

Jamaica Bay and Tributaries Long Term Control Plan Public Meeting #3 Alternatives and Recommended Plan Public Meeting

Summary of Meeting and Public Comments

On April 18, 2018 the New York City Department of Environmental Protection (DEP) hosted a public meeting for the Combined Sewer Overflow (CSO) Long Term Control Plan (LTCP) for Jamaica Bay and Tributaries. The nearly two-hour event, held at the Jamaica Bay Wildlife Refuge Center in Broad Channel focused on alternatives and recommended plan selection. The meeting provided stakeholders with information regarding: water quality of Jamaica Bay and Tributaries; baseline conditions and performance gap; evaluation of alternatives and recommended plan; and described additional opportunities for public input and outreach.

Approximately 12 people from the public attended the event, as did representatives from DEP and the New York State Department of Environmental Conservation (DEC). Information presented included:

- Overview of Consent Order and Recap of LTCP Process;
- Southeast Queens Proposed Sewer Build-out;
- Jamaica Bay and Tributaries Watershed Protection Plan;
- Review of Jamaica Bay and Tributaries Public Comments Received;
- Review of Waterbody Classification, Water Quality Standards and LTCP Goals for Jamaica Bay and Tributaries;
- Jamaica Bay and Tributaries CSO Mitigation Projects and GI Commitments;
- Jamaica Bay and Tributaries Annual CSO and Stormwater Volumes;
- Jamaica Bay and Tributaries Fecal, Entero and Dissolved Oxygen Attainment of Existing Water Quality Standards;
- Jamaica Bay and Tributaries Evaluation of Watershed Based Alternatives;
- Jamaica Bay and Tributaries Evaluation of Retained Grey Alternatives;
- Jamaica Bay and Tributaries Watershed Protection Plan;
- Jamaica Bay and Tributaries LTCP Recommended Plan; and
- Summary of Next Steps, Additional Information and Resources.

The Jamaica Bay and Tributaries LTCP Alternatives and Recommended Plan Public Meeting was the third opportunity for public participation in the development of this LTCP. The following summarizes the questions and comments from attendees as well as responses given. The presentation can be found at <http://www.nyc.gov/dep/ltcp>.

Q1: An attendee asked about status of Water Quality Standards changes.

A1: DEP stated that the standards have not been changed yet and the attainment of the new criteria is being looked at. DEP considers these potential future standards in the LTCP analysis.

Q2: An attendee asked has there been any communication with JFK Airport regarding the use of any abandoned fuel storage tanks. Could these tanks be used to store CSO? CSO could be pumped to available tanks, stored and then drained back to the system when capacity is available.

A2: DEP stated that they have not contacted the Port Authority of New York and New Jersey (PANYNJ) regarding the availability of abandoned tankage at the airport.

Q3: An attendee expressed concern that ribbed mussels are on decline in Jamaica Bay.

A3: DEP stated that new marshlands helps ribbed mussels and vice versa.

Q4: An attendee stated that it appears that when marshes die off the mussels seem to follow. Those areas where tidal marshes have been restored, mussel populations appear to be on the rise.

A4: DEP agreed and stated that marsh restoration and mussels go hand-in-hand.

Q5: An attendee asked if other clams are good for marsh restoration as well.

A5: DEP stated that not all clams go hand-in-hand with marsh restoration.

Q6: An attendee asked where DEP plans to get the mussel spat to support mussel growth.

A6: DEP stated that they had relied on natural recruitment in the past. However, this strategy is not recommended in the future. Pre-seeding should be considered for future installations.

Q7: An attendee asked if the City is the owner of a vacant land at the head of Bergen Basin across from JFK Airport.

A7: DEP stated based on the OASIS website the land is owned by PANYNJ. Although some of the properties near JFK Airport may be owned by the City, there are long-term leases with the PANYNJ for their use.

Q8: An attendee asked about GI funding.

A8: DEP stated that the initial \$300 million is part of \$1.5 billion commitment under the Consent Order. The LTCP Recommended Plan investment is estimated to be \$310 million.

Q9: An attendee asked if areas designed for stormwater GI include sewer separation.

A9: DEP stated that stormwater GI will be implemented in the area proposed for storm sewer build-out. DEP intends to focus the application of additional GI on MS4 areas as part of this recommended plan.

Q10: An attendee asked how DEP will get seed to support mussel growth. As ribbed mussels are not edible, seed may not be commercially available.

A10: DEP stated that sources within the Bay will be looked at, as well as other opportunities will be assessed. DEP may consider developing seed in tanks.

Q11: An attendee asked DEP to discuss any assumptions related to climate change, sea level rise, and storm surge.

A11: DEP stated that they have not run a model for sea level rise. LTCP evaluations typically consider the collection system response to the 2008 typical storm and perform water quality modeling to assess attainment over a 10 year period from 2002 to 2011.

Q12: An attendee asked if DEP will get advice from DEC on how to apply climate change and sea level rise to the LTCP.

A12: DEP stated it is working with the Mayor's Office of Recovery and Resiliency and they are evaluating various sea level rise models.

Q13: An attendee stated that the public should be involved in initiatives intended to address climate change, sea level rise, and storm surge.

A13: DEP stated that this concern will be addressed during further stakeholder workshops.

Q14: An attendee asked if any of the GI projects in the proposed LTCP Recommended Plan can also be applied to MS4 requirements.

A14: Green infrastructure under the MS4 requirements is different from GI under the Consent Order. Currently, the City is implementing pilot projects. For example, DEP plans to test cluster planning to change street elevations to provide temporary storage during a storm event. The street would convey stormwater to a property where it could infiltrate the ground. DEP is pursuing permission and coordinating with New York City Department of Transportation to perform this as a pilot project.

Q15: An attendee asked for a timeline of that implementation.

A15: DEP stated that it will host additional stakeholder meetings to develop a timeframe for implementation.

Q16: An attendee stated that a side-to-side comparison of the benefits of the Recommended Plan with additional GI and environmental improvements versus a grey-based CSO LTCP will be appreciated.

A16: DEP stated that considering the large water quality benefits associated with past projects, the gap analysis shows that further CSO reduction provides a marginal improvement in attainment of water quality standards for pathogens. As a result, DEP believes that Jamaica Bay and its tributaries are at a point where the current cost-benefit ratio of further CSO control is high and justifies looking at additional GI and environmental improvements. The strategy going forward is addressing the impacts of stormwater discharges which can ultimately provide the greatest long-term benefit for Jamaica Bay and its tributaries.

Q17: An attendee asked if ribbed mussels can be installed to a level that the entire tidal exchange can be filtered.

A17: DEP stated that low, medium, and high density mussel installations were looked at to assess the range in footprint size of the proposed shellfish beds. These footprint sizes were used to assess the feasibility of installing shellfish beds in the tributaries. Further evaluation will be performed to estimate the pathogen reduction benefits.

Q18: An attendee stated that the public likes the creative solutions, but wants to get a better handle on the benefits of a more traditional CSO LTCP.

A18: DEP acknowledged the comment.

Q19: An attendee asked if DEP is looking at the re-establishing pumping of groundwater. Can the groundwater pumps be restored and discharged to Bergen and Thurston Basins to improve flushing? Drawing down the water table could also help to reduce basement flooding throughout the region.

A19: DEP stated that impacts of pumping on basements is being looked at separately, but not under the CSO LTCP. The Storm Sewer Build-out Program will provide flood reduction benefits, but this is a long term program with no established milestones for completion of program elements. In addition, funding is currently limited to the 10 year capital plan.

Q20: An attendee stated that the current Consent Order does not address an integrated plan. How will the schedule be enforced?

A20: DEP stated that the CSO LTCP will include an implementation schedule that would be approved upon DEC review. The recommended plan does not change the Consent Order requirements or regulatory enforcement ability.

Q21: An attendee stated concern that resiliency could impact LTCP strategies. For example, the proposed flood barrier could influence the recommended LTCP projects by limiting flow of water in and out of the Bay.

A21: DEP stated that they were advised that the Army Corps of Engineers is looking at smaller interventions in addition to the perimeter barrier, which could have less impact on the flow of water in and out of the Bay.