

Nassau pressing for funds for outfall pipe project at Bay Park plant

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The Bay Park sewage treatment plant discharges its effluent into Reynolds Channel on Sept. 3, 2015. (Credit: Jessica Rotkiewicz)

New York's plans for how to spend an additional \$210 million in federal aid remain unclear, three months after federal, state and local policymakers called on the state to use it to help build an ocean outfall pipe for Nassau's Sandy-damaged Bay Park sewage treatment plant.

The extra money -- Hazard Mitigation Grant Program funds from the Federal Emergency Management Agency -- was announced in June by Sen. Chuck Schumer (D-N.Y.), who called on the state to devote the entire sum to the ocean outfall pipe, most recently estimated to cost \$540 million. Last month he repeated that request, joined by Assemb. Todd Kaminsky (D-Long Beach), who represents the area.

"We have to be committed to reviewing any possible funding source," Kaminsky said. "Funding this project is an absolute must."

Request for \$210M in funds

In a June 9 letter to Gov. Andrew M. Cuomo, Nassau County Executive Edward Mangano also urged the governor to dedicate the \$210 million to the project, which would send the plant's effluent into the Atlantic Ocean instead of the nitrogen-choked Western Bays, a series of waterways that are part of the South Shore Estuary Reserve.

The average 50 million gallons a day of effluent that Bay Park, which serves more than 500,000 people, emits into Reynolds Channel contributes about 70 percent of the nitrogen in that water body, according to the U.S. Environmental Protection Agency.

While the county is receiving \$810 million in Federal Emergency Management Agency funds and \$101 million in storm-recovery money to rebuild and strengthen the plant, which was heavily damaged during superstorm Sandy, repeated requests by county, state and federal officials to FEMA to fund the outfall have been denied on the grounds that the pipe did not exist when superstorm Sandy hit in October 2012.

Mangano spokeswoman Katie Grilli-Robles said the governor's office acknowledged receiving the county executive's letter and that Nassau and Cuomo's staff are "in discussions."

But several people who attended a meeting on the outfall project last month with Cuomo's aides said they came away with the impression the county would get only a portion of that money.

"The \$210 million from the federal dollars that Schumer purports using for the outfall pipe will be used for other priorities," said Adrienne Esposito, executive director of Citizens Campaign for the Environment and a participant at the meeting. "They want the county to pay for the whole thing."

A source who also was at the meeting said the group was told there were "various priorities" for that money.

"My guess is they envisioned some chunk going toward it, yes," the source said. "Is it a large amount of it? No."

A Cuomo spokeswoman referred questions on funding for the outfall pipe to the state Department of Environmental Conservation, which did not comment.

Mangano said he will meet with acting DEC Commissioner Marc Gerstman on funding options for the outfall, although Mangano said last month the \$540 million cost is "likely" to fall due to engineering changes.

New estimate expected

Chief Deputy County Executive Rob Walker said Nassau expected to get a new estimate of the cost within the next two weeks.

Mangano spokesman Brian Nevin said the meeting with the DEC would occur in Nassau the first week of October.

The meeting would come after repeated calls by lawmakers and environmentalists for the state to contribute state money for the outfall pipe, a project considered crucial for storm resiliency in the area. Experts say the overload of nitrogen from the effluent weakens the coastal marshlands that act as critical natural buffers for coastal communities against storms.

"There are many people in all levels of government that are working hard toward a solution to clean up the bay and move the treated wastewater out to the ocean," Mangano said.

The state so far has not included the project in its budgets or directed part of the \$5 billion it is receiving from a national bank settlement toward it.

And Cuomo told a gathering of Long Island lawmakers this year that the price of the pipe was too high for the state to pay.

Instead, Cuomo has said he supported a push for federal money for the pipe.

Mangano said the county can take out \$50 million in loans that carry no interest for five years from the state Environmental Facilities Corp., in addition to receiving \$30 million in grant money from that agency for the project.

But that still leaves a shortfall of hundreds of millions of dollars.

"No one has discussed on a federal or state level that the county needs to be responsible for the entire cost," Mangano said.

Mangano said one possibility state environmental officials had outlined to the county called for directing \$150 million in federal money that had been intended for a nitrogen-removal system at Bay Park to be spent on the outfall pipe instead.

Testing nitrogen levels

Once the pipe was built, the plan would call for testing the nitrogen levels in the ocean at the new outfall site, then committing the state to build a system to reduce the nitrogen only if necessary, he said.

That idea was discussed at last month's meeting between Cuomo's top aides and Long Island environmentalists and others, according to several attendees.

But that notion met with opposition from environmentalists, who argued that nitrogen would need to be reduced even if the effluent goes into the Atlantic -- a position reflected by federal environmental authorities.

The EPA has said it would be "ecologically unacceptable" to allow continued discharge of nitrogen-rich effluent into Reynolds Channel -- the portion of the Western Bays where the plant discharges its effluent -- during the years the ocean outfall pipe is under construction.

Part of the Western Bays is impaired and does not meet water-quality standards under the Clean Water Act, according to the federal agency.

Barbara Brancaccio, spokeswoman for the Governor's Office of Storm Recovery, confirmed that the agency still is "committed to the funding" for the nitrogen-removal system at the plant.

There are no regulatory requirements for nitrogen reduction in the coastal waters of the Atlantic Ocean where the outfall would discharge, in an area known as the New York Bight.

But in July, the EPA began sampling the water in that area, said Karen O'Brien, environmental engineer in the EPA's National Pollutant Discharge Elimination System program.

"We are trying to fill in some of the gaps in information and update the data," O'Brien said. That type of study would need to be done before an ocean outfall can be built.

The EPA plans to continue testing through October, with results available in the fall, she said.

"I believe some reduction in nitrogen is necessary," she said. "We don't know the exact number."

Nitrogen's threat to LI waters

Excess nitrogen, such as that from wastewater, enriches coastal marshlands to the point where the plants can only develop shallow roots and become unstable. This keeps them from performing their natural function of buffering the force of waves during storms as they reach the shore, according to a report released last year by the state Department of Environmental Conservation.

An overabundance of nitrogen also can lead to excess algal growth in water bodies. The algae can then consume the oxygen in the water to the point of creating dead zones where sea life cannot be supported, the DEC has said.

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