

Westchester Creek LTCP Public Meeting #2

May 7, 2014

Herbert Lehman High School, 3000 East Tremont Avenue, Bronx, NY

Meeting Summary

Introduction

The second of three planned public meetings related to the Westchester Creek Long-Term Control Plan (LTCP) development was held at Herbert Lehman High School, 3000 East Tremont Avenue in the Westchester Square neighborhood in the Bronx. The meeting included posterboards, handouts, and a presentation focusing on alternatives evaluations for Westchester Creek Combined Sewer Overflows control. Representatives from the Department of Environmental Protection (DEP) included the Bureau of Public Affairs (BPA), the Bureau of Environmental Planning and Analysis (BEPA), the Office of Green Infrastructure (OGI), the Bureau of Wastewater Treatment (BWT), and representatives from the LTCP consulting team. One representative from New York State Department of Environmental Conservation (DEC) Region 2 was also in attendance. Approximately ten people from the public attended the event, most of whom had not attended the first meeting.

Notes

1. After a half-hour meet-and-greet, Shane Ojar (BPA) started the proceedings. Each of the various state and city representatives introduced themselves. Shane asked participants to consider how Westchester Creek is used and how it might be used in the future, noting that DEP's goal is to improve water quality to support those uses to the extent limited resources will allow. He explained that the goal of meeting water quality standards and public input will feed into what actually gets built.
2. Lily Lee (BWT) presented the technical substance of the presentation. She started by noting that the Long Term Control Plan (LTCP) is required by New York State Department of Environmental Conservation and US Environmental Protection Agency (EPA), and that the LTCP process requires evaluating attainment of the current standards set by DEC. She reminded the audience that uses were solicited from the group at the kickoff meeting, and that the goal is to align the Water Quality Standards (WQS), the uses, and the CSO reduction strategies.
3. Lily presented recent data collected by an enhanced (weekly) sampling by the Harbor Survey program. The fecal coliform data show that the existing Class I Water Quality Standard as set by DEC is being fully attained. She also presented this past winter's dissolved oxygen measurements, which show full attainment of the existing Water Quality Standard as well. She explained that the data are used to improve water quality models, and although the pathogen modeling is complete, Dissolved Oxygen (DO) modeling is ongoing.
4. Lily pointed out the combined sewer overflow (CSO) areas and stormwater outfalls on the maps provided. She explained that the Long Term Control Plan builds on the Waterbody/Watershed Facility Plan (WWFP) developed in Westchester Creek. She highlighted the meaning of the

Water Quality Standard Class I, designated for boating and fishing, in which only fecal coliform limits are applicable and not entero which is applicable to other Water Quality Standards. She showed uses that were marked with dots on a map during the last meeting, which showed lots of kayaking and fishing.

5. Lily then explained the WWFP commitments of raising weirs at CSO-29 and 29A along Eastchester Road, and the parallel sewer being built that would substantially reduce CSOs discharging into Westchester Creek. Altogether these projects are expected to cost about \$160 million and are targeted for completion by 2019. The green infrastructure (GI) commitment is starting this summer under the area-wide contract. Combined the impact of the planned WWFP projects and GI is projected to reduce CSO volume by 64%, from nearly 800 MG/year down to approximately 300 MG/year.
6. Lily presented information that showed that, for the currently applicable water quality standards, Westchester Creek is in 100% attainment throughout the year. She then showed attainment levels for the next highest class (SB) taking into account the WWFP projects and green infrastructure, noting that very high to full attainment in summer months, but less attainment when considered on an annual basis. Even if all CSO is eliminated, there would be an improvement but not full attainment.
7. The explanation provided for this is in the consideration of all pollutant sources to Westchester Creek. The East River boundary is a limiting factor, as is stormwater. With the WWFP fully implemented, stormwater contributes more than half of entero concentration. Closer to the East River, entero goes down, but stormwater still contributes a large portion of that concentration. Even at the East River entero concentrations were shown to be higher than the Water Quality Standard. Lastly, most of the CSO discharges at the head end, where it is narrow and there is not a lot of mixing.
8. With the very narrow performance gap in mind, Lily then presented several alternatives that DEP is considering to reduce CSO. The first presented was an in-line storage concept for the long outfall of HP-014. There were many challenges presented to building and operating this. Among the most significant is that the pipes are largely underneath active tracks within the NYTA rail yard. DEP would need access 24/7, and to accomplish this would probably be disruptive to the rail yard and therefore subway passengers. In comparison to the disruption, the water quality improvement is slight.
9. The next alternative showed disinfection as a means of reducing pathogens, a process that would be added to in-line storage. Lily stated that dechlorination would also be necessary because the impact of chlorine on the waterbody. This alternative would reduce the pathogen load by 44% but would only increase attainment by 5 percentage points. Lily noted the challenges of controlling residual chlorine in a highly varying flow environment like a CSO discharge.

10. After disinfection, consideration was given to expanding the Throgs Neck Pump Station to pump more flow to the sewage treatment plant. Several sizes and discharge relocation options were considered, but the best of these reduced CSO up to 19%, which did not improve water quality that much. The cost may vary a lot as well, and the CSO discharges may increase in another waterbody because of the large, interconnected nature of the collection system.
11. CSO storage was presented next. Storage tunnels of different sizes were shown to capture a range of CSO. Tunnels were presented as very disruptive, requiring drop shafts, a pump station to drain the tunnel, and a lot of additional infrastructure related to this approach.
12. Floatables was presented as an alternative to control CSO impact although it would not reduce CSO volume. It would improve the aesthetics in the waterbody, but would not improve attainment of the Water Quality Standard.
13. Green infrastructure is already planned for the area, targeting 14% of the combined area tributary to Westchester Creek. This target is embedded in the Baseline, but DEP is considering an additional 10% buildout as an alternative. Still single digit improvement in attainment, and the existing target is already high, so finding additional sites would be a challenge. In addition, there is shallow bedrock in this area of the Bronx, which could reduce DEP's ability to implement green infrastructure in the area..
14. The final alternative presented was dredging, which was included at the expressed interest of one attendee of the first public meeting. DEP's approach to this is to remove any exposed sediment mounds to below 3 feet below mean lower low water (MLLW). Lily explained that in the case of Westchester Creek there is no basis for doing this kind of environmental dredging because there are no exposed sediment mounds at low tide. Also it does not improve attainment. She noted that USACE is responsible for navigational dredging.
15. Lily explained that none of these alternatives are jumping out at DEP as being cost-effective and/or affordable, properties that are considered in the alternatives evaluations. She then showed a curve comparing the CSO reduction versus cost of each alternative which showed that the "knee-of-the-curve" might be at over \$200 million, the scale of which is in itself not cost-effective.
16. Shane Ojar then closed the presentation by encouraging attendees to revisit the considerable information provided in this meeting by accessing it on the website, and to provide responses to the original request for guidance as to what the long-term uses should be so that the community drives the project. He closed by informing everyone that this was the alternatives meeting and that DEP would be back near the end of the summer. He welcomed questions, and directed thoughts from after the meeting to be emailed to DEP's dedicated LTCP email address.

Following the presentation, there was a Question and Answer forum. The following summarizes the questions and comments from attendees as well as responses given.

1. **COMMUNITY CHARACTER.** An attendee noted an inordinate amount of brick and mortar alternatives in comparison to green infrastructure. Some of the other alternatives sitting next to a high school and on the edge of residential community and people in the community probably would not want that type of heavy infrastructure. He also noted the high concentration of institutional facilities along Eastchester Road, including a special education school, the psych center, and multiple hospitals. He was concerned that construction in this area would not be possible.
2. **INDUSTRIAL POLLUTION.** One attendee wondered where NYTA wastewater went after they washed down the rail cars, and suggested it discharged at the head end of Westchester Creek. He also wondered why city planners were not making sure polluters like this are held responsible. DEP explained how the CSO system works, and mentioned their industrial pretreatment program (IPP) which requires industrial sewer users to be permitted by DEP and to be subject to permit stipulations, including retaining their runoff during storms to maximize available capacity, and providing a level of pretreatment specifically to reduce pollution through CSOs. Regardless, DEP noted that the flow from the rail yard is small in comparison to the sewage and the stormwater, and probably does not contain pathogens like sewage does.
3. **BRUSH AVENUE.** Brush Avenue, a private road, was discussed at length by the community as having unacceptably poor drainage, few sidewalks, no curbs, and is hugely rutted. There were no catch basins from Wenner Place to Jay Place until Pepsi installed 2 around 2000 when they moved in. One attendee recalled how the community used their own money to address “underground streams” and in 1990 they got a sewer. One attendee expressed disappointment that large acreage properties that were generally natural were being sold for and large impervious surfaces were being allowed to be built. DEP noted that this is no longer allowed: a 2012 building code update requires runoff to not exceed the lesser of 0.25 cfs and the pre-construction runoff condition.
4. **COORDINATION.** It was suggested by several attendees that DEP, DDC, and DOT do not coordinate well when it should be possible for a resident to call 311 and a member of each department would come and investigate the complaint. One example cited was the Waterbury Avenue project, which DEP explained that they decided not to wait for DOT funding issues to be resolved.
5. **COMMUNITY OUTREACH.** There were several questions related to how DEP goes about community outreach. It was suggested that green infrastructure is a good avenue through which to engage the community because people can relate to it and enjoy it. DEP noted that they would come and talk to people, but that they would greatly benefit from the help of those in attendance who would gather groups and disseminate information. Another avenue of engagement suggested was the Westchester Industrial Business Zone (IBZ) along the western shoreline, which is filled with large, flat roofs. It was suggested that DEP reach out to SOBRO to see if there are opportunities there. DEP responded that they have worked with SOBRO but not in this particular IBZ. Another attendee recalled a “stellar” committee under CB10 related to the

Pelham Bay landfill, and suggested that CB10 should have an environmental committee (they currently have a public services committee).

6. **SCHEDULE.** Several attendees expressed frustration with the overall timeline, having attended public meetings decades ago and still not seeing progress. It appeared to one attendee to be a lot of study and not much is happening. DEP noted that there is an enforceable Consent Order and that DEP has been investing in the waterbodies as demonstrated with the current improvement projects in Westchester Creek.
7. **GREEN INFRASTRUCTURE.** Green infrastructure was met enthusiastically by the attendees. One attendee asked whether the GI budget could be larger. DEP agreed, noting that GI is cheaper than grey infrastructure and less disruptive. They also noted that DEP works within the street rights-of-way (ROW) and city-owned properties, employing green roofs, rain gardens, permeable pavement, and other technologies, along with its ongoing grant program. The last of these funded projects at Albert Einstein and Montefiore along Eastchester Road, among many other projects citywide. One attendee observed that the siting process seeks opportunities, but wondered at what point it is known to be practicable, so that you avoid the risk of making a commitment in the LTCP that cannot be accomplished. DEP acknowledged that this is a known risk, but they have a standard that they have to meet. There are already GI milestones in a Consent Order that phase to the ultimate endpoint of buildout, so it is in DEP's interest to do as much GI as they can once they have identified a site.
8. **GI MAINTENANCE.** The attendees recognized the need for maintenance of GI systems. The local community installed tree pits along Brush Ave that took a very long time to water, leading them to seek assurances that these sites would be maintained once installed. DEP responded that, when they build something in the street, the city is responsible for maintenance. From the beginning they have sought to ensure maintenance, instituting funding of Parks Department crews dedicated to this who visit sites twice a week generally. They also visit more frequently at sites located within commercial areas or other neighborhoods where there is a higher risk of damage or need for maintenance. One attendee asked about maintenance of green roofs or green farms on private property. DEP responded that the property owner is responsible for the maintenance.
9. **WATER QUALITY.** Westchester Creek is holding its own. They are catching 4-foot fish mussels, people eating what they catch. This is true throughout the city. The WWTPs are constantly being upgraded. NYC harbor is the cleanest it has been for more than a century of testing.

OTHER IDEAS. It was noted that in Gowanus Canal DEP has a propeller to encourage circulation in the waterbody. DEP responded that this brings in water from another waterbody through an existing tunnel, and so could not be implemented in Westchester Creek. An attendee suggested that there are acres of land along I-95 that could be used for managing stormwater in the area.

DEP Representatives in Attendance

Lily Lee (BWT)

Shane Ojar, Carolina Griggs, Eleftheria Ardizzone (BPA)

Ryan Fleming (BEPA)

Mikelle Adgate (OGI)

Dave Bingham (AECOM)

Tim Groninger (Hazen and Sawyer)

DEC Representative in Attendance

Paul Kenline (Region 2)