, EPA released a draft Feasibility Study (FS) for the Canal. The draft FS contained remedial alternatives which include dredging as part of the overall remedy for the Canal; some of these alternatives propose different paths forward than set forth in the Joint Application. Thus, DEP will need to continue coordinating with DEC and EPA to meet the CSO milestones for dredging of the Gowanus Canal as well as any requirements forthcoming from the Superfund designation.

DEP intends to work with DEC and EPA to move the design forward. Depending on the need for collection and analysis of more data by DEP, and the selection of the Superfund remedy, it is possible that DEP will require additional time to complete its design. However, at this time, a request for an extension of the milestones would be premature.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', is written over a horizontal line.

Anthony Maracic, P.E.
Director, Capital Planning & Asset Management
Bureau of Wastewater Treatment

cc:

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DEC, Director, Division of Water
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DEP BEDC: R. Tysvaer, D. Chao, D. Marulanda
DEP BEPA: J. Stein, A. Wolk
DEP Legal: H. Donnelly
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March 30, 2012

Mr. Joseph DiMura, P.E.
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Re: Order on Consent DEC Case No. CO2-20000107-8, as modified by DEC Case no CO2-20110512-25(CSO Order)
Appendix A, V. Flushing Bay CSO, I. Tallman Island WPCP and associated sewer system are capable of delivering, accepting, and treating influent at or above twice the plant's design flow during any storm,
5. Engineering Report and Milestones Submittal– Flushing Interceptor
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with a milestone contained in the CSO Order. Specifically, enclosed is the Assessment Report on the Sagging Section of the Tallman Island Main Interceptor in Ulmer Street in conformance with the requirement for an Engineering Report and Milestones Submittal– Flushing Interceptor (Milestone V.I.5 of Appendix A). The milestone date is March 30, 2012.

The assessment did not reveal any structural condition that requires immediate attention. However, due to the sagging, the report recommends that periodic cleaning and re-inspections are performed to monitor the condition of the interceptor and the rate of sewer settlement. In the event that a structural defect that requires attention is found, DEP will take the necessary steps to address the condition so that the pipe is maintained in a state of good repair

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', written over a light blue horizontal line.

Anthony Maracic, P.E.
Director, Capital Planning & Asset Management
Bureau of Wastewater Treatment

Copy With Attachments

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March 30, 2012

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Re: Order on Consent (DEC Case no CO2-20110512-25) (modification to
DEC Case No. CO2-20000107-8) (collectively, the "CSO Order")
Appendix A, VI. Jamaica Tributaries CSO
E. Destratification Facility 4. Construction Completion
Certification of Milestone Completion

Dear Mr. DiMura:

In accordance with Paragraph III.H.3 of the CSO Order referenced above, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with a milestone contained in the Order. Specifically, construction of the Jamaica Tributaries Destratification Facility is complete in conformance with Milestone VI.E.4 of Appendix A. The milestone date is March 30, 2012. Attached, please find the certification letter from the Construction Manager.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', written over a light blue horizontal line.

Anthony Maracic, P.E.
Director, Capital Planning & Asset Management
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March 30, 2012

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Re: Order on Consent DEC Case No. CO2-20000107-8, as modified by DEC
Case no CO2-20110512-25(CSO Order)
Appendix A, XII. Jamaica Bay CSO, J. Green Infrastructure
Demonstration Project in 26th Ward Sewershed, 1. Submit Engineering
Report and Design
Certification of Completion

Dear Mr. DiMura:

In accordance with Paragraph III.F of the above referenced CSO Order, this letter certifies compliance by the New York City Department of Environmental Protection (DEP) with a milestone contained in the CSO Order. Specifically, enclosed is the Engineering Report and Design on the Green Infrastructure Demonstration Project in 26th Ward Sewershed in conformance with the milestone XII.J.1 of Appendix A. The milestone date is March 30, 2012.

Please contact me at (718) 595-5045 if you have any questions regarding this submittal.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Maracic', written over a light blue horizontal line.

Anthony Maracic, P.E.
Director, Capital Planning & Asset Management
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H&S: P. Young, File

APPENDIX B
NYSDEC COMMENTS ON PREVIOUS QUARTERLY REPORT

**NY\$ DEC Comments
Quarterly Report
4th Quarter 2011**

Comments on Quarterly Report:

1. General comment – the DEC has provided final inspection checklists for the Alley Creek CSO retention facility, Paerdegat Basin CSO retention facility, and Hendrix Creek dredging projects in December 2011. These inspection checklists were not mentioned in the narrative of the Report.
2. General comment – the Quarterly reports include a lot of historical information on the construction activities that have already been completed and accepted by the DEC. Once the modified CSO Order is executed, the DEC would like to discuss with the DEP revising the format of the Quarterly reports to minimize the historical content and focus the reporting on only the active construction projects and issues, similar to the BNR Quarterly reports.
3. General comment – the Quarterly report needs to be consistent in presenting information on the status of the work and milestones under either the existing or modified CSO Consent Order. Some work being completed under the modified CSO Order is included, such as the design start for wet weather stabilization of 26th Ward WWTP, but other work is not included, such as status of the design of modifications to regulator structures CSO-29 and CSO-29A for Westchester Creek.
4. Table 3 – the Quarterly Report needs to include upcoming milestones in accordance with either the existing or modified CSO Consent Order, but shouldn't eliminate any mention of upcoming milestones.
5. Table 4 – the Notification of Force Majeure for Paerdegat Basin dredging has been denied by the DEC and closed out, it should not be included in the table.
6. Page 3-38 – confirm that anticipated activities for next quarter for Jamaica Bay CSO are correct.

Questions/Comments for Quarterly Meeting:

1. Bronx River Floatables:
 - a. Provide an update on force majeure for Bronx River floatables control. DEC transmitted letter requesting additional information. Confirm DEP will meet the milestone for construction completion.
 - b. Provide status of sewer line cleanout activities for Bronx Park Avenue site.
 - c. Provide update on operation of completed floatables control facilities.
2. Provide status of Tallman Island Whitestone interceptor construction start.
3. Provide update on projected construction completion for Avenue V pump station project.
4. Confirm projected completion date for Gowanus Canal is September 2014. The most recent I&T meeting showed completion of milestone #3 (substantial completion) on October 9, 2013.

**NY& DEC Comments
Quarterly Report
4th Quarter 2011**

- a. Update on the Gowanus Canal dredging permit application? Due in February 2012.
5. Provide an update on the number of sewer connections completed for the Meadowmere/Warnerville sanitary sewage pump station project.
6. Although the modified CSO Consent Order has not been executed, the DEC would appreciate an update on the status of achieving the following milestones in the modified Order:
- a. Flushing Bay/Creek, Flushing Interceptor Engineering Report and Milestone Submittal (March 2012)
 - b. Westchester Creek, Pugsley Creek Parallel Interceptor, Initiate Final Design (June 2012)
 - c. Bronx River, GI Demonstration Project, Submit Engineering Report and Design (April 2012) and Notice to Proceed to Construction (August 2012)
 - d. Jamaica Bay, 26th Ward GI Demonstration Project, Submit Engineering Report and Design (March 2012), Notice to Proceed to Construction (June 2012), and Construction Completion (December 2012)
 - e. Jamaica Bay, 26th Ward HLSS, Submit Drainage Plan (September 2012)
 - f. Newtown Creek, GI Demonstration Project, Submit Engineering Report and Design (July 2012) and Notice to Proceed to Construction (October 2012)
 - g. Newtown Creek, Lower English Kills Phase 2 Aeration, Construction Start (December 2012)