CSO LTCP Public Meeting #4
June 1, 2011 7pm-9pm
Bulmer Telecommunications Center, HVCC

1) Rocky Ferraro: Welcome and Project Introductions
Welcomed all and thanked everyone for attending the fourth public meeting to discuss the Albany Pool Combined Sewer Overflow Long Term Control Plan. The Combined Sewer Overflow Long Term Control Plan project began in 2005 as a joint venture between the cities of Albany, Cohoes, Rensselaer, Troy and Watervliet and the Village of Green Island. Clough Harbor, Malcolm Pirnie and CDM teamed up for the project, creating an entity called the Albany Pool Joint Venture Team.

This has been an intentionally very thorough study because we needed good information – good data – to work with to look at the possible mitigation measures. We have had excellent input from the Technical Committee, the Citizen Advisory Committee, Public meetings and the website. This has been a very transparent process, with the net result being a Long Term Control Plan that meets the water quality standards.

Fran Dunwell is here tonight, and she is in charge of the Hudson River Estuary program, which provided $2 million from the Environmental Protection Fund. We also received money from the Department of State Shared Municipal Services Initiative, which have been very helpful in undertaking this study. Fran would like a few minutes to discuss the importance of this effort.

2) Fran Dunwell: Hudson River Vision
This project arose from federal and State water quality programs. In 1996, DEC began planning a long range vision for the Hudson River. This resulted in an action agenda for a new plan to swim in the Hudson River – except when it rains. People are enjoying the Hudson River by rowing, swimming and fishing and we want the River to be clean and healthy. A clean river will improve real estate value, recreation and biological/aquatic life. A copy of the report is available out front, or on our website. Today's project is an emergence from that action vision. This project needed to look at priorities and the best investments to make to get a clean River.

3) Gary Mercer: Long Term Control Plan Program Elements & Schedule
(Showed a PowerPoint) Driven by the Clean Water Act, we have Long Term Control Plan goals to retain the class C uses, support economic growth and swimming at potential beach sites. Currently these goals are not being met.

A few of the Long Term Control Plan projects are green. We plan to reduce the inflow to the combined sewer system by reducing dry weather flow. This will reduce treatment costs and save energy. We will install more energy efficient equipment and improve green infrastructure practices by establishing criteria that can be used in Capital Improvement Programs. We will also promote and enforce the NYS DEC stormwater regulations green infrastructure considerations for both public and private development.

We need to coordinate the activities of MS4 communities where there are opportunities to share services or work products. Albany County is currently reviewing local codes to see what changes would be required to make the application of green infrastructure technologies easier. We will create a manual for green infrastructure technical design standards that can be used for public or private projects.

(A slide was shown of Baseline CSO Statistics.) We developed bacteria models and a series of system scenarios (see scenarios slide). We reviewed the scenarios at the January public meeting. In the Baseline scenario, everything is in its current state. The River is not meeting the water quality standards at any time. With the other scenarios we looked at what would happen if we disinfect, improve the tributaries, or controlled CSOs. We discovered that wastewater treatment plant disinfection is key, because we go from 30 months of non-compliance with water quality standards to 2 months of non-compliance. In scenario 2A, we found that if we disinfect at the treatment plants and improve the headwaters (and upstream treatment plants are already tasked with doing some projects) and with the improvements that we saw in the Patroon Creek in 2009, we would meet the water quality standard. Although CSO flows are large, they are not large when seen in contrast to the Hudson River's volume and rate of flow. CSOs do not preclude meeting water quality standards – and this is very rare – the Hudson River is very large – one of the largest rivers in the country and has modest size CSOs.

Improvements have more effect on the continuous flows from the treatment plants, headwaters and tributaries. We will use the Demonstrative Approach to CSO controls by building and then measuring water samples to see if we have really met the standards. We will optimize the existing infrastructure and undertake additional rehabilitation projects in our plan. We will minimize new infrastructure to reduce future operations and maintenance costs.

We are recommending wastewater treatment plants disinfect during the recreational season, wastewater treatment plan process improvements, Best Management Practice optimization (raising weirs, etc), sewer separation and storage projects for reducing peak flows, floatables controls and tributary enhancements.

(A short video was shown, mapping the location of each proposed control measure). Within the City of Albany, the BMP optimization projects tend to be near the regulators. We will also be looking at the tributaries because during sampling we found bacteria discharges that could be important. There will be floatables controls at Big C; the largest overflow in the Region.

In the City of Watervliet, there is already a high percentage capture, so most of the system optimization projects involve pushing more flow down to the treatment plant.

In the Village of Green Island, optimization projects will be undertaken to get more flow down to the treatment plant. There will also be a floatables control facility.

In the City of Cohoes, sewer separation, storage and optimization projects are planned. They already have a CDS facility for floatables that works well, so we will be installing another at Little C.

The City of Troy will have a lot of optimization projects, including tide gates to prevent the River flow getting into the system. There will also be some separation projects that involve taking a stream out of the sewer; which will take away some wet weather and base flow, increasing capacity. There will be some tributary investigations and repairs – we will be trying to find the cause of tributary impairment. And there will be pump station upgrades to make the system more reliable.

In the City of Rensselaer, there will be wastewater plant disinfection and upgrading the capacity. We are proposing optimization, storage and sewer separation projects as well as pumping station upgrades. We will be undertaking tributary investigations at Mill Creek to detect the sources of bacteria.

The communities have completed projects over the last few years which have an effect on water quality. (A slide was shown of $33.8 million of completed projects.) The communities have also done demonstration projects for green infrastructure, including a rain barrel program, tree planters, and porous pavement. Green street projects have been proposed for the cities of Albany and Rensselaer.

(Several slides were shown of the LTCP projects and associated costs.) Troy and Rensselaer have hoods on their catchbasins, so they do not have as many floatables issues. The tributary enhancement projects may require additional money once we understand what the problems are and what needs to be corrected. The money listed for the tributary enhancements at the moment is just the money needed for the investigations. We are proposing a public advisory website – the River is not safe now but once disinfection is occurring, we expect that will change. This website will provide information to the public on when it is safe to be in the water. The sewer system operations and maintenance and the asset management plan will help the communities by identifying what infrastructure they have, how old it is and provide a plan for when infrastructure needs to be replaced. The post-construction monitoring program is very important to demonstrate that the plan did what we said it would do for water quality. There may also be additional Pool-wide projects that may be required, depending upon the monitoring results.

The $110 million price tag seems a lot, but when it is compared with other communities, the cost is fairly low. This is due to the unique circumstances we have here with the Hudson River. Buffalo will be spending anywhere from $168 million to $524 million but they are bigger than the Albany Pool. Syracuse will be spending $640 million and their service area is comparable but their population is lower. Syracuse also has nutrient pollutants which we do not have here.

Benefits of the proposed LTCP program include compliance with the water quality standards for bacteria. Dry weather Overflows have occurred and will be corrected. The

communities will be in compliance with their SPDES permit requirements. There will be increased wet weather flow to the wastewater treatment plants. There will be improvements in tributary water quality. CSO volume will decrease to 311 MGal and floatable control to 454 MGal. The number of CSO discharges will stay around the same because we have a lot of low level overflows.

We are recommending a 15 year implementation schedule. (A series of slides were shown of goals and associated projects.) There are a lot of projects and we had to look at the best way to arrange the order. We wanted immediate water quality benefits, through early disinfection projects. We also needed to meet existing SPDES consent order dates while preserving money for capital repair and replace needs. We also needed to meet EPA affordability requirements.

4) John Mastracchio: Financial Impact & Affordability Assessment
We have followed the EPA protocol on the definition of affordability. To do this, we took the capital project expenses and projected annualized costs. These were combined with the costs of other sewer system projects. We then allocated the costs as best we could among the communities and looked at the annual sewer rate impacts. We also looked at each community's ability to pay for the projects.

There are a lot of costs in the first 8 years and fewer projects later, but there are still costs later in the schedule. There are two phases to the financial capital assessment. Phase I looks at the residential costs as a percentage of median household income. The result was a mid-range burden because the sewer related costs will be between 1-2% of median household income. In Phase II, we looked at the community financial capability to fund the projects by reviewing unemployment rates, bond ratings, and income. Again, this resulted in a mid-range burden. Phase I and Phase II assessments were then combined to give an average score in the medium burden range. There are, however, some significant rate increases expected to pay for the Plan. We looked at the project costs over the implementation timeline and looked at the year over year rate increases. We estimate a financial impact of $10-30 per year rate increases each year to pay for these improvements.

The actual rate increase varies by community and by year. In Troy, the annual residential sewer rate will double and some neighborhoods will have costs as a percentage of median household income exceeding the 2% threshold. We see the 15 year implementation schedule as a way to lessen the burden; if we shorten the timeline, it will cause even greater issues in the lower income areas. In Cohoes, the rates will more than double over the 15 years and some census blocks will spend more than 2% of income on sewer costs. Albany will almost double over the 15 years. There is a wide range of incomes in each of the communities and those areas with lower incomes will be hit harder.

5) Gary Mercer: Next Steps
Our next steps are to compile and address public comments. We will be submitting the Long Term Control Plan on June 30, 2011.

6) Questions & Answers

Dominick Calosaro: When you looked at the 2% increase, was this as a separate charge on the sewer bill? What we pay for water, we pay for sewer in the City of Albany. We have had increases of 5-9% each year and then if we add 2-3%, water rates will go up with sewer rates. Is the 2% based on what the sewer rate is in 2012 because there is an annual increase in revenue required of 4-5%? People can't afford increasing rates now. I hope that Congressman Tonko can find money to offset this; it is hard with all the other increases. I'm also concerned that the EPA won't accept this because we still have 23.7% of overflows going to the River. Is there a contingency plan? Will we have to spend more money on another study? I see Hartford and others and they are spending more.

Gary Mercer: To date, we have met with DEC and they have reviewed our studies and our recommendations. They have agreed to all the findings to date. The EPA could step in - and we are also concerned with the EPA - but this is what it takes to meet the requirements.

Calosaro: Is there a way we can do other projects – I see others with permeable pavement, etc, so when municipalities do major road jobs they should use permeable pavement?

Gary Mercer: We will be recommending, through the green infrastructure guidance, looking at green alternatives but we cannot make it a requirement.

Rocky Ferraro: We will have workshops here at HVCC on June 15. The entire morning will be looking at green infrastructure and the Stormwater Design Manual and how to reconcile that with other State requirements. We do want the local communities to understand green infrastructure.

Rate increases should be looked at as part of a larger rate structure. This is why we are looking at 15 years instead of 10 years. There are other costs besides sewer rates - other government costs – which impact households that are not considered in the EPA's affordability assessment.

Bob Albright: When we compare CSO programs we need to be careful. Onondaga County has nutrient issues (Phosphorus and Ammonia) in the Lake that is not a problem here. In Hartford, there are other issues. Each program has a different focus depending upon local conditions. We need to find an affordable program that puts money in the right place to meet the goals and objectives.

John Lipscomb: I have already made my comments known at the CAC meetings. All the work has been extremely professional and all the projects to be implemented here are very good and very needed. Approximately $97 million is in the program, the rest is in the sewer plants. Every other community down the Hudson River has had to disinfect for decades. This is a long time overdue. $97 million on CSOs is really not that much. I hope that some local politicians will get involved in funding. I live in Orange County

where several villages had to fix a plant and clogged pipes and we are spending $55 million.

Riverkeeper may have an issue; this is the part of the estuary most impacted by sewage and the investment being made is proportionately low. I understand there are different assets for different communities. New York City is spending $4 billion – these are very expensive projects, so $97 million for this is actually a low number.

The public needs to understand that this study was done to comply with the way the State standards are written. This meets the State Water Quality standard that eliminates extremes and is based on a geomean. But people don't swim on an average day. We applaud, and want to see implemented – early - the advisory system, so the public can see each day whether the water is safe. The public needs to go day-by-day but the State standard is month-by-month. We will continue our monitoring and we'll see many, many days when you would not meet standards. The EPA is introducing new standards in 2012 and you shouldn't spend all this money and then find that you are not meeting the standards. We applaud what has been done but you are not necessarily meeting the goal of kids being able to be in the water.

After a CSO slug of water comes into the estuary, it comes down river. As I came up river sampling, I had higher counts in the river at Coeymans. They weren't generating that – they aren't at the table here. And so, how do we handle that?

Rocky Ferraro: Thank you John.

(No further questions were raised.)

Certainly, of you have any thoughts, go to our website or contact Deb Shannon. You saw today a list of individual projects put into a locational context. Even though these are located in individual communities, this is a regional strategy and we located the controls in the most cost-effective location. We are all impatient to see the improvements. Do remember what the River was like 30 years ago. The River has improved and will continue to improve. This is a continuum – a balancing act and I think we have taken a sustainable strategy to resolve these issues.

Meeting adjourned.