



November 12, 2010

Commissioner Cas Holloway
New York City Department of Environmental Protection
59-17 Junction Boulevard
Flushing, New York 11373

Dear Commissioner Holloway,

I am writing to express concerns with the NYC Green Infrastructure Plan recently released by the City. While we applaud the City's plan to eliminate expensive grey infrastructure investments like underground storage tunnels in favor of green infrastructure investments that will reduce costs per gallon of CSO averted while providing ancillary environmental health benefits, we strongly object to the City's plan to cut the CSO volume reductions for Newtown Creek as promised by the Long Term Control Plan (LTCP) by more than half. We find it particularly troubling that the City would choose to soften its goals for CSO reductions on Newtown Creek when continued sewage discharges jeopardize the long-term effectiveness of the Superfund cleanup.

While the Newtown Creek Alliance appreciates the efforts of this administration to use green infrastructure to achieve water quality goals; we cannot accept a plan that not only fails to significantly decrease stormwater impacts on Newtown Creek, but also potentially appropriates funding currently dedicated to the Newtown Creek watershed for improvements in other areas of the City. It is our expectation that if the grey infrastructure promised for the Newtown Creek watershed in the LTCP is delayed or canceled, the funding allocated for design and construction will be reinvested in Green Infrastructure in the Newtown Creek watershed. Currently, it appears as though cost savings will be achieved by deferring the CSO storage tunnel planned for the Newtown Creek watershed, while comparable water quality gains are not projected through green infrastructure investments in the area.

Further complicating efforts to improve water quality in Newtown Creek, substantial portions of the Newtown Creek watershed will not be targeted for green infrastructure investments by the City's Green Infrastructure Plan because they are separately sewered or direct drainage areas. The ultimate goal of a "Green Infrastructure Plan" should be driven by water quality goals, and guided by the infrastructure and land uses of each watershed. For Newtown Creek, sewage discharges from separately sewered and direct drainage areas should not be treated as less important than measurable discharges through CSO outfalls. In fact, since sewage from direct drainage areas is never routed through storage or treatment systems, we believe these areas should be given priority in our watershed.

We also request that because the groundwater and soils throughout substantial portions of the Newtown Creek watershed are contaminated; and because groundwater recharge via stormwater source controls may serve to dilute and breakdown sub-surface contamination; that the Green Infrastructure Plan acknowledge these benefits by evaluating and incorporating them into future cost-benefit analysis for green infrastructure investments.

Given the significant change in course for Newtown Creek suggested in this plan, we hope that the Department will meet with the Newtown Creek Alliance to clarify what the NYC Green Infrastructure Plan means in our area. If you or your staff would please contact me at 646.391.6340 or katie@newtowncreekalliance.org to arrange for a meeting, the Alliance would be hugely appreciative.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie Schmid', with a long horizontal flourish extending to the right.

Katie Schmid
Director, Newtown Creek Alliance

Cc:

Sue McCormick, New York State Department of Environmental Conservation
Judith Enck, United States Environmental Protection Agency
Matthew Mahoney, New York City Department of Environmental Protection