



DEC Case# CO2-20110512-25, Modification to CO2-20000107-8

CSO Order on Consent
Quarterly Progress Report
First Quarter 2026
(January 1st – March 31st)

April 30, 2026

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1. Executive Summary

The City of New York (the “City”), the New York City Department of Environmental Protection (DEP), and the New York State Department of Environmental Conservation (DEC) entered into the Combined Sewer Overflow Order on Consent (DEC Case # CO2-20000107-8) on January 14, 2005, which has been modified several times since 2005 including, April 14, 2008, September 3, 2009, March 8, 2012, March 26, 2015, and June 29, 2023 (collectively, the “CSO Order”). Pursuant to the CSO Order, the City is required to submit quarterly status reports to DEC (“Quarterly Reports”) describing actions taken toward achieving compliance with the CSO Order during the prior three-month period.

This Quarterly Report summarizes DEP’s actions and activities toward complying with the CSO Order’s milestones between **January 1, 2026**, and **March 31, 2026**. DEP continued to make progress in the planning, design, and construction of its CSO facilities during this quarter, as documented in this report.

As required by the CSO Order, DEP and DEC held a Quarterly Progress Meeting on **February 26, 2026** for the **fourth** quarter of 2025.

Reportable Activity This Quarter

Date	Location	Event Description
2/9/2026	Alley Creek CSO	DEC approved DEP’s request to waive 60-day notice for modifying disinfection design completion milestone.
3/31/2026	Alley Creek CSO	DEP submitted modification request for modifying Alley Creek CSO Retention Facility Disinfection System milestones: Design Completion, NTP and Construction Completion.
1/5/2026	Flushing Bay CSO	Provided DEC with requested photographic documentation of concrete vault in support of force majeure claim for Floatables Control construction completion milestone.

Date	Location	Event Description
1/8/2026	Flushing Bay CSO	DEP submitted a force majeure for Flushing Creek Disinfection Facilities NTP milestone due to metes and bounds survey showing inconsistencies with the property lines.
1/16/2025	Flushing Bay CSO	FM request for Flushing Creek Floatables Control Construction Completion milestone modification rejected. Exercising enforcement discretion until April 30, 2026.
2/2/2026	Flushing Bay CSO	DEC acknowledged Flushing Creek FM requests and requested additional information prior to making final determination.
2/26/2006	Flushing Bay CSO	DEP provided additional requested information regarding metes and bounds survey for Flushing Creek disinfection.
3/18/2026	Flushing Bay CSO	DEC provided final determination that the Flushing Creek NTP milestone force majeure request is not valid.
2/9/2026	Flushing Bay CSO	DEP provided to DEC the scope of work for the baseline assessment and analysis for the Flushing Bay CSO Retention Facility optimization study.
2/3/2026	Jamaica Bay CSO	Order to commence work letter for the installation of Ribbed Mussels certifies the Intiate Final Design milestone.
2/23/2026	Jamaica Bay CSO	DEC acknowledges design start certification for the installation of Ribbed Mussels.
1/30/2026	Citywide Green Infrastructure	DEC reviewed the CSO volume reduction and Financial Encumbrance Certification and provided comments allocating 45 days for response.
3/16/2026	Citywide Green Infrastructure	DEP provided responses to DEC comments for CSO Volume Reduction and Financial Encumbrance.
3/27/2026	Citywide Green Infrastructure	DEC sent email requesting clarification on a few questions to the response to comments.

Date	Location	Event Description
1/8/2026	Flushing Bay and Jamaica Bay SOGR	DEC acknowledged receipt of BODRs for Hunts Point WRRF sludge handling reconstruction and Rockaway WRRF power distribution reconstruction.
1/23/2026	Jamaica Bay SOGR	Spring Creek CSO facility upgraded tide gates were placed into full operation on September 22, 2025.
2/6/2026	Jamaica Bay SOGR	FM delay analysis accepted by DEC for Spring Creek CSO Retention Facility. DEP to provide additional checklist documentation to certify construction completion milestone.
2/27/2026	Jamaica Bay SOGR	DEP submitted additional checklist documentation to certify construction completion milestone for Spring Creek Tide Gates.
3/11/2026	Jamaica Bay SOGR	DEC received the partial submission of final inspection items. DEC requests that when a tank overflow event occurs, DEP transmits tide gate leakage tests for basins 1 through 5 along with the remaining weather dependent final inspection checklist items.
2/17/2026	Jamaica Bay SOGR	DEC provided comments for the HP WRRF sludge handling reconstruction BODR with 45 days to respond to comments.
3/24/2006	Jamaica Bay SOGR	DEP responded to DEC comments on the HP WRRF sludge handling reconstruction BODR
3/24/2006	Jamaica Bay SOGR	DEP responded to DEC comments on the HP WRRF sludge handling reconstruction BODR

Milestone Actions This Quarter (January 1 – March 31, 2026)

Location	Item Description	Milestone Date	Action	Status
Jamaica Bay	Dredging of Bergen Basin and Installation of Ribbed Mussels in Thurston Basin	1/2026	Design Start	DEC enforcement discretion two months. DEP certified design start on 2/3/2026.
Alley Creek	CSO Disinfection	3/2026	Design Completion	DEP submitted modification request to eliminate this milestone and replace it with Oakland Lake Daylighting.

Milestone Actions Next Quarter (April 1 – June 30, 2026)

Location	Item Description	Milestone Date	Action Required	Status
None	None	None	None	None

Pending Modification Requests (MR) and Open Force Majeure Event Claims (FM)

Location	Item Description	Action(s)	Reason for Action(s)	Milestone Date	Status
Alley Creek	Alley Creek Disinfection	Eliminate CSO disinfection and replace with proposed alternative – Stormwater diversion Oakland Lake and Ravine daylighting.	The proposed alternative project provides comparable water quality benefits for the receiving waterbody	3/2026	The modification request and supplemental Alley Creek LTCP was submitted to DEC 3/31/26. DEP recently received some comments on the supplemental LTCP.
Flushing Bay	SOG – Reconstruction of Primary Tanks at BB WRRF	Construction Completion	Unanticipated concrete conditions in Primary Tanks	1/2029	DEP to continue providing regular updates on condition of tanks #7 and #14

Location	Item Description	Action(s)	Reason for Action(s)	Milestone Date	Status
Bronx River	Unforeseen field conditions for Bronx River Conveyance Improvements	Update to FM for unforeseen field conditions submitted to DEC on 11/25/2024.	Result of unforeseen field conditions encountered while performing construction work	Construction Completion: 9/30/2026 HP-009, HP-011	DEC determined there is a valid FM event and City shall exercise best efforts to mitigate construction schedule impact and provide updates as available.
Flushing Bay	Flushing Creek Disinfection	Force majeure submitted to DEC on 1/8/2026 regarding property acquisition	The most recent metes and bounds survey conducted to determine the property lines of the site do not correspond to the city tax maps	NTP to Construction – 11/2026	DEC determined Flushing Creek NTP milestone MR is not valid. Final determination to be made upon reviewing available survey maps.
Flushing Bay	FB 25 MG CSO Tunnel Design completion	Modification request to tunnel scope and schedule	DEP seeking to optimize design of the CSO Storage Tunnel to incorporate strategic initiatives for flood relief	12/31/2025	DEP submitted a mod request to DEC 12/31/25 and under DEC review. As has been discussed with DEC staff - DEP needs guidance from DEC on the proposed modification before the end of May to proceed with inline storage design and comply with associated proposed milestones. Proposed milestones may need to change based on timing and the substance of any comments or confirmation from DEC.
Flushing Bay	Floatables Control Regulator TI-R09	Construction Completion	Force majeure due to unforeseen underground vault	12/31/2025	DEC determined this wasn't a valid FM, using enforcement discretion through April 30, 2026. Severe winter weather in January and February has impacted progress with the work. DEP expects to request additional time for construction completion due to impacts from the severe winter weather.



2. Baseline CSO LTCP Projects

The CSO Order contains milestones and schedules governing the planning, design and construction of DEP's Citywide CSO Program. Appendix A of the CSO Order includes schedules for construction projects that were identified as part of earlier CSO Waterbody/Watershed Facilities Planning, and were included in the baseline conditions for the subsequent waterbody-specific and Citywide/Open Waters LTCP that were approved by DEC. Those baseline projects have all been completed. The baseline projects and their certified construction completion dates are presented in the table below.

Baseline CSO LTCP Grey Projects - Completed

Location	Item Description	Construction Completion Certification Date	Project Cost
I. Alley Creek	5 MG CSO Storage Conduit	6/29/2011	\$141M
IV. Paerdegat Basin	50 MG CSO Storage Tank	5/31/2011	\$394M
V. Flushing Bay	43 MG CSO Storage Tank	9/1/2009	\$363M
	V.A.4 Whitestone Interceptor	12/12/2014	\$22.0M
	V.A.9 Flushing Interceptor	TBD	TBD
	V.B.4 Divert Low Lying Sewers/Raise Weir BB-R02	10/10/2017	\$5.6M
	V.C.5 Regulator Modifications	6/8/2018	\$28.9M
	V.D.3 Environmental Dredging of Flushing Bay	3/30/2017	\$37.5M

Location	Item Description	Construction Completion Certification Date	Project Cost
VI. Jamaica Tributaries	VI.A.4 Parallel 48-inch Siphon/Interceptor	2/24/2017	\$20.2M
	VI.B.4 Bending Weirs	5/26/2016	\$6.8M
VII Coney Island Creek	Ave V Pump Station Expansion and Force-main	6/29/2012	\$197M
VIII. Newtown Creek	VIII.A.4 Enhanced Aeration in East Branch and Upper Newtown Creek	6/8/2018	\$16.7M
	VIII.B.4 Enhanced Aeration in Dutch Kills and Lower Newtown Creek	1/19/2014	\$26.1M
	VIII.C.4 Bending Weirs/Floatables Control	11/9/2017	\$43.7M
IX. Westchester Creek	IX.A.4 Modifications to CSO-29 and CSO-29A	8/28/2020	\$18.9M
	IX.B.4 Pugsley Creek Parallel Interceptor start from CSO-24	1/23/2020	\$85.1M
X. Bronx River	Floatable Nets and Screens	10/18/2012	\$46M
XII. Jamaica Bay	XII.A.1 Rockaway WWTP Deliver/Treat 2XDDWF	Modified	N/A
	XII.B.5 26 th Ward HLSS Phase 1	11/26/2018	\$58M
	XII.B.5 26 th Ward HLSS Phase 2A	10/31/2021	\$90.6M
	XII.B.5 26 th Ward HLSS Phase 2B	10/31/2021	
	XII.C.3 26 th Ward WPCP Low Level Main Sewage Pumps	4/3/2015	\$7.6M
	XII.C.7 26 th Ward WPCP High Level Main Sewage Pumps	9/1/0/2018	\$17.3M
	XII.C.9 26 th Ward WPCP Improvements to PSTs 1-4 and Construction of PST 5	10/27/2021	\$155.8M
XIV. Wards Island	XIV.A.2 Reconstruction of Main Sewage Pumps	8/16/2019	\$5.2M
	XIV.B.3 Bar Screen Replacement	1/6/2017	\$13.7M

3. Overview of LTCP Program

The 10 Waterbody-Specific LTCPs and the one Citywide/Open Waters LTCP included in Appendix A of the Consent Order have all been completed and approved by DEC. The submittal dates and DEC approval dates are summarized in the table below. The following sub-sections present the status of implementation of the LTCPs.

CSO LTCP Milestones

	CSO Watershed	LTCP Submittal	Status
1	Alley Creek ³	June 2013	Approved 3/7/2017*
2	Westchester Creek	June 2014	Approved 8/1/2017
3	Hutchinson River	September 2014	Approved 3/7/2017*
4	Flushing Creek	December 2014	Approved 3/7/2017*
5	Bronx River	June 2015	Approved 3/7/2017*
6	Gowanus Canal	June 2015	Approved 3/29/2017
7	Coney Island Creek	June 2016	Approved 4/4/2018
8	Flushing Bay	December 2016	Approved 3/7/2017*
9	Newtown Creek	June 2017	Approved 6/27/2018
10	Jamaica Tributaries & Bay	June 2018	Approved 1/31/2023
11	Citywide/Open Waters ^{1,2}	May 2020	Approved 7/10/2023

* DEP disputed approval on 4/10/2017 due to the inclusion of terms in approval letters not consistent with LTCPs as submitted to DEC; DEC issued clarifying letter dated 5/9/2017 that resolved the dispute.

- 1) Citywide/Open Waters include Harlem River, Hudson River, East River, and Upper and Lower New York Bay. Modification Request for extension of Citywide/Open Waters LTCP to December 31, 2018 approved by DEC on June 27, 2017.
- 2) Additional Modification Request for an extension of Citywide/Open Waters LTCP to May 30, 2020 approved by DEC on March 23, 2020.
- 3) **DEP submitted a revised Alley Creek CSO LTCP to DEC on 3/31/2026.**



3.1 Alley Creek CSO

Alley Creek LTCP, Alley Creek CSO Retention Facility Disinfection System, Approved on March 7, 2017

Design of disinfection system is on hold while DEP evaluates alternatives in lieu of disinfection. DEP submitted a modification request on January 31, 2022, and subsequent amendments to the modification request with the latest in June 2023 while also engaging in extensive discussions with DEC concerning that modification request and evaluation and identification of an appropriate alternative to disinfection. **Pending those discussions, DEC agreed to modify the milestones in the CSO Order to defer the disinfection system milestone schedule while committing DEP to complete certain analysis and studies as described below. On February 5, 2026 DEP hosted a public meeting to provide details on the proposed modification request to the Alley Creek LTCP and CSO Order. DEP submitted a modification request supported by a supplemental Alley Creek LTCP on 3/31/2026 that proposed eliminating the seasonal disinfection project and replacing it with an alternative that includes wetland shelf design and construction, stormwater diversion for CSO volume control and Oakland Lake and Ravine daylighting.**

Alley Creek CSO Retention Facility Disinfection System

Alley Creek CSO	DEC Approved Milestones	Status
1. Initiate Final Design	Sep 2018	Completed
2. Design Completion	Mar 2026	Modification Request submitted 3/31/26
3. Notice to Proceed to Construction	Mar 2027	Pending DEC Review of Modification
4. Construction Completion	Mar 2029	Pending DEC Review of Modification

Alley Creek Wetlands Monitoring and Design

Alley Creek Wetlands Monitoring:

The installation of the water quality instrumentation began in October 2022. Preliminary monitoring and calibration of the instrumentation was completed in Spring 2023. Official data collection, including water, sediment and groundwater sampling started July 1, 2023, and continued for two to three times a month through September 2023 (May through September is growing season). Monitoring is monthly during October and November 2023. At least half of the water and sediment quality samples were taken within 24 to 48-hours of a wet-weather event. DEP submitted the wetlands monitoring report on February 29, 2024. DEP submitted a modification request on November 20, 2024 to defer the final monitoring report to March 2025 and the BODR to April 2025 that was approved by DEC on December 5, 2024. DEP submitted the final monitoring report on 3/31/2025 and the BODR on 4/31/2025. DEC provided comments on the wetland monitoring final report on 8/13/2025 and DEP responded on 10/14/2025. DEC accepted the Wetlands BODR on 9/3/2025.

Alley Creek Wetlands Monitoring

Alley Creek CSO, C.	DEC Approved Milestones ⁽¹⁾	Status
1. Submit Literature Review	Nov 2022	Completed
2. Start Wetlands Monitoring	Jul 2023	Completed
3. Submit Wetlands Monitoring Progress Reports	Feb 2024	Completed
4. Submit Approvable Wetlands BODR	April 2025	Completed
5. Submit Wetlands Monitoring Final Report	Mar 2025	Completed

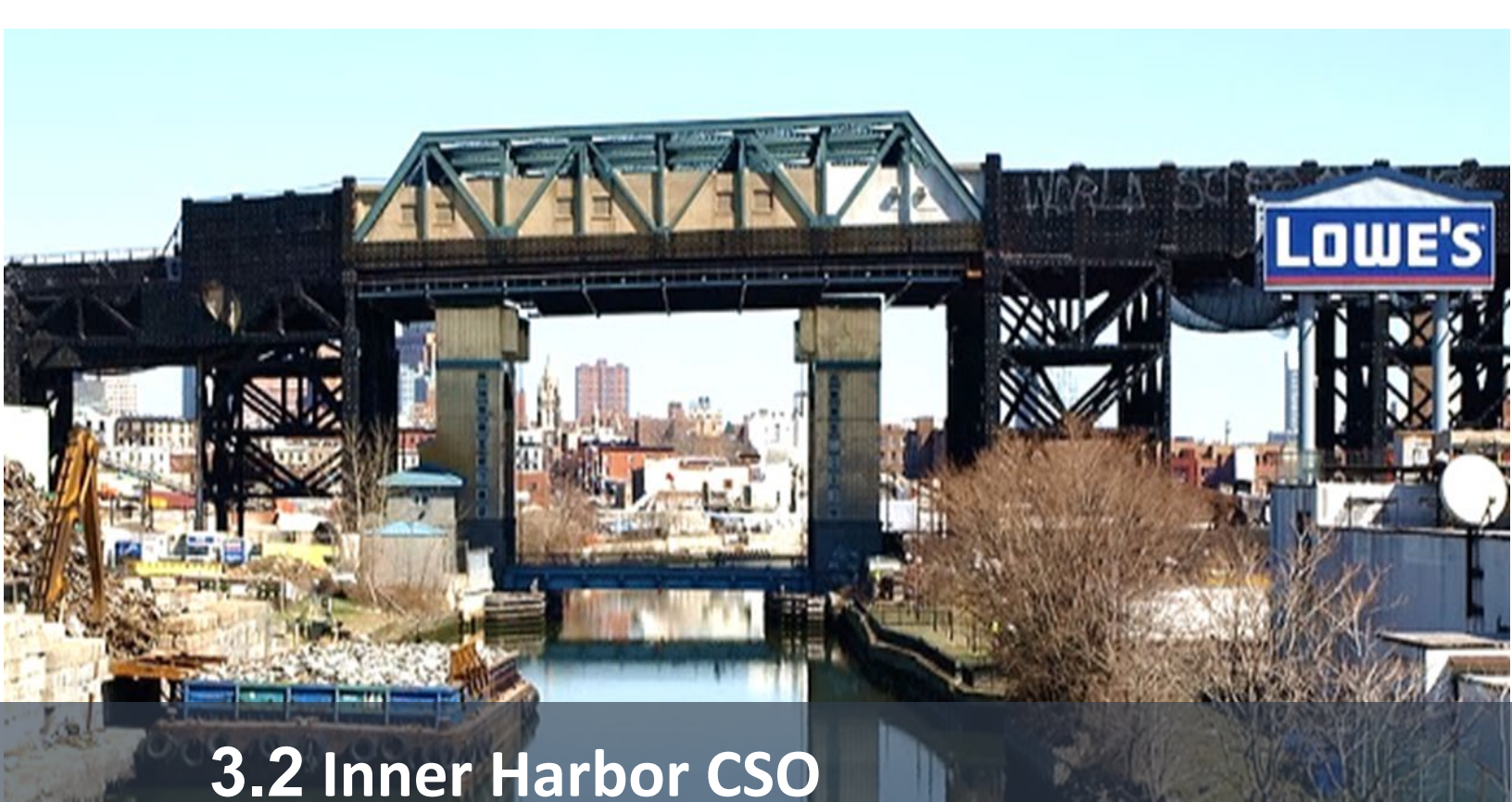
Alley Creek Stormwater Diversion Feasibility Study:

In July 2022 DEC approved the scope of work for the Oakland Ravine Daylighting Feasibility Study and the study commences in November 2022. The feasibility study was completed on November 25, 2024. DEC accepted this feasibility study and DEP and DEC had technical meetings to both discuss the feasibility study as well as meeting on projected water quality attainment to demonstrate that the proposed modification to eliminate CSO disinfection and replace it with the preferred daylighting alternative would attain comparable water quality attainment.

DEP submitted a modification request and supplemental Alley Creek CSO LTCP on March 31, 2026 that proposed eliminating seasonal disinfection and replacing with diverting stormwater out of the combined sewer system and redirecting through Oakland Lake and Ravine that would ultimately discharge to outfall TI-008 as treated stormwater. DEC is currently reviewing this submittal and have provided some comments on the supplemental Alley Creek LTCP.

Alley Creek Oakland Ravine Daylighting Feasibility Study

Alley Creek CSO, D.	DEC Approved Milestones	Status
1. Start Technical Feasibility Study	Nov 2022	Completed
2. Submit Approvable Technical Feasibility Study	Nov 2024	Completed



3.2 Inner Harbor CSO

Gowanus Canal CSO LTCP Approved on March 29, 2017

- No projects were recommended in the LTCP as approved.
- Under the EPA Superfund Program, CSO storage tanks are being constructed for outfalls RH-034 and OH-007.



3.3 Flushing Bay CSO

The Flushing Bay CSO Facility Planning area includes the portions of the Tallman Island WRRF and the High-Level Interceptor of the Bowery Bay WRRF drainage areas, associated sewers, and pumping stations that discharge to Flushing Bay and Flushing Creek in Queens.

Flushing Bay LTCP, Flushing Bay 25 MG CSO Storage Tunnel, Approved on March 7, 2017

A Conceptual Engineering Report (CER) for the Flushing Bay CSO Storage Tunnel was submitted to DEC on December 28, 2023. This report included an assessment of necessary property acquisition needs, review of geotechnical investigation, project layout schematics, including potential locations of dewatering pump station and tunnel alignment, and basis for cost estimate and schedule to replace the current milestone schedule in the CSO Order. DEC provided comments on April 17, 2024. An updated CER was subsequently submitted to DEC on July 31, 2024. DEC responded on December 24, 2024, requesting a meeting to further discuss the proposed schedule.

Based on multiple discussions with DEC, DEP submitted a modification request on June 30, 2025, to defer the Flushing Bay CSO Tunnel Design Completion to December 31, 2025 and the Rikers Island Final decision, so that DEP could have additional time to evaluate alternate tunnel alignments that would provide both CSO reductions and inland flood mitigation. DEC approved deferring the Flushing Bay CSO Tunnel modification request until December 31, 2025. Following public notice, DEC extended the Rikers Island Final Decision milestone from December 2024 to June 2026, allowing for more discussion on the storage tunnel scope. tangible progress with the decision-making process for the use of Rikers Island.

DEP held a virtual public meeting on December 16, 2025 concerning the proposed scope and schedule for an alternative Storage Tunnel for Flushing Bay and submitted the modification report and updated Conceptual Engineering Report to DEC on December 30, 2025. The proposed modification recommended both inline storage and an alternate alignment for a 40 MG CSO storage tunnel. **The modification request is currently under DEC review and there have been some DEP/DEC discussions regarding status of the review. As part of the modification request DEP proposed an earlier inline storage phase followed by construction of the 40 MG CSO storage tunnel. As part of this modification request, DEP proposed fixed dates with a design start date for Phase 1 in October 2027. In order to meet the proposed milestones, DEP needs to commence procurement for the inline storage project before the end of May 2026. Pending DEC review of DEP's modification request, the proposed milestone dates may need to be revisited.**

Flushing Bay CSO Schedule, CSO-FB-TUN

Flushing Bay CSO, G.	DEC Approved Milestones	Status
1. Initiate Design	7/31/2022	Completed
1a. Submit Approvable Engineering Design Report	12/31/2023	Completed
1b. Submit Rikers Island Feasibility Study	3/28/2024	Completed
1c. Submit Decision Matrix for use of Rikers Island for construction of new WRRF	3/28/2024	Completed
1d. Provide final decision for use of Rikers Island for construction of new WRRF	6/30/2026	Pending Technical Discussions - DEP submitted modification request along with clarification on decision matrix. Milestone date extended.
2. Design Completion	Dec 2025 ⁽¹⁾	DEC agreed to use enforcement discretion until 12/31/25. DEP submitted a modification request on 12/30/2025.
3. Notice to Proceed to Construction	Jul 2026 ⁽¹⁾	DEP submitted a modification request on 12/30/2025.
4. Construction Completion	June 2035 ⁽¹⁾	DEP submitted a modification request on 12/30/2025.

⁽¹⁾ Milestone dates may be subject to revision by DEC upon its approval of the Engineering Design Report (Item V.G.2)

Flushing Creek LTCP, TI-010 Outfall Disinfection at CSO Retention Tank and Diversion Chamber 5, TI-011 Outfall Disinfection, Floatables Control at TI-R09 and Division Chamber 3, Approved on March 7, 2017

In August 2024, DEP and DEC were able to come to agreement on a set of terms to modify the CSO Order, to separate the Floatables and Disinfection elements of the LTCP project, and to add an additional requirement to conduct an “enhancement study” for Flushing Creek CSO Retention Facility. The modification was executed on 11/22/2024. **DEP certified Design Completion for Flushing Creek disinfection on August 31, 2025. DEC provided comments on the design submittal on October 30, 2025, and DEP responded on November 28, 2025.**

To proceed with the Flushing Creek Floatables Control project required a detour for northbound traffic, including MTA buses, MTA took objection to the detour included in the Contract Drawings and required a revised detour. Unlike the contractual detour, the MTA required detour necessitated relocation of an existing

bus-stop, which required action by NYC Department of Transportation (DOT). Establishing the detour and completing the work requested by MTA took longer to resolve than anticipated. Ultimately, the detour was initiated in September 2025 allowing the contractor to proceed with the work.

During the fourth quarter of 2025, the Contractor completed excavation down to the overflow chamber and removal of existing abandoned gas lines. An unknown obstruction was discovered during excavation of the gas lines that had not been previously identified on the contract drawings. DEP conducted an evaluation to identify the obstruction and determine any impacts to the scope of the work and the schedule. Through further investigation, it was determined that the unknown obstruction was an abandoned DEP structure. A force majeure notice regarding the unforeseen field conditions was sent to DEC on October 30, 2025. Such notice also requested an extension of construction completion to April 2026.

DEP provided additional information to DEC on January 5, 2026. Via letter dated January 16, 2026, DEC determined that the discovery of the unknown structure did not constitute a valid force majeure event that is entirely beyond the City’s control. However, DEC elected to exercise enforcement discretion until April 30, 2026 for the Appendix A. V.F., Floatables Control Regulator TI-R09 construction completion milestone.

During the reporting quarter, the contractor completed removal of the unknown structure and completed support of excavation for the counterweight chamber. The pile foundation and base slab for the chamber have been completed. In January and February 2026, the work was subject to additional delays due to the severe winter weather and lingering significant snowfall in January and February 2026. DEP anticipates requiring additional time to complete this project beyond April 30, 2026.

DEP submitted a notice of force majeure to DEC on January 8, 2026 for an apparent discrepancy in the metes and bounds survey for a property being acquired for the disinfection project, but DEC has denied this force majeure notice. DEP is working to resolve any design issues based on the updated metes and bounds.

The ULURP Application for the disinfection project received final approval on March 10, 2026 and DEP is moving forward with necessary property acquisitions. An Article 78 was filed in January by the Guardians of Flushing Bay, Riverkeeper, Inc., and Save the Sound, Inc., challenging the CEQR Negative Declaration determination and citing concerns regarding chlorine toxicity and disinfection byproducts. The City is preparing a response to the Article 78 challenge.

Flushing Creek CSO Schedule, CSO-FC-FB-DES

Flushing Creek CSO, F. Floatables Control Regulator TI-R09	DEC Approved Milestones ⁽¹⁾	Status
1. Initiate Final Design	Dec 2018	Completed
2. Design Completion	Sep 2022	Completed
3. Notice to Proceed to Construction	Sep 2023	Completed
4. Construction Completion	Dec 2025 Apr 2026	Force Majeure denied for unforeseen underground obstruction, DEC using

enforcement discretion through 4/30/2026.

⁽¹⁾ Milestone dates may be subject to revision by DEC based on additional facility planning.

H. TI-010 Disinfection at Flushing Creek CSO Retention Facility and Diversion Chamber 5 and TI-011 Outfall Disinfection	DEC Approved Milestones ^(*)	Status
1. Initiate Final Design	March 1, 2019	Completed
2. Design Completion**	Aug 2025	Completed
3. Notice to Proceed to Construction	Nov 2026	On Schedule***
4. Construction Completion	Dec 2029	Pending NTPC***

* Milestone dates may be subject to revision by DEC based on additional facility planning.

** NYCDEP shall provide the Department with updates on completion of the final design during quarterly progress meetings.


***Force Majeure submitted in January 2026 due to property boundaries discrepancies

Flushing Creek Supplemental Project

In accordance with the CSO Order DEP has committed to conduct an Enhancement Study to evaluate opportunities to enhance operations, maintenance, and resiliency of the Flushing Bay CSO Retention Facility and optimize its CSO capture capabilities. The final report will include recommendations for enhancements to the Facility which may be implemented by DEP in the future. **DEP submitted the scope of work to DEC on February 9, 2026 and DEC responded on April 13, 2026 stating they had no comments on the scope of work.**

Flushing Bay CSO, I. Flushing Creek Supplemental Project	DEC Approved Milestones ⁽¹⁾	Status
1. Sixty days prior to initiating Request for Proposals for the Enhancement Study, DEP shall submit a final scope for the Enhancement Study to DEC for its review and comment.	NA	DEP submitted 2/9/2026
2. Final Report	11/22/2027 (3 years from effective date of approval of Order)	DEP proceeding with assignment via Task Order Contract

⁽¹⁾ The Final Report shall be approvable as specified in NYCRR Section 750-1.2(8) and shall include recommendations for enhancement projects along with estimated costs and proposed schedules.



3.4 Jamaica Bay and Tributaries CSO

The Jamaica Bay and Tributaries CSO Facility Planning area includes the drainage areas of Jamaica, 26th Ward, Coney Island, and Rockaway WRRFs and their associated sewers and pumping stations. The receiving waters of the study area include Bergen, Thurston, Shellbank, and Hawtree Basins, Fresh Creek, Hendrix Creek, Spring Creek, and the open waters of Jamaica Bay.

A modification to the Order for the Rockaway WRRF became effective as of May 25, 2021

Pursuant to Section IV.C, DEP completed the 2020 Rockaway Inflow and Infiltration (I&I) study and it was submitted to DEC on May 23, 2025. DEC provided comments on the Rockaway I&I report on August 13, 2025 and DEP responded on December 4, 2025. DEC responded on December 23, 2025 requesting clarification on DEP's Project Implementation Plan based on the findings of the Rockaway I & I. **DEP and DEC continue to discuss the I&I study and next steps to close out this milestone commitment.**

Rockaway WRRF - Consent Order Modification Outfall Removal, Closure, Reclassification

Jamaica Bay CSO Modification	DEC Approved Milestones	Status
3. Submit Results from 2020 Rockaway I&I Study For Information Only	May 25, 2025	Completed
4. Evaluate the maximum amount of flow that can be processed through full treatment at the WRRF. Submit an updated Wet Weather Operating Plan (WWOP)	May 25, 2024	Completed
5. Permanently seal tide gate chambers connected to active stormwater outfalls	May 25, 2024	Completed

Jamaica Bay and Tributaries LTCP, Dredging of Bergen Basin, Installation of Ribbed Mussels in Bergen and Thurston Basin, Jamaica Bay and Tributaries Wetlands and Marsh Island Restoration, Approved on January 31, 2023

Wetlands and March Island Restoration:

Funding in the amount of \$1.1M was provided to the United States Army Corps of Engineers (USACE) for the City’s cost share for the Design of Stony Creek Marsh Island. \$4.5M was also provided as the City’s cost share for the construction of the USACE’s perimeter Spring Creek North Wetland project. In addition, Design Agreements in the amount of \$1.225M for Duck Point Marsh Island and the Fresh Creek perimeter wetland in the amount of \$1.750M were finalized. On May 16, 2025, DEC directed the National Fish and Wildlife Foundation (NFWF) to disburse funds in the amount of \$1,225,000 from the Jamaica Bay Sub-Account to the USACE Duck Point Marsh Island Restoration Project. NFWF transferred the funds to USACE on June 2, 2025. DEP recently transferred \$1.75M to the USACE for Fresh Creek. **As of this report, currently funded design agreements and all future USACE/DEP cost sharing agreements for perimeter wetlands and marsh islands in Jamaica Bay have been paused by the USACE. DEP does not anticipate delays in meeting milestone requirements.**

Dredging and Ribbed Mussels:

DEP submitted an initial modification request on December 2, 2024. Based on discussions with DEC and additional analysis, DEP submitted an updated modification request on May 8, 2025. The updated modification request included responses to comments in DEC’s March 5, 2025 letter as well as the final proposed revisions to the Appendix A, XII.E and XII.F milestones. DEC submitted a letter on June 20, 2025 approving DEP’s modification request that also included some additional interim milestones

DEP submitted the Bergen Basin Ribbed Mussel Study Report on June 30, 2025. DEC acknowledged receipt on July 8, 2025 and sent some follow up questions on July 17, 2025, to which DEP responded on August 6, 2025. DEP and DEC met with the DEC peer review committee in July and August to discuss the research project and upcoming designs. DEC submitted comments on the Ribbed Mussels Findings Results & Recommendations Report on October 9, 2025. **DEP has scheduled a follow up meeting with DEC and peer review committee on June 12, 2026 to discuss last round of comments. DEP requested 2-months of enforcement discretion from DEC and DEC elected to use enforcement discretion for 2 months for the design start milestone of January 31, 2026. DEP was able to issue an Order to Commence Work (OTCW) on 2/2/2026.**

Jamaica Bay and Tributaries Schedule

E. Dredging of Bergen Basin	DEC Approved Milestones	Status
1. Initiate Final Design	Jan 2026	Certified 2/2/2026
2. Final Design Completion with CPM Analysis	Jan 2028	Pending design start
3. Notice to Proceed to Construction	Jul 2029	Pending completion of design
4. Construction Completion	Jul 2031	Pending NTP

F. Installation of Ribbed Mussels in Bergen and Thurston Basin	DEC Approved Milestones⁽¹⁾	Status
1. Thurston Basin		
a. Submit Summary of Findings Results & Recommendations Report to DEC for review and comment	Jun 2025	Modification request approved (Complete)
b. Initiate Final Design	Jan 2026 Mar 2026	Certified 2/2/2026
c. Final Design Completion with CPM Analysis	Jan 2028	Pending design start
d. Notice to Proceed to Construction	Jan 2029	Pending design completion
e. Submit Approvable Maintenance Plan	Jul 2031	Pending NTP
f. Construction Completion	Jan 2032	Pending NTP
2. Bergen Basin		
a. Initiate Final Design	Jul 2029	DEP expects to comply
b. Final Design Completion with CPM Analysis	Jul 2031	Pending design start
c. Notice to Proceed to Construction	Jan 2033	Pending design completion
d. Submit Approvable Maintenance Plan	Jul 2035	Pending NTP
e. Construction Completion	Jan 2036	Pending NTP

G. Jamaica Bay and Tributaries Wetlands and Marsh Island Restoration	DEC Approved Milestones⁽¹⁾	Status
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1. Construction Completion ¹ of 25 Equivalent Acres of Wetlands Restoration Projects funded by DEP	Dec 2030 ²	Expected to meet milestone, but USACE work temporarily paused.
2. Submit Interim Review and Approvable Contingency Plan ³	Jun 2036	Pending DEP assessment of wetland restoration progress
3. Construction Completion ⁴ of 50 Equivalent Acres of Wetlands Restoration Projects funded by DEP	Dec 2040	Pending DEP assessment of wetland restoration progress

1. Construction Completion for this milestone shall be determined by the Wetlands Restoration Projects that have been constructed, are currently under construction or will be constructed under a contract that has been issued a notice to proceed to construction (or USACE equivalent).
2. An Approvable Contingency Plan shall be submitted by the City by June 2031 if Appendix A milestone XII.G.1 is not met. The Contingency Plan shall include a schedule for completion of Wetlands Restoration Projects to ensure achievement of Appendix A milestone XII.G.3.
3. An Approvable Contingency Plan shall be submitted by the City if the Interim Review determines that a minimum of 50 equivalent acres of Wetlands Restoration Projects will not be completed by December 2040.
4. Construction Completion is defined under the CSO Order, Paragraph III.H.



3.5 Newtown Creek CSO

The Newtown Creek CSO Facility Planning area includes the portions of the Newtown Creek WRRF and the Low Level Interceptor of the Bowery Bay WRRF drainage areas that discharge to Newtown Creek, English Kills, Dutch Kills, Whale Creek, Maspeth Creek and the East Branch along the Brooklyn-Queens border.

~~Newtown Creek LTCP, Borden Avenue Pump Station Expansion, 62.5% CSO Storage Tunnel~~

Newtown Creek LTCP - 54-Inch Gravity Interceptor and Diversion and 50MG CSO Storage Tunnel (BB-026, NC-015, NC-077, and NC-083)

On 7/1/2024, DEP submitted a request to modify the approved recommended plan in the Newtown Creek Combined Sewer Overflow (CSO) LTCP to expand the CSO Storage Tunnel Volume from 39 MG to 50 MG, and to eliminate the Borden Avenue Pump Station (BAPS) Expansion. DEC approved this modification request on 10/10/2024. The modification was posted in the ENB for public comments. DEC officially approved the LTCP and CSO Order modification request on 12/23/2024, after public notice for 45 days.

The modified scope of work based on the approved modification request has been finalized. For the CSO Storage Tunnel, Final 30% Design sets for Construction Package 2 (CP-2) and 3 (CP-3) were finalized in February 2026. Phase II Geotechnical investigations have begun and will continue through mid-2026. Proposals for the Construction Management contract were received in October 2025 and the contract is being negotiated with the selected candidate. DEP issued a Final Environmental Impact (FEIS) and Notice of Completion (NOC) on February 5, 2026. On March 26, the planned Newtown Creek CSO Tunnel received City Council approval for property acquisition associated with the tunnel project, followed by completion of the Uniform Land Use Review Procedure (ULURP) on April 6. Completion of this NYC regulatory process authorizes DEP to acquire property and easements required for construction of the CSO Tunnel.

For the 54" Diversion, the 30% Design documents were submitted for internal DEP review and comments provided to DDC.

Newtown Creek CSO Schedule

54-Inch Gravity Interceptor and Diversion	DEC Approved Milestones⁽¹⁾	Status
1. Initiate Final Design		Completed
2. Final Design Completion including CPM analysis	Sep 2027	Design In Progress
3. Notice to Proceed to Construction	Jun 2028	Pending Design Completion
4. Construction Completion	Dec 2031	Pending Design Completion

- (1) The New York City Department of Design and Construction has informed DEP that additional time may be needed to complete designs due to ULURP being required to acquire property at the BB-026 site to construct diversion structure for both the existing project and proposed modification.

50 MG CSO Storage Tunnel (BB-026, NC-015, NC-077, and NC-083)	DEC Approved Milestones⁽¹⁾	Status
1. Initiate Final Design	Aug 2022	Completed
2. Final Design Completion including CPM Analysis	Dec 2028	Design in Progress
3. Notice to Proceed to Construction	Dec 2029	Pending Design Completion
4. Construction Completion	Dec 2040	Pending Design Completion



3.6 Bronx River CSO

Bronx River LTCP, Bronx River Hydraulic Relief at HP-009, Bending Weir and Baffle at HP-011, Approved on March 7, 2017

Completed concrete crossing structure on 2/3/2026 and completed backfill and manhole risers on 3/7/26 at Shaft 2. Completed slab, walls, invert at diversion structure on 3/31/2026 at shaft 1. Completed concrete work on 2/15/2026 at regulator HP-13.

A force majeure notification for unforeseen field conditions was submitted to DEC on August 19, 2024. DEC responded on August 22, 2024 requesting more information. DEP responded to DEC on November 25, 2024. DEC responded on December 19, 2024 acknowledging differing site conditions are valid FM events. DEP performed additional investigations to confirm the structural integrity of the existing interceptor allowing contract work to continue. **DEP continues its work on the remaining HP-009 portion of the work and continues to work to mitigate the impact of the force majeure on the construction schedule and at this time no impact is expected.**

The new regulator chamber (HP-011) was put into operations and certified complete as of 12/31/2025.

DEP submitted a modification request on December 11, 2025 requesting to modify the milestone date to resubmit the sampling report because of some early delays to the sampling program and the need to conduct additional sampling. DEC responded on 12/18/2025 approving this request and the milestone date to submit the final sampling report has been extended from February 11, 2026 to October 30, 2026. **The DEP submitted an updated sampling plan to DEC to address some of their comments and the subsequent sampling program is currently underway within Bronx River.**

Bronx River CSO Schedule, CSO-BXR-DES

Bronx River Hydraulic Relief at HP-009, Bending Weir and Baffle at HP-011	DEC Approved Milestones ⁽¹⁾	Status ⁽²⁾
1. Initiate Final Design	Sep 2018	Completed

2. Design Completion	Sep 2022	Completed
3. Notice to Proceed to Construction	Sep 2023	Completed
4. Construction Completion	Sep 2026	In progress

Quantification of Loadings & Sources of Non-Attainment in Freshwater Portion of Bronx River	DEC Approved Milestones	Status
1. Submit approvable Bronx River Sampling Plan	May 2024	Completed
2. Initiate Bronx River Sampling Program	Jul 2024	Completed
3. Final Report with Conclusions & Recommendations	Feb 2026 Sep 2026	Modification request approved on 12/18/2025 to defer milestone

⁽¹⁾ Milestone dates may be subject to revision by DEC based on additional facility planning.

⁽²⁾ Pending outstanding modification request to eliminate a portion of the approved scope of work.



3.7 Hutchinson River CSO

Hutchinson River LTCP, CSO Outfall HP-024 2.8 MG Storage Conduit with Floatables Control, Approved on March 20, 2023

Currently between 60% and 90% design milestones. Held pre-app meeting for compliance with Unified Stormwater Rule. EAS/ULURP process is ongoing, EAS requires approval of traffic analysis by NYCDOT. Responded to NYCDOT's latest round of review comments, believe we are nearing an approval.

Hutchinson River CSO Schedule, CSO-HR-DF-DES

Hutchinson Rive CSO	DEC Approved Milestones	Status
1. Initiate Final Design	Sep 2018	Completed
2. Design Completion	Mar 2027	Design In Progress
3. Notice to Proceed to Construction	Aug 2028	Pending Design Completion
4. Construction Completion	Jul 2033	Pending Design Completion



3.8 Citywide/Open Waters CSO

Citywide/Open Waters LTCP, CSO Outfalls NR-040, NR-038, NR-046, RH-005, RH-014, TI-003, TI-023, and OH-015 regulator modifications/hydraulic capacity enhancements; CSO Outfall PR-013 Hannah Street Pump Station bypass connection. Approved on July 7, 2023.

DEP certified completion of the Citywide Regulator Optimization project and initiated final design milestone on 5/5/2025 that DEC acknowledged receipt on May 6, 2025. BEDC received internal comments **on the draft preliminary engineering report (BODR) and these comments are being incorporated into the final report. Results from landside modeling are projecting minimal increase in CSO capture for reductions from the North River regulator optimization and Regulators. DEP requested a technical meeting with DEC to further discuss this evaluation and other proposed refinements to the overall scope of work based on field inspections and engineering analysis.**

NYC DDC initiated design of the Hannah Street Diversion Sewer in August 2025 and DEP certified the design start milestone.

Citywide/Open Waters CSO Schedule

Optimization and/or Modification of Regulators for CSO Outfalls 040, NR-038, NR-046, RH-005, RH-014, TI-003, TI-023, and OH-015 ¹	DEC Approved Milestones	Status
1. Initiate Final Design	July 2025	Completed
2. Final Design Completion with CPM Analysis	July 2028	On Schedule
3. Notice to Proceed to Construction	January 2030	Pending Design Completion
4. Construction Completion	January 2033	Pending Design Completion

¹Per the July 2023 LTCP Supplemental Documentation, Table 8.8-1, the optimizations or modifications to be completed shall include: increased orifice sizes for regulators NR-26A, NR-28, and NR-029A, increased orifice size and enlargement of branch interceptor downstream of regulator TI-10B, bending weir for regulator TI-13, weir modification for regulator RH-20A, weir modification, increased orifice size, and enlarging branch interceptor connection at regulator RH-13, and automated control gate for regulator OH-9C.

Installation of Hannah Street Pump Station Bypass	DEC Approved Milestones	Status
1. Initiate Final Design	July 2025	Completed, utilized enforcement discretion.
2. Final Design Completion with CPM Analysis	July 2028	On Schedule
3. Notice to Proceed to Construction	January 2030	Pending Design Completion
4. Construction Completion	January 2033	Pending Design Completion



4. Appendix C State of Good Repair

Appendix C: State of Good Repair Projects (Flushing Bay CSO Order Modification), Approved on September 22, 2022

DEP submitted a claim of a force majeure for BB-216 construction completion on July 11, 2025 stating that concrete conditions in Primary Tanks #1 and #2 are worse than anticipated and DEP is currently determining the most appropriate method of repair. DEP is planning to perform the selected repairs after all tanks have been rehabilitated to maintain project schedule and mitigate delays, but project completion will likely be delayed if subsequent tanks have similar level of deterioration. **DEC responded to force majeure on November 19, 2025 stating they can't determine validity of force majeure without additional information.**

DEP submitted the Replacement Rockaway Main Sewage Pumps (RO-2) BODR on June 30, 2025. DEP submitted the Reconstruction of Sludge Handling Equipment at Hunts Point WRRF (HP-239A) and the Reconstruct power distribution equipment at the Rockaway WRRF (R-156) BODRs on December 30, 2025. **DEC acknowledged receipt of the two BODRs on January 8, 2026 and provided comments on HP-239A on February 17, 2026. DEP responded to comments on HP-239A on March 24, 2026. Rockaway projects (RO-2 and R-156) have been combined into a single design-build contract. DEP and DEC are in discussion on alternate design completion milestones for these design-build contracts.**

State of Good Repair Project Schedule

Project	DEC Approved Milestones	Status
A. Reconstruction of Primary Settling Tanks at Bowery Bay WRRF (BB-216)		
1. Submit Approvable BODR	12/2022	Completed
2. Design Completion	12/2021	Completed
3. NTP Construction	3/2024	Completed
4. Construction Completion	1/2029	FM submitted on 7/11/25
B. Replacement of Existing Emergency Generators at Bowery Bay WRRF (BB-220)		On Schedule
1. Submit Approvable BODR	12/2026	
2. Design Completion	TBD	

Project	DEC Approved Milestones	Status
3. NTP Construction	TBD	
4. Construction Completion	TBD	
C. Replacement of Digesters at Hunts Point WRRF (HP-238)		
1. Submit Approvable BODR	12/2022	Completed
2. Design Completion	6/2021	Completed
3. NTP Construction	4/2022	Completed
4. Construction Completion	8/2028	On Schedule
D. Reconstruction of Sludge Handling Equipment at Hunts Point WRRF (HP-239)		
1. Submit Approvable BODR	12/2025	BODR submitted to DEC 12/30/2025
2. Design Completion	TBD	
3. NTP Construction	TBD	
4. Construction Completion	TBD	
E. Reconstruction of Primary Settling Tanks at North River WRRF (NR-111)		
1. Submit Approvable BODR	12/2023	Completed
2. Design Completion	2/2024	Completed
3. NTP Construction	12/2024 , 10/2025	Completed
4. Construction Completion	6/2032 , 4/2033	Milestone modified
F. Rehabilitation of North River WRRF Influent and Effluent Gates and Bar Screens (NR-129)		
1. Submit Approvable BODR	12/2027	On Schedule
2. Design Completion	TBD	
3. NTP Construction	TBD	
4. Construction Completion	TBD	

Appendix C: State of Good Repair Projects (Jamaica Tributaries CSO LTCP), Approved on September 22, 2022

State of Good Repair Project Schedule

Project	DEC Approved Milestones	Status
G. Reconstruct tide gates/effluent chambers at the Spring Creek CSO Retention Facility WRRF (26W-149)		
1. Submit Approvable BODR	9/2022	Completed
2. Design Completion	10/2017	Completed
3. NTP Construction	6/2021	Completed
4. Construction Completion	9/2025	Completed
H. Replace main sewage pumps at the Rockaway WRRF (RO-2)		
1. Submit Approvable BODR	6/2025	Completed
2. Design Completion	N/A	
3. NTP Construction	1/2028	
	4/2032	

Project	DEC Approved Milestones	Status
4. Construction Completion		
I. Reconstruct fender and bulkhead at the Rockaway WRRF		
1. Submit Approvable BODR	12/2026	Design-Build procurement negotiations
2. Design Completion	TBD	
3. NTP Construction	TBD	
4. Construction Completion	TBD	
J. Reconstruct heating system and greenhouse gas reduction at the Coney Island WRRF (CI-124)		
1. Submit Approvable BODR	12/2026	Design is being developed with NYPA
2. Design Completion	TBD	
3. NTP Construction	TBD	
4. Construction Completion	TBD	
K. Install 13 new centrifuges at the 26th Ward WRRF		
1. Submit Approvable BODR	12/2026	On Schedule
2. Design Completion	TBD	
3. NTP Construction	TBD	
4. Construction Completion	TBD	
L. Reconstruct power distribution equipment at the Rockaway WRRF (R-156)		
1. Submit Approvable BODR	12/2025	BODR submitted to DEC 12/30/2025
2. Design Completion	TBD	
3. NTP Construction	TBD	
4. Construction Completion	TBD	



5. Green Infrastructure Program

Program Overview

The 2023 Citywide Green Infrastructure Modification to the CSO Consent Order (Modified CO: CO 2-20230228-38), effective June 29, 2023, sets forth the schedule, capture targets, expenditure targets and other requirements for the program to reduce CSO volume in combined sewer areas with green infrastructure and to construct green infrastructure assets citywide to manage stormwater. Major changes between the 2012 CSO Order and the 2023 Citywide Green Infrastructure Modification include expanding the definition of green infrastructure, extending the NYC Green Infrastructure Program’s timeline, updating the Program’s certification metrics and interim milestones, and increasing the Program’s total funding commitment to include resiliency projects. The Program’s regulatory goal is to reduce CSOs by 1.67 billion gallons per year (BGY) in combined sewer areas by December 2040 and, building on current investments, expend \$3.5 billion on green infrastructure citywide by December 2045.

DEP reports on CSO volume reduction by first calculating annual stormwater capture volume using practice-specific Stormwater Capture Equivalency Rates, then converting the stormwater volume to CSO volume reduction by applying Waterbody Drainage Area Specific Equivalency Rates, which represent how much stormwater needs to be managed to reduce the resulting CSO volume in each LTCP waterbody. The table below provides the total assets and CSO volume reductions by waterbody as reported in the 2025 NYC Green Infrastructure Annual Report. The next update to this table will be published in the 2026 NYC Green Infrastructure Annual Report.

Cumulative Green Infrastructure in CSS Areas from 2012-2025

Waterbody Drainage Area	Number of Assets	Managed Acres ¹	Stormwater Managed (MGY)	SW to CSO Equivalency Rate (SW MGY/CSO MGY)	CSO Volume Reduced (MGY)
Alley Creek	44	5	4	2.75	1
Bronx River	532	123	66	2.35	28

¹ Managed Acres = an area equivalent to one acre of impervious surface covered by one-inch of stormwater for distributed ROW assets (rain gardens, infiltration basins, stormwater greenstreets) and tributary drainage area for ROW porous pavement and all other assets.

Coney Island Creek	83	10	6	2.75	2
East River/Open Waters	4207	869	352	1.87	187
Flushing Bay	958	101	68	1.25	55
Flushing Creek	2315	296	229	1.91	120
Gowanus Canal	226	39	17	2.75	6
Hutchinson River	231	168	156	1.73	90
Jamaica Bay & Tribs	6822	1165	950	3.67	257
Newtown Creek	1846	240	153	1.72	89
Westchester Creek	319	45	21	5	4
Total ²	17583	3063	2024	-	839

Implementation Update

During Quarter 1 of 2026, planning, design, and construction work continued in several NYC Green Infrastructure Program initiatives and are summarized by program area below. For more information on the Program, including an interactive map, visit: <https://www.nyc.gov/site/dep/water/green-infrastructure.page>

Right-of-Way

Area-wide GI contracts to design and build thousands of curbside rain gardens, infiltration basins, stormwater green streets, and porous pavement in NYC's streets and sidewalks are being implemented in multiple phases. Additional project details for active ROW contracts are included in the projects towards the next CSO volume milestone table.

Public Property Retrofits

Siting, design, and construction of public property retrofits in coordination with City agency and non-profit partners is ongoing. Additional project details for active public property contracts are included in the projects towards the next CSO volume milestones table.

Phase	Parks and Playgrounds	Public Schools	NYCHA Housing	Other Public
Constructed/In Construction	133	107	46	9
Design	33	7	1	3

² Sum may not add up to total due to rounding

Large-Scale Medians and Other Projects

Siting and design focusing on large-volume capture opportunities within public medians is ongoing; construction is also ongoing. To date, 2 median projects have been constructed. Details on active projects are summarized in the table below.

Project	Status	% Design or Construction Progress ³
Gateway to Greenpoint	Construction NTP 4/21/25	Construction has started – 11/17/25
Union Turnpike between Metropolitan Ave and 71 st Road	Construction NTP 4/21/25	Construction has started – 70%
Springfield Blvd from Lucas Street and Merrick Blvd (MS4)	Construction NTP 7/3/25	Construction has not started.
Francis Lewis Blvd between 21 Rd and 20 Ave	Construction NTP 5/9/25	Construction has started – 92%
Howard Ave Green Street Median Project (between Sutter Ave and Eastern Pkwy, Brooklyn)	In design	100%
Kings Highway Green Street Median Project (Between Farragut Rd and Ave D, Brooklyn)	In design	100%
Baychester Ave Green Street Median Project (Between Bay Plaza Blvd and Hutchinson River Pkwy, Bronx)	In design	100%
Randall Ave Green Street Median Project (Between Rosedale Ave and Metcalf Ave, Bronx)	In design	100%

Private Property Incentives

Through the GI Grant Program, DEP funds design and construction costs for green roof retrofits, which is ongoing. Since 2011, \$13.8M has been committed to 32 property owners. A green roof grant project on a private property in the Borough Park neighborhood of Brooklyn **has reached final design. Construction has been completed on a green roof project at the Aurum Condominium in the Harlem neighborhood of Manhattan.** There are four additional properties currently pursuing applications for GI Grant Program.

Through Resilient NYC Partners, DEP funds stormwater management retrofits such as subsurface storage, porous pavement, and rain gardens for properties with large areas of impervious surface, which is ongoing. As of **March 2026**, construction at two sites – **a corporate center in Queens** and St. Charles School (Staten Island) **was ongoing.**

³ Progress for projects in Design reflect Design Submittals, and for projects In Construction the % construction progress based on construction contract duration.

Stormwater Regulations

These projects are constructed by public and private property owners in compliance with Chapters 31 and 19.1 of Title 15 of the Rules of the City of New York, including the 2022 Unified Stormwater Rule and New York City Stormwater manual published as effective on February 15, 2022.

Daylighting

Design for Tibbetts Brook daylighting is complete and anticipated to be the Program’s largest green infrastructure project to-date providing significant CSO reduction and community benefits; additional project updates provided below:

- **Construction advertisement to bid was posted on December 17, 2025 and bid date was March 18, 2026. Contract award is anticipated in late April/early May 2026**
- **MTA Board of Directors voted positively regarding the easement agreement on January 28, 2026 and final easement documents are anticipated to be signed in May 2026.**
- **NYS DEC issued the Joint Permit on January 22, 2026.**

Projects Toward Next CSO Volume Milestones

The table below provides the status of projects currently underway during this quarter and contributing to the CSO volume reduction milestones.

Status:

1. Geotech
2. Survey
3. Design
4. Construction procurement
5. In construction
6. Completed

Waterbody Drainage Area	GI Practice Class or Program	Project	CSO Volume Estimate (MGY)	Current Status	% Design or Construction Progress ⁴
East River/Open Waters (EROW)	ROW Porous Pavement	OH-015 Areawide ROW-Phase 1	15-33	Construction Procurement	--
EROW	ROW Porous Pavement	OH-015 Areawide ROW-Phase 2	16-18	In construction NTP: 11/15/23	97%
EROW	ROW Porous Pavement	OH-015 Areawide ROW-Phase 3	24-36	In construction NTP: 8/18/25	15%
EROW	ROW Porous Pavement	OH-015 Areawide ROW-Phase 4	40-50	Design	90%

⁴ Progress for projects in Design reflect Design Submittals, and for projects In Construction the % construction progress based on construction contract duration.

Bronx River	ROW Porous Pavement	GI-BX-PP Areawide ROW	2-5	Design	100%
Alley Creek, EROW, Gowanus, Jamaica Bay	Public Onsite Retention and Detention	Expanded Public Onsite-GI-CONS-02	3-5	In construction NTP: 07/17/23	91% We expect to extend the contract <u>time</u>, which will impact the construction progress percentage once implemented
EROW	Cloudburst	Clinton Houses	0.3-0.5	Construction Procurement	--
Various	Private Onsite Retention and Detention	Resilient NYC Partners –Phase 1	7-10	Ongoing	--
EROW	Special Projects	Central Park Stormwater Recovery and Reuse	2-4	Construction Procurement	--
EROW	Special Projects	Prospect Park Stormwater Recovery and Reuse	10-12	Completed	Substantial completion in spring 2026
Various	Public Onsite Retention and Detention	Public Onsite GI-H-CONS-01	1-2	In construction NTP: 11/11/24	69%
Various	Public Onsite Retention and Detention	Public Onsite GI-H-CONS-02	2-4	In construction NTP: 11/11/24	69%
Various	Public Onsite Retention and Detention	Expanded Public Onsite-GI-CONS-03	2-4	In construction NTP: 05/22/2024	93%
Various	Public Onsite Retention and Detention	Expanded Public Onsite-GI-CONS-04/07/08/09	2-5	Design	100%
Various	Public Onsite Retention and Detention	Expanded Public Onsite-GI-CONS-5	2-4	In construction NTP: 2/3/25	38%

Various	Public Onsite Retention and Detention	Expanded Public Onsite-GI-CONS-5A	0.5-1.5	In construction NTP: 2/19/25	55%
EROW	Special Projects	Tibbetts Brook Daylighting	215	Construction Procurement	--
Various	USWR Retention and Detention ⁵	Development and redevelopment SMPs	100-200	Ongoing	--
EROW	ROW GI and PP	<u>GQ-BBCLST – ROW infill for Bowery Bay ROW GI and PP</u>	TBD	Geotech	--
EROW	ROW GI	<u>GQBB28-29 – Areawide ROW GI for Bowery Bay</u>	TBD	Pre-geotech	--
EROW	ROW GI	<u>GQBB034 – Areawide ROW GI for Bowery Bay</u>	TBD	Pre-geotech	--
Jamaica Bay	Cloudburst	<u>CK26W03HL – Cloudburst Hub East New York</u>	2-4	Design	100%
Bronx River	Cloudburst	<u>CXHP08PAR – Cloudburst Hub Parkchester</u>	2-4	Design	100%
Flushing Bay	Cloudburst	<u>CQBB15COR – Cloudburst Hub Corona</u>	10-15	Design	100%
EROW	Cloudburst	<u>CQTI10KIS – Cloudburst Hub Kissena</u>	5-10	Design	90%
Jamaica Bay	Cloudburst	<u>CK26W02BS – Cloudburst Hub Brownsville</u>	TBD	Design	15%

⁵ Estimates of CSO volume reduction for stormwater regulations will be updated on an annual basis.



6. Community Relations

**Public Participation Plan meeting photo taken prior to 3/2020, pre-COVID-19 distancing requirements.*

*DEP's Public Participation Plan was released to the public on **June 26, 2012** and describes the multi-pronged tools and activities DEP will utilize to inform and involve diverse stakeholders and the broader public throughout the LTCP process. The Plan provides a framework for communicating with and soliciting input from interested stakeholders on water quality and the challenges and opportunities for CSO controls.*

DEP will report quarterly to DEC on completed public participation activities outlined in the public participation plan as part of this and all future CSO Quarterly Reports. All updates to the Public Participation Plan implemented as a result of public comments received and quarterly reviews of public participation activities by DEC will be posted annually to DEP's website.

Updates on the LTCP Program including the submission of the Open Waters/Citywide LTCP are being shared with the public through the DEP website at nyc.gov/dep/ltcp.

LTCP and Green Infrastructure Education & Outreach Meetings

Outreach Meeting	Date	Outreach Type	No. of Attendees
Alley Creek - DEP hosted a public meeting to provide details on the proposed modification request to the Alley Creek LTCP and CSO Order	February 5, 2026	In person	30
Green Infrastructure Grant Program Spring Workshop	March 11, 2026	Virtual	32



7. Key DEP Personnel

DEP Bureau and corresponding Portfolio Manager and Accountable Manager.

Planning Area	Project	DEP Responsible Personnel		
		Bureau	PM	AM
Alley Creek	CSO-AC-DF-DES: Alley Creek CSO Disinfection	BEDC	Osit	McLaughlin
Flushing Bay	CSO-FC-FB-DES: Flushing CSO Floatables Control	BEDC	Tysvaer	Harvey
	CSO-FC-DF-DES: Flushing CSO Disinfection Facility	BEDC	Tysvaer	Harvey
	CSO-FB-TUN: Flushing Bay CSO Storage Tunnel	BEDC	O. Pena	TBD***
Newtown Creek	CS-NC-CST: CSO Storage Tunnel	BEDC	Tysvaer	Edden
	CS-NC-BAP: Borden Ave PS Expansion	BEDC	Tysvaer	Harvey
Bronx River	CS-BXR-009, CS-BXR-011: Hydraulic Relief at HP-009, Bending Weir and Baffle at HP-011	BEDC	A. Ng	A. Ng
Hutchinson River	CSO-HR-DF: Hutchinson River 2.5MG Conduit and Floatables Control	BEDC	Tysvaer	Szeto
Jamaica Bay	CS-JB-MUS: Ribbed Mussels CS-JB-WET: Wetland Restorations BB-DRDG: Bergen Basin Dredging	BEPA BEPA BOS	G. Mayes	H. Chanilal
Citywide Open Waters	CSO Outfalls NR-040, NR-038, NR-046, RH-005, RH-014, TI-003, TI-023, OH-015 regulator modifications/hydraulic capacity enhancements	BEDC	N. Shah	Harvey
	PR-013 Hannah Street Pump Station gravity bypass connection	BWSO	P. Gordon	F. Escobedo
GI	Green Infrastructure	BEPA	M. Enoch	K. Ricigliano
Flushing Bay SOGR	BB-216: Reconstruction of Primary Settling Tanks at Bowery Bay WRRF	BEDC	O. Pena	TBD
	BB-220: Replacement of Existing Emergency Generators at Bowery Bay WRRF	BEDC	O. Pena	TBD
	HP-238: Replacement of Digesters at Hunts Point	BEDC	Y. Ma	A. Sosa
	HP-239: Reconstruction of Sludge Handling Equipment at Hunts Point WRRF	BEDC	Y. Ma	S. Czernel

	NR-111: Reconstruction of Primary Settling Tanks at North River WRRF	BEDC	O. Pena	F. Giardina
	NR-129: Rehabilitation of North River WRRF Influent and Effluent Gates and Bar Screens	BEDC	O. Pena	F. Giardina
Jamaica Bay SOGR	26W-149: Reconstruct tide gates and effluent chambers at the Spring Creek CSO Retention Facility WRRF	BWT	J. Hoffman	A. Garuba
	RO-2: Replace main sewage pumps at the Rockaway WRRF	BEDC	Y. Ma	S. Czernel
	R-151: Reconstruct fender and bulkhead at the Rockaway WRRF	BEDC	Y. Ma	C. Huang
	CI-124: Reconstruct heating system and greenhouse gas reduction at the Coney Island WRRF	BWT	J. Hoffman	A. Garuba
	26W-144: Install 13 new centrifuges at the 26th Ward WRRF	BEDC	A. Ng	R. D'Attile
	R-156: Reconstruct power distribution equipment at the Rockaway WRRF	BEDC	Y. Ma	S. Czernel