

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Bureau of Water Compliance  
625 Broadway, Albany, New York 12233-3506  
P: (518) 402-8177 | F: (518) 402-8082  
www.dec.ny.gov

July 5, 2017

## SENT VIA EMAIL

Mr. Keith Mahoney, P.E.  
Acting LTCP Program Manager  
Bureau of Wastewater Treatment  
New York City Department of Environmental Protection  
96-05 Horace Holding Expressway  
Corona, NY 11368

Re: Order on Consent (“CSO Order”), DEC Case #CO2-20110512-25 to DEC Case #CO2-20000107-8, Section IV. City-Wide Green Infrastructure Implementation  
**Green Infrastructure Metrics Report**

Dear Mr. Mahoney:

Pursuant to Section IV.A.2 of the CSO Order, the New York City Department of Environmental Protection (City) was required to submit a Green Infrastructure Performance Metrics Report (GI Metrics Report) that included the:

“.....cumulative City-wide CSO volume reduction associated with implementing the 1.5% green infrastructure application. Respondents shall establish an equivalency rate for the 1.5% green infrastructure application to City-wide CSO volume reductions. The submission will also include the modeled CSO volume reduction associated with the 10% GI application rate, which will be the ‘City-wide baseline CSO reduction credit.’ ”

Pursuant to Section IV.B.2, upon approval by the New York State Department of Environmental Conservation (Department), “these CSO volume reductions will be added as performance metrics pursuant to this Order.”

The City submitted the GI Metrics Report on June 30, 2016 in accordance with the CSO Consent Order. On March 16, 2017, the Department provided comments on the GI Metrics Report and on May 30, 2017, the City responded to the comments.

Although the City has been able to project CSO volume reductions for the full 10% GI application rates, there is uncertainty associated with unanticipated implementation challenges the City has identified in the past. As such, the Department hereby approves and incorporates the CSO volume reductions as performance metrics pursuant to the CSO Consent Order. The performance metrics for the city-wide CSO reductions are as follows:

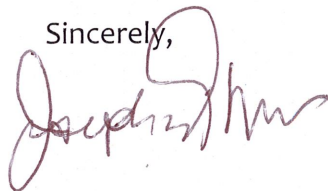
% Impervious Area Managed	CSO Volume Reduction (MG/Year)	% CSO Reduction from Baseline
1.5 (City-wide)	507	2.4%
10 (City-wide)	1677	8.1%

The Department reserves the right to request updates on the projected CSO volume reductions on a periodic basis to confirm that the volume reductions being achieved by the City are consistent with the volumes assumed in the CSO LTCP baseline.

In accordance with Section IV.B.2, the City shall report on the cumulative City-wide CSO volume reduction at each 5-year reporting period.

If you have any questions regarding this letter, please contact Mr. Gary Kline at 518-402-9655 or [gary.kline@dec.ny.gov](mailto:gary.kline@dec.ny.gov).

Sincerely,



Joseph DiMura, P.E.  
Director, Bureau of Water Compliance  
Division of Water

cc: All sent via email  
G. Kline, P.E.  
M. vonWergers, Esq.  
D. Putnick, Esq.  
L. Allen, P.E.  
P. Kenline  
R. Elburn, P.E.  
S. Southwell, P.E.  
K. Penner, P.E.  
S. Stephansen  
W. Plache, Esq.

J. Taylor, Esq.  
A. Licata  
J. Mueller, P.E.  
P. Elardo, P.E.  
N. Cholewka, P.E.  
L. Grieco, P.E.  
L. Pena