

PUBLIC PARTICIPATION PLAN

Applicant:

CITY OF ITHACA
DEPARTMENT OF PUBLIC WORKS

Facility:

ITHACA AREA WASTEWATER TREATMENT FACILITY
525 Third Street, Ithaca NY 14850

NYSDEC Application Number:

7-5007-00012/00001

As Required by:

NYSDEC Commissioner's Policy Guidance CP-29

Submitted to:

New York State Department of Environmental Conservation
5786 WIDEWATERS PARKWAY, SYRACUSE, NY 13214

Prepared by:

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Date:

NOVEMBER 17, 2023

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List of Acronyms

Acronym	Definition
CP-29	Commissioner Policy 29, Environmental Justice and Permitting
NOCA	Notice of Complete Application
NYSDEC	New York State Department of Environmental Conservation
PEJA	Potential Environmental Justice Area
PPP	Public Participation Plan
SPDES	State Pollutant Discharge Elimination System

I. INTRODUCTION AND OBJECTIVE

This Public Participation Plan (PPP) has been prepared by the City of Ithaca, Department of Public Works (hereinafter referred to as “applicant”) to fulfill and comply with the requirements of New York State Department of Environmental Conservation **Commissioner Policy 29, Environmental Justice and Permitting (CP-29)** for their proposed Ice Jam Emergency Outfall Project, that requires a SPDES application and which has been determined by NYSDEC to potentially impact one or more potential environmental justice area (PEJA) (See Figure 1).

This PPP has been developed in accordance with the procedures established in CP-29 Section V.D and it aims to help ensure meaningful and effective public participation throughout the NYSDEC environmental permit review process. Public participation in the NYSDEC environmental permit review process means a program of activities that provides opportunities for stakeholders to be informed about and involved during the review of a proposed action.

The objective of this PPP is to outline and describe the program of activities that the applicant will implement to actively seek and enhance public participation during the application review process.

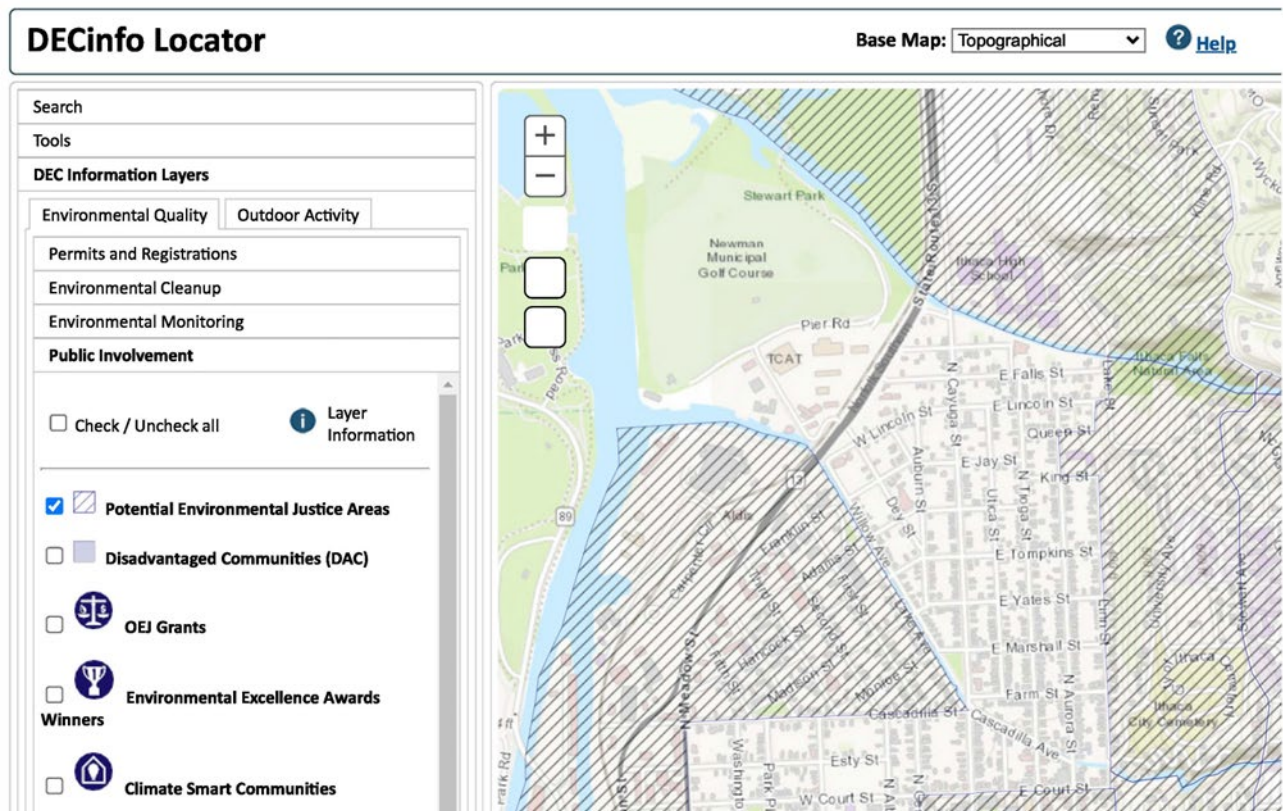


Figure 1. Project Location and Potential Environmental Justice Area(s)

II. PROJECT DESCRIPTION AND PROPOSED ACTION

Project Overview

The applicant proposes to melt ice using treated wastewater effluent on Cascadilla and Fall Creeks to mitigate flooding caused by ice jams. To implement the proposed project, the applicant has submitted an application to the New York State Department of Environmental Conservation (NYSDEC) for a SPDES permit to add a total of six approved effluent outfalls at strategic locations along both creeks, to be used at the City's discretion for the sole purpose of preventing and/or mitigating flood risk from ice jams. This method has proven to be highly effective in recent years and was previously performed under emergency authorization from the NYSDEC.

Nature of Proposed Project/Action and Purpose

The City of Ithaca experiences ice jams and frazil ice buildup every few years on Cascadilla Creek and Fall Creek, which cause flooding to adjacent properties. As ice jams form, flow is restricted, and water levels rise in the creeks. On Cascadilla Creek, flooding occurs when water overtops the creek bank, and by backflow through the storm drain system. Basements in adjacent properties flood because of high groundwater levels and by surface flow entering window wells or non-watertight foundation walls. On Fall Creek, water does not overtop the levee, but high-water levels in the creek raise the local groundwater table, and basements flood in the surrounding neighborhoods and at Ithaca High School.

In 2014, ice jams formed on both Fall and Cascadilla Creeks. Excavators and dump trucks were deployed to break up and remove ice, but with minimal success. Access along the creeks is limited by trees, overhead powerlines, levees, and building structures. On Cascadilla Creek, excavators could only operate in a small number of locations near the bridges, and work was slow to avoid damaging powerlines and property. Fall Creek has levees along the segments where it flows through residential neighborhoods, and therefore access by heavy equipment is impossible. Access is only available at the very downstream segment adjacent to the golf course, on the other side of the Route 13 highway bridge. Ice removal using excavators at that location is insignificant compared to the volume of ice in the creeks and has little effect on the flooding further upstream.

In 2014, and again in 2018, the City of Ithaca Department of Public Works (DPW) received emergency approval from the NYSDEC to pump relatively warm, treated wastewater effluent from the Ithaca Area Wastewater Treatment Facility (IAWWTF) onto the ice on Cascadilla Creek. The treated effluent proved to be much safer, faster, more effective, and more cost efficient than using excavators. Effluent was pumped through a 5-inch diameter hose laid on the ground surface, with the end of the hose directed onto the ice. The initial discharge location for both events was the pedestrian bridge over Cascadilla Creek just downstream of Route 13, and then later the hose was brought under the Route 13 bridge and upstream toward the Hancock Street bridge. Maneuvering the hose under the Route 13 bridge is a difficult operation, requiring assistance from the Ithaca Fire Department in cold weather gear. Because the 5-inch hose is exposed, treated effluent must be pumped for periods of time that are longer than necessary to melt the ice, simply to prevent the discharge hose from freezing.

Since the 2018 ice jam, the NYSDEC and the City of Ithaca have had several discussions regarding the use of treated effluent to melt ice jams during emergencies. The City of

Ithaca would like to install permanent underground piping to several discharge locations along Fall Creek and Cascadilla Creek, and to receive a permit from the DEC to discharge treated effluent as needed to mitigate flood risk during ice buildup. Out of these discussions, we have determined the following:

- Permanent discharge points and underground piping will allow ease of deployment, and the ability to quickly start and stop pumping without the risk of frozen hoses.
- The discharge points should be placed in locations that will allow DPW to reach all affected portions of both creeks
- Treated effluent should be disinfected with a minimum chlorine contact time of 15 minutes prior to discharge, and should also be dechlorinated prior to discharge

A full engineering report was prepared in January 2021 describing all aspects of the proposed project. The report addressed pumping rates, chlorine contact time, dechlorination prior to discharge, dilution factors, and an assessment of impacts on aquatic habitat and water quality. The proposed piping layout and outfall locations are shown below in Figure 2.

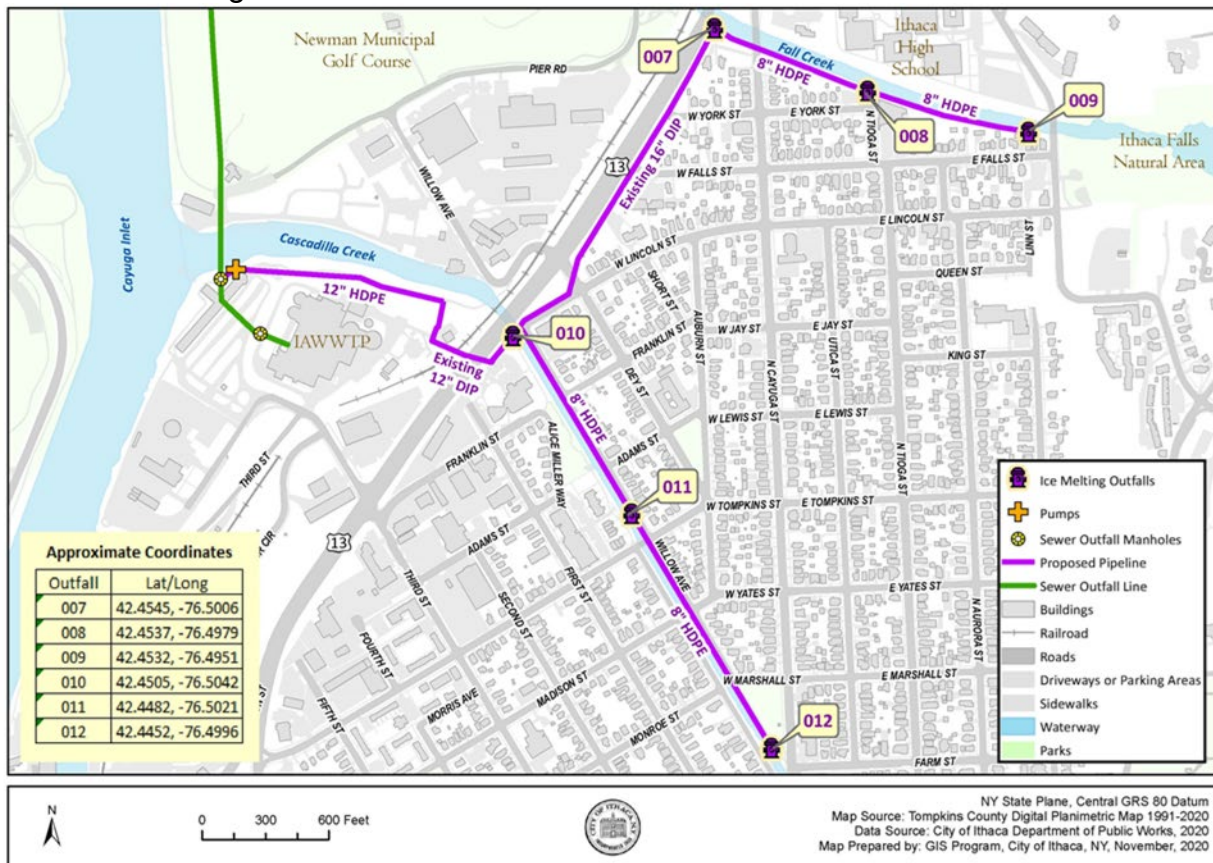


Figure 2. [Site Plan]

Potential Impacts

The engineering report concluded that the emergency discharge of treated effluent, which will be rare and of limited duration, will not adversely impact the biological communities based on the species diversity and long-term stability. Similarly, our review of background data and Discharge Monitoring Reports from the wastewater treatment facility indicates that emergency application of treated wastewater to alleviate ice jam conditions would not result in an exceedance of ambient water quality standards.

Installation of underground pipe and fittings related to this project will be performed by DPW personnel and/or contractors. Parts of the piping system have already been installed, and DPW will continue work on the system as time allows. Future flood mitigation projects along both creeks will incorporate the piping system so that both systems can function as intended.

Impacts from normal construction activity associated with pipe installation may include minor traffic detours, construction noise, and dust. It will be no different from other pipe installation projects that DPW performs throughout the City on a nearly daily basis.

III. STAKEHOLDER IDENTIFICATION & CONTACT LIST

A contact list of stakeholders to the proposed action is provided in Appendix A. The contact list includes individuals and organizations with a direct stake in the proposed action and people and individuals and organizations that have expressed interest in the proposed project or similar projects affecting the same neighborhood or community.

The current contact list has been developed in consultation with NYSDEC by identifying stakeholders from the following categories: local government and elected officials; business owners, residents, and occupants; local civic, community, environmental and religious organizations; local news media; administrator/operator of any school or day care that live, work and/or represent a neighborhood or community within the area shown in Figure 3 below.

The applicant will utilize this contact list to communicate and disseminate information about the proposed project/action and permit application review process to the affected community and stakeholders. At minimum, this includes distribution of the written information and outreach materials described in Section V to inform the community about upcoming public meetings and opportunities for public participation.

The contact list will be reviewed periodically and updated as appropriate throughout the permit application review process. The applicant will update the contact list with any new stakeholders identified during the public meeting or execution of other PPP components. In addition, individuals and organizations will be added to the contact list upon request. Such requests should be submitted to the project liaison identified in Section IV. Other additions to the contact list may be made at the discretion of the applicant or, at the request of the NYSDEC project manager, in consultation with other NYSDEC staff, as appropriate.

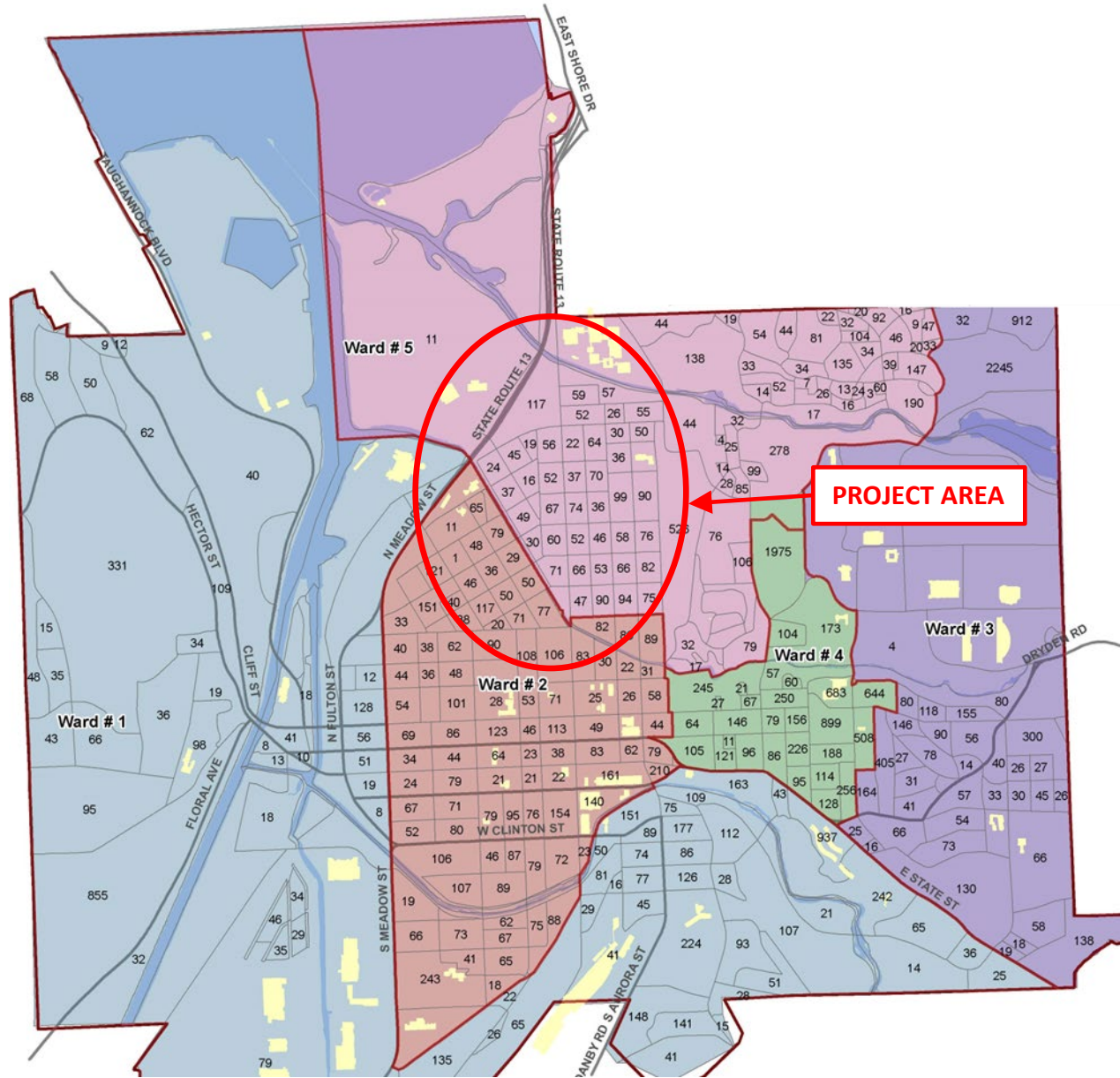


Figure 3. Outreach Radius Map

IV. PROJECT LIAISON

A representative from the project team will be available during business hours at:

- Michael Thorne, PE., Superintendent of Public Works, City of Ithaca
- 607-274-6527
- mthorne@cityofithaca.org
- 108 E. Green Street, Ithaca NY 14850

Impacted residents and interested stakeholders can contact the project liaison listed above to provide input to the project team, discuss any issues or concerns and/or to ask questions or request information. The project liaison shall respond in a timely manner and in the manner appropriate to question or information request received. The project liaison will be responsible for tracking and documenting public input, inquires, questions, and information requests received, along with responses provided.

V. PUBLIC OUTREACH ACTIVITIES

The applicant will utilize a range of engagement strategies and conduct various public outreach activities to facilitate participation, involvement, and direct communication with the affected community during the permit application review process. The applicant will implement the public outreach activities outlined below upon finalization and approval of this PPP by NYSDEC.

In compliance with the requirements of CP-29, the applicant will hold public information meeting(s) to keep the public informed about the proposed action and the environmental permit review process. At minimum, the applicant will prepare, distribute and post written information and materials, including a meeting notice and fact sheet, to encourage dialogue and solicit input from interested stakeholders during the permit application review process. All public outreach materials and information will be prepared and presented in an easy-to-read, understandable format, using plain language free of legal terminology, and geared towards a non-technical audience.

The public meeting notice and fact sheet will be made available and disseminated in English. If needed, the public can contact the project liaison regarding the availability of language assistance and to request that the notice and fact sheet are translated into another language for comprehension by non-English speaking or limited proficiency stakeholders.

Public Meeting(s)

A meeting is typically required near the end of the permit application review process to inform the public about: the status of, or, if applicable, the availability of, final application materials and draft permits for review; the pending NYSDEC public comment period, and deadline to submit written comments to NYSDEC, if established; and eventual final decision. Meetings may also be held earlier, either pursuant to this plan or possibly even earlier during the initial design phase.

Public Meeting: At or Near Completeness

Applicant will facilitate a public meeting on December 11, 2023 at 5 pm in Common Council Chambers in City Hall to:

- Inform the public about the proposed project/action and permit application review status.
- Provide the opportunity to for stakeholders to ask questions and express concerns about the project and identify how to obtain information or answers to questions after the meeting has concluded.
- Inform attendees how they may submit written comments on the permit application to the NYSDEC during the public comment period and, if available, identify any applicable deadlines.

Necessary Meeting Discussion Points and Requirements

The meeting will be facilitated by the applicant and/or representatives from their project team (project personnel) via in-person meeting at City Hall. During the meeting, the applicant and/or representatives from their project team will present a brief overview of the project, including any relevant background information, details on the permitting action, scope of work, schedule, and community impacts. The second part of the meeting will

include a question-and answer-portion where the floor will be open for attendees to ask questions, make remarks, and/or express concerns. In addition, the following discussion points will be addressed:

- Provide an update on the permit application review process and identify outstanding application requirements and future milestones in the application review process.
- Make it clear that the meeting is being held prior to NYSDEC's permitting decision for the project/action.
- Identify the location of the online document repository and provide directions on how attendees may obtain and review materials relevant to the application, documents related to the meeting and other public participation plan components.
- Identify and provide contact information for the project liaison and announce procedures for how attendees may obtain answers to questions after the meeting has concluded and interested stakeholders can submit questions, express concerns, or request additional information by telephone, email, and in writing.
- Announce any future outreach, opportunities for public participation, and /or required follow-up with attendees including, but not limited to: additional meetings and future mailings, including, but not limited to the Notice of Complete Application.

Attendance will be recorded during the meeting by sign-in sheet. The applicant will track the number of attendees for all meetings held during implementation of this PPP and, where feasible and applicable, identify any affiliation of participants and interests represented at the meeting. In addition, the applicant will be responsible for documenting meeting notes or minutes, along with a record of comments and questions raised in the meeting and respective responses and answers provided.

Fact Sheet Preparation and Distribution

Factual information on the proposed project/action, including an overview, purpose statement, and potential impacts, is outlined in the reader-friendly fact sheet shown in Appendix C. In addition, the fact sheet outlines how interested stakeholders can: participate in the permit application review process; access the online document repository to review relevant application materials prior to the public meeting; and contact the project team to obtain additional information. The fact sheet has been prepared in English and will be translated into other languages if needed by a certified translator.

Once the PPP has been approved by NYSDEC the fact sheet will be posted and available in the online document repository described in Section VI of this document. No later than 2 weeks prior to the public meeting, the applicant will distribute the fact sheet to provide stakeholders with relevant background on the proposed project/action and facilitate meaningful participation during the meeting. The fact sheet will be distributed together with the public meeting notice via email, mail and/or hand delivery (door-to-door).

The fact sheet(s) will also be posted within the vicinity of the project site and visible to the public. For example, they may be posted on some streetlight lampposts or bulletin boards located in the lobby of residential complex buildings or public facilities such as libraries, schools, or community centers within the project site.

Distribution of Notice of Complete Application

Once NYSDEC determines the application(s) for the proposed action/project is complete and provides the Notice of Complete Application (NOCA) to the applicant, the applicant will distribute the NOCA and draft permit, if applicable, to the meeting attendees and any identified interested parties, to provide notification regarding the start of the NYSDEC public comment period and to announce the deadline for submission of written comments to NYSDEC. The applicant will provide explicit instructions on how to access the online repository and inform the attendees that, once available, the NOCA will be posted to the online document repository and will be distributed to attendees via email or mail as soon as possible, but no later than the date that the NOCA is published by the applicant in the print edition of a paid local newspaper that is circulated at least weekly and available in the municipality in which the project is located.

VI. DOCUMENT REPOSITORY

An online document repository has been established for the community and interested stakeholders to access and review information about the project. The online repository available on the City of Ithaca website: <https://www.cityofithaca.org/768/Ice-Jam-Emergency-Outfall-Information> will provide information and documents relating to the project and permit application.

The repository will be updated throughout the application process with project-related information and written materials (i.e., application forms and supporting materials, draft permit, fact sheet, statement of basis (where applicable), the Notice of Complete Application provided by the NYSDEC, etc.).

VII. SUBMISSIONS

Final Summary Report and Written Certification

Upon completion of the enhanced public participation plan, the applicant will submit written certification to NYSDEC to certify that it has fully executed and complied with the approved PPP. The certification shall be signed by the applicant, or the applicant's agent, and submitted to NYSDEC prior to a final decision on the application.

As part of the certification, the applicant shall submit a final summary report documenting the implementation of this PPP. The report will summarize the activities that occurred in accordance with the PPP and will identify any substantive concerns raised by stakeholders during the public meeting, or, at any time throughout the permitting process and detail the applicant's response(s) to any such concerns or questions. The applicant will include, or append, any documentation that supports the final summary report, such as: the meeting sign-in sheet(s), record of attendees/participants, meeting presentation, notes or minutes, summary of questions and answers, and copy of newspaper notice or other proof of publication. In addition, the report will identify any changes or modifications to the proposed project that were made or considered by the applicant to address or reduce concerns surrounding the permit application.

The final summary report and written certification will become part of the application record and will be posted to the online document repository so that it is readily available to the public.

APPENDIX A

Contact List

The most effective method of communication to City residents is through the City website and through our elected officials posting information on neighborhood listservs. The City will also send a media notice to the local online newspapers. The information to be sent out via listservs will include the Public Meeting Notice (shown in Appendix B) and the Fact Sheet (shown in Appendix C). The Notice of Complete Application will also be sent out via listserv when it is available.

The Online Document Repository <https://www.cityofithaca.org/768/Ice-Jam-Emergency-Outfall-Information> will include:

Public Participation Plan
Public Meeting Notice
Fact Sheet
Engineering Report
Notice of Complete Application (when available)

Current and Future Common Council Members for Wards 1, 2 and 5

- Current Ward 1: Cynthia Brock and George McGonigal
- Recently Elected Ward 1: Kayla Matos and Phoebe Brown

- Current Ward 2: Ducson Nguyen and Phoebe Brown
- Recently Elected Ward 2: Ducson Nguyen and Kris Haines-Sharp

- Current Ward 5: Robert Cantelmo and Kris Haines-Sharp
- Recently Elected Ward 5: Margaret Fabrizio and Jason Houghton

In addition, Ithaca High School administrators will be notified of the meeting:

- Jason Trumble, Principal Ithaca High School

The Public Meeting Notice shown in Appendix B will be posted in the following locations:

- Sciencenter- 601 1st Street
- Downtown Ithaca Children's Center- 506 1st Street
- Cornell Cooperative Extension- 615 Willow Avenue
- Newman Municipal Golf Course- 10 Pier Road
- Ithaca Church of Christ- 1210 N Cayuga Street
- Ithaca High School- 1401 N Cayuga Street

APPENDIX B PUBLIC MEETING NOTICE

YOU ARE INVITED

Public Meeting
December 11, 2023 at 5:00 pm
City of Ithaca, City Hall
Ice Jam Emergency Outfall Project

The City of Ithaca Department of Public Works has submitted an application to the New York State Department of Environmental Conservation (NYSDEC) for a SPDES permit for the Ice Jam Emergency Outfall Project. A Public Participation Plan has been developed in accordance with NYSDEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29). The purpose of this meeting is to inform the public about the project and to involve the community during the SPDES permit application review process.

Agenda:

- Project Overview
- Background
- Scope of work
- Project schedules
- Community Impacts
- Proposed Mitigation Measures
- Questions and Answers

Your Attendance is Important!

Project personnel will be available to answer questions from the community. For additional information on the proposed project:

- Contact: Michael Thorne, Superintendent of Public Works by phone at 607-274-6527 or by email at mthorne@cityofithaca.org
- Visit the repository at the City of Ithaca website:
<https://www.cityofithaca.org/768/Ice-Jam-Emergency-Outfall-Information>

Contact the project liaison to request reasonable accommodation for a disability or interpreter services in a language other than English, so that you can participate in the call and/or to request a translation of any of the event documents into a language other than English.

APPENDIX C

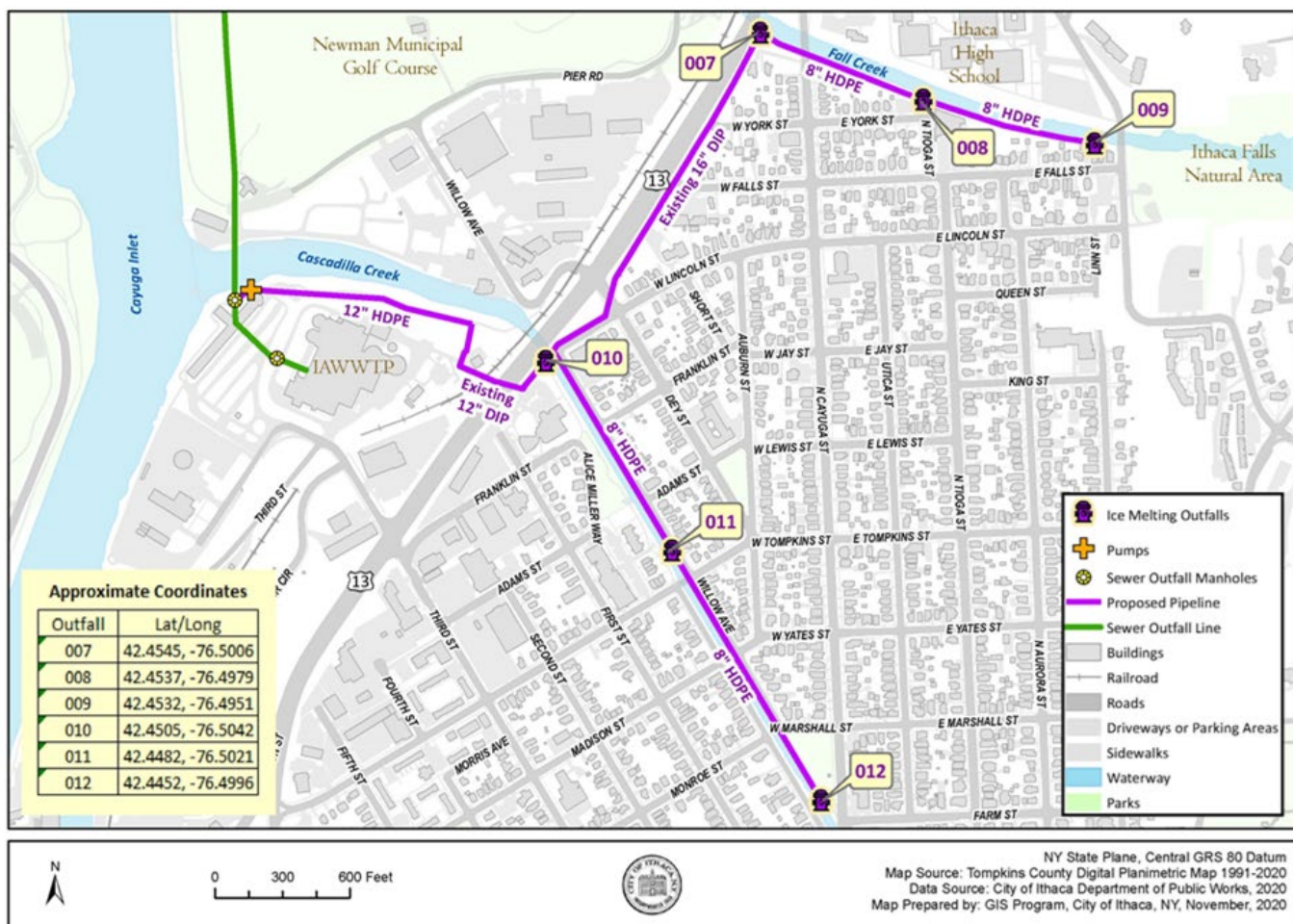
Fact Sheet

Ice Jam Emergency Outfalls Fact Sheet

- **Project:** Ice Jam Emergency Outfalls
- **Applicant:** City of Ithaca, Department of Public Works
- **Facility:** Ithaca Area Waste Water Treatment Facility, 525 Third Street, Ithaca NY 14850
- **NYSDEC Application Number:** 7-5007-00012/00001
- **A Public Participation Plan (PPP) has been developed in accordance with NYSDEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)**

What is the Proposed Project?

The Proposed Project will construct underground piping to carry treated effluent from the Ithaca Area Waste Water Treatment Facility (IAWWTF) to Cascadilla and Fall Creeks to melt ice jams when they occur. To implement the proposed project, the City of Ithaca Department of Public Works has submitted an application for a SPDES permit to the New York State Department of Environmental Conservation (NYSDEC) to authorize emergency treated effluent outfalls along Cascadilla and Fall Creeks for the sole purpose of melting ice to mitigate flood risk from ice jams. The purpose of this fact sheet is to inform the public about the proposed project and to involve the community during the NYSDEC permit application review process.



Why does the City of Ithaca Department of Public Works need to construct the new outfalls?

Every few years on average, the City experiences ice jam related problems on Cascadilla and Fall Creeks. These problems include localized surface flooding in the areas adjacent to Cascadilla Creek, and high groundwater tables (which cause flooded basements) in the areas adjacent to both creeks. Over the past 10 years, the Department of Public Works (DPW) has received emergency authorization from the NYSDEC to apply relatively warm, treated wastewater effluent to parts of Cascadilla Creek to melt ice buildup which causes flooding from ice jams. This is a highly effective way of addressing this recurring problem.

The permanent underground piping system and permitted outfalls will allow DPW to respond quickly when ice jams begin to form. It will also allow the effluent to reach areas of the creeks that are currently inaccessible or difficult to deploy ice melting hoses. Finally, it will allow DPW to apply only the amount of treated effluent needed to melt the ice jams—currently, DPW pumps more than is needed in order to keep temporary hoses from freezing.

How might the project affect the surrounding community?

This project will have positive impacts on the surrounding community by reducing and/or eliminating flood risks from ice jams. DPW will be able to respond faster and more effectively to areas experiencing flooding either from creek overflows or flooded basements caused by high groundwater levels from high creek levels associated with ice jams.

Construction will consist of the installation of underground piping and fixtures associated with the system. The emergency outfalls will be fire hydrants painted in a way to avoid confusion with fire hydrants used by the Ithaca Fire Department. Construction work will be performed by DPW crews as time allows, and will be coordinated with other upcoming flood mitigation projects along the creeks. From time to time, there may be temporary noise, dust, and construction detours which are typical of this type of work, and that DPW performs on an almost daily basis throughout the City.

An engineering report was prepared and reviewed by the NYSDEC to evaluate potential impacts on wildlife and water quality. The report shows that there will be no impact to these resources, especially considering that the use of these emergency outfalls will be for short periods of time (1-2 days) and only during ice jam conditions (every 2 or 3 years). Treated effluent will be chlorinated for a minimum of 15 minutes to kill bacteria, and then dechlorinated just prior to discharge into the creeks.

How can I participate in the permit review process?

- Attend the upcoming public meeting scheduled for December 11, 2023 at 5 pm in the 3rd floor of City Hall to learn about the project, ask questions and/or express concerns about the project.
- Ask questions, express concerns, provide input or submit by comments in writing, by email to the project contact person identified below.

Where can I get more information about the proposed project?

- Visit the online document repository at the City of Ithaca website: <https://www.cityofithaca.org/768/Ice-Jam-Emergency-Outfall-Information> to obtain relevant documents, and information about the project.

- Contact Michael Thorne, Superintendent of Public Works by phone at: 607-274-6527, or by email at: mthorne@cityofithaca.org for information on the project, instructions on how to attend the public meeting, or to find out about the status of the permit application and public comment period.

Who is responsible for reviewing the Permit Application?

JONATHON STERCHO
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
5786 WIDEWATERS PARKWAY, SYRACUSE, NY 13214

Phone: (315) 426-7438
Email: DEP.R7@dec.ny.gov