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October 27, 2015

Commissioner Emily Lloyd
New York City Department of Environmental Protection
9605 Horace Harding Expressway
Corona, New York 11368
via email: ltcp@dep.nyc.gov

Re: Comments on Proposed Final Recommendations --Flushing Creek CSO Long Term Control Plan

Dear Commissioner Lloyd:

This written comment is submitted on behalf of the Empire Dragon Boat Team on the proposed final recommendations-Flushing Creek CSO Long Term Control Plan, to set forth fundamental objections to the Plan as it will not result in meaningful reduction of raw sewage into Flushing Creek and its connected waterway, Flushing Bay. The Plan does not advance meaningful action to comply with the City's obligations under the Clean Water Act.

Founded in 2009, the Empire Dragon Boat Team is New York City's first and only women's cancer survivor racing team and one of over 140 women's breast cancer teams worldwide that serve to promote the sport of dragon boating as part of a healthy lifestyle, and provide a unique support for all women fighting cancer. We are a competitive racing team and practice several times a week at the World's Fair Flushing Bay Marina during the spring, summer and fall. We are part of the thriving dragon boat community that calls Flushing Bay our home. In season, Flushing Bay hosts at least fifteen dragon boat teams for regular practice and over one thousand people use the Bay regularly for some sort of human powered boating.

Flushing Creek flows into Flushing Bay and because of tidal action, water from Flushing Bay flows into Flushing Creek as well. Consequently, as the Creek and the Bay are connected, the impacts on one water body will affect the water quality of the other water body and efforts on one should take into account potential impacts on the other.

For the following reasons, the proposed Flushing Creek LTCP is inadequate.

1. The LTCP planning process did not assure meaningful community participation due to language access issues--the notices of the various hearings were not translated into Chinese, Korean, and Spanish, the languages of the communities surrounding Flushing Creek and translation was not available at the meetings.

2. The Flushing Creek LTCP and the Flushing Bay LTCP were separate and distinct, and on consecutive time lines. DEP should have done long-term planning for both waterways simultaneously as they are intrinsically linked. The health of the creek and the health of the bay are dependent on each other. The Flushing Bay LTCP planning process already begins with the fait accompli of the final plan for Flushing Creek--no reduction of sewage discharge

into Flushing Creek and the introduction of another chemical, chlorine, which has consequences for the wildlife, plant life and human contact.

3. The plan calls for no reduction of combined sewage overalls into Flushing Creek (and therefore Flushing Bay). The City should reduce the actual flow from Combined Sewers into the Creek and not merely disinfect the effluent. Combined Sewers do more than transport pathogens, they are also important sources of nutrients that can disrupt natural ecosystems through biological oxygen demand, and toxic chemicals that can make fish unsafe to eat. By merely disinfecting, the City is also doing nothing to reduce the trash, often disgusting, that enters the creek from combined sewers. Is a water swimmable if it is full of condoms, tampons and toilet paper? Also, the City should consider the human aspect of what they're proposing. Would you swim in sewage if we told you that all the bacteria in it were dead? Or would swimming among feces and toilet paper be unacceptable to you, even if it wouldn't make you sick? That's what your plan means for us.

4. Disinfection of the sewage overflow is untested in terms of its effect of the environment. It is our understanding that no study of a comparable water body has been done. DEP admitted that data on its pilot project in Spring Creek to study effects of chlorination will not be available for a few more years. The effect on fish, birds, plant life and human users has not been studied. To our knowledge, the City has not accounted for the effectiveness of their disinfection on viruses or protozoa, which are in many ways vastly different from bacteria. Nor has the city released information on whether their disinfection method will produce persistent organic chlorinated compounds that are not removed by disinfection. We are trading one pollutant for several others. In addition, the sewage overflow will be discharged without treatment for many months (November 1 to April 30) and will remain in the sediment thereafter. In short, the community believes is a clear error of judgment, law, and public process to decide upon a strategy without knowing whether that strategy will work, what impacts it will have.

5. The time-line for the development of green infrastructure is too protracted, and not adequate for the enormity of the problem. We see Flushing Creek and Flushing Bay as a valuable community and municipal resource. The City should use the CSO Long Term Control Plan as a way of increasing the quality of life and sustainable economic development. The extraordinary growth of downtown Flushing and the attention that Queens is enjoying as a tourist destination could create opportunities to develop the waterfront for recreational purposes. Instead, the DEP is continuing to allow Flushing Creek and through the water flow Flushing Bay as a dumping ground for sewage. We urge the DEP to come up with a plan which will result in a significant reduction of sewage into these waterways.

Please do not hesitate to contact the Empire Dragon Boat Team. We can be reached at Empiredragonboat@gmail.com

Sincerely yours,

Donna Wilson, RN
Captain, Empire Dragon Boat Team