



December 30, 2014

Mayor Rosenblum  
Village of Mamaroneck  
123 Mamaroneck Ave.  
Mamaroneck, NY 10543

Rich Slingerland  
Village Manager  
Village of Mamaroneck  
123 Mamaroneck Ave.  
Mamaroneck, NY 10543

Dear Mayor Rosenblum & Mr. Slingerland,

I'm writing to follow up on the presentation I gave at the Committee for the Environment (CFTE) meeting on December 3<sup>rd</sup>. Save the Sound appreciates the opportunity to present our water quality data and recommended actions for protecting and restoring the waterways in the Village of Mamaroneck. This letter details the specific actions Save the Sound urges the Village take in this effort. We have also written the CFTE with specific actions citizens can take, and an offer to partner with them in those efforts.

Village waterbodies have serious fecal contamination pollution

As you know, Save the Sound has been testing the waters in and around the Village of Mamaroneck (VOM) since 2013. We have shared our data with the Village and with the public through emails, social media, our website, and at public meetings.<sup>1</sup> In addition to our testing, these waterbodies have also been tested by the Village, Westchester County Department of Health (DOH), U.S. Environmental Protection Agency (EPA), and New York State Department of Environmental Conservation (DEC). All of these groups have documented high levels of fecal bacteria contamination in the streams that flow through the Village, in the harbor and on the Mamaroneck shoreline. As a result, Village waterbodies have the following restrictions/classifications/actions in place:

1. All five VOM beaches are on the Westchester County DOH automatic wet weather beach closure list due to recurrent rain-triggered fecal contamination.
2. Since March 2011, an Administrative Order from the US EPA has been mandating improved compliance with the MS4 permit in response to unacceptably high fecal contamination levels found in the stormwater.

<sup>1</sup> <http://www.ctenvironment.org/water-quality/>

545 Tompkins Avenue, 3 <sup>rd</sup> Floor Mamaroneck, NY 10543 P 914.381.3140 F 914.381.3150 www.savethesound.org	142 Temple Street, Suite 305 New Haven, CT 06510 P 203.787.0646 F 203.787.0246 A program of Connecticut Fund for the Environment
---	---

3. Three waterbodies are listed as impaired for pathogens (pathogenic bacteria associated with fecal contamination) on the DEC Impaired Waters List and the EPA 303(d) List: Mamaroneck Harbor, Larchmont Harbor and the lower Mamaroneck River (south of Route 1).<sup>2</sup>
4. Four waterbodies are listed as impaired for floatable debris (often associated with stormwater runoff) on the same DEC and EPA lists: Mamaroneck Harbor, Larchmont Harbor, the lower Mamaroneck River, and the Sheldrake River and its tributaries.<sup>3</sup> (Beaver Swamp Brook is listed as “unassessed.”)
5. The Village is out of compliance with the Westchester County Sewer Act due to excessively high volumes of wastewater delivered to the county wastewater treatment plant, indicating significant inflow and infiltration in the Village sewer system.<sup>4</sup>

In addition to continuing to work on MS4 compliance strategies, Save the Sound recommends the Village prioritize the following actions to tackle the most pressing issues facing local water quality– high levels of fecal contamination in Village streams, beaches, and the harbor; high levels of inflow and infiltration in the sewer system; and the associated problem of chronic sanitary sewer overflows (SSOs).

By adopting these measures, the Village would become a leader in fighting serious fecal contamination and related sewage flow issues that plague all Westchester coastal communities. Save the Sound calls on the Village to take this leadership role. We will be reaching out to all coastal communities with similar recommendations (to be modified based on background levels of pollutant conditions). We know that some of these conditions constitute violation of our federal Clean Water laws. We believe that a collaborative approach to remedy these conditions would be more beneficial for all involved. We offer these recommendations in the hope of opening a dialog that will result in an agreed upon plan of action by April of 2015.

Recommendation: Establish a Private Sewer Lateral Program

A significant portion of the Village wastewater infrastructure is the miles of privately owned and operated pipes that connect private homes and businesses to the municipal sewer lines. These pipes and their connections are a known source of inflow and infiltration (I&I), contributing stormwater and groundwater to the sanitary sewer system. They are also a source of exfiltration, contributing raw sewage to groundwater and surface water. In both cases, cracked private sewer laterals cause sanitary sewer overflows (SSOs), contributing to the pathogenic bacteria pollution Save the Sound, EPA, DEC, Westchester County and the Village have documented. The excess water that gets into the sanitary sewer lines from private laterals contributes to the Village’s exceedance of the County Sewer Act.<sup>5</sup>

Private Sewer Lateral Programs (PSLP) have been proven effective in reducing SSOs and improving water quality conditions in Long Beach, NY and Boston, MA. Save the Sound has provided background material to the Village on how to set up this type of program. The components of a PSLP are:

<sup>2</sup> 2012 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy.

[http://www.dec.ny.gov/docs/water\\_pdf/303dlistfinal12.pdf](http://www.dec.ny.gov/docs/water_pdf/303dlistfinal12.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> County Environmental Facilities Sewer Act, Chapter 824 of the Laws of Westchester County (Local Law No. 12-1985 of the County of Westchester), sets a maximum daily flow rate of 150 gallons per capita.

<sup>5</sup> Westchester County, Long Island Sound Sanitary Sewer district Flow Monitoring Program Report, June 2013.

[http://www.village.mamaroneck.ny.us/Pages/MamaroneckNY\\_WaterQuality/LI%20Sound%20Sanitary%20Sewer%20District%20Flow%20Monitoring%20Report.pdf](http://www.village.mamaroneck.ny.us/Pages/MamaroneckNY_WaterQuality/LI%20Sound%20Sanitary%20Sewer%20District%20Flow%20Monitoring%20Report.pdf)

545 Tompkins Avenue, 3 <sup>rd</sup> Floor Mamaroneck, NY 10543 P 914.381.3140 F 914.381.3150 www.savethesound.org	142 Temple Street, Suite 305 New Haven, CT 06510 P 203.787.0646 F 203.787.0246 A program of Connecticut Fund for the Environment
---	---

1. An ordinance that requires private homeowners to have their laterals video-inspected and tested, with needed repairs made and a certification of condition issued, at the time of property transfer or when building permits are pulled.
2. The issuance of an RFP and completion of a service contract to establish a Private Sewer Lateral Program with a vendor(s) that will provide lateral inspection and repair for a low monthly fee, allowing homeowners to implement repairs with minimal upfront cost. To be effective, the program must be set up as an “opt-out” commitment to allow for the highest possible participation rate and pollution reductions.
3. An educational program (which can be provided by the vendor) to inform the public on the specifics of the PSLP, the requirements of maintaining their sewer laterals, and the benefits of doing so including improving local water quality, reducing sewage overflows and sending less stormwater to the sewage treatment plant.

A Private Sewer Lateral Program will deliver beneficial results to the Village and its waterbodies at a very low cost. It will also educate the public on their role and responsibility in keeping the sewage collection and delivery system in good repair. We would welcome the opportunity to answer questions and provide any needed support in getting a PSLP established for the residents of the Village of Mamaroneck.

Recommendation: Track down and eliminate the sources of contamination at already identified bacteria contamination hot spots

Save the Sound’s 2014 sampling data clearly points to unacceptable high levels of fecal contamination at several locations.<sup>6</sup> We urge the Village to conduct illicit discharge detection and elimination (IDDE) at these locations:

1. Beaver Swamp Brook at Rye Neck High School – this location had the highest single fecal count, 15,000 fecal coliform, of any site we tested in VOM (single sample criteria is  $\leq 1,000$  fecal coliform cfu/100ml). It also had the highest geometric mean average count of any site we tested in VOM, 3,398 fecal coliform (geometric mean criteria is  $\leq 200$  fecal coliform cfu/100ml). We sampled here five times, including wet and dry weather days, in July and August. Four of the five samples failed badly.

The location immediately downriver from Rye Neck HS had the same failure rate, four out of five. The highest count there was 2,500 fecal coliform and the geometric mean average was 1,447 fecal coliform.<sup>7</sup>

We sampled upstream of this location, in the Greenwood Cemetery on 8/27/14. We collected two samples in Greenwood Cemetery on that date and both of which were acceptable (240/290 fecal coliform). On 8/27/14 the sample we collected at Rye Neck High School was three times the acceptable limit, and ten times higher than the upstream sample (2,900 fecal coliform).

2. Guion Creek near Sophia Street and Stuart Ave – this location had the second highest geometric mean in our VOM study area, 2,589 fecal coliform, more than ten times the acceptable GM of  $\leq 200$ . All four samples collected at this location failed. The highest single count was 3,700 fecal

<sup>6</sup> [http://media.wix.com/ugd/842761\\_b60eec38fab241f0b99ed7fe226ed1da.pdf](http://media.wix.com/ugd/842761_b60eec38fab241f0b99ed7fe226ed1da.pdf)

<sup>7</sup> NYS DEC single sample criteria is  $\leq 1,000$  fecal coliform cfu/100ml. NYS DEC geometric mean criteria is  $\leq 200$  fecal coliform cfu/100ml.

545 Tompkins Avenue, 3 <sup>rd</sup> Floor Mamaroneck, NY 10543 P 914.381.3140 F 914.381.3150 www.savethesound.org	142 Temple Street, Suite 305 New Haven, CT 06510 P 203.787.0646 F 203.787.0246 A program of Connecticut Fund for the Environment
---	---

coliform on a wet day, followed by 3,300 fecal coliform on a dry day. This suggests that the source of contamination is not wet weather related.

3. Mamaroneck Harbor East Basin– harbor water quality is of particular importance because of the swimming that takes place there. Our harbor sampling site was near the confluence of Mamaroneck River. We sampled at this location seven times and four of those samples failed, including wet and dry weather failures.

Our data show that the Mamaroneck River is a source of fecal contamination to the Harbor, especially during and after wet weather, however, it is not the only source. The chronic sanitary sewer overflows that occur in the Village, especially those on Rushmore Ave., are also contaminating the Harbor and its beaches when the sewage flows into catch basins that discharge into the Harbor. Dry weather overflows have also been documented in the Harbor.

Save the Sound requests a follow up meeting within the next 30 days to hear about the progress the Village is making towards addressing these specific water pollution violations.

Recommendation: Create a reliable local funding source dedicated to wastewater infrastructure maintenance and upgrades.

Maintenance of wastewater infrastructure is always more cost effective than repairs. With federal and state funding for wastewater infrastructure on the decline, it is important that municipalities create a local source of funding to maintain and update local sewer systems, including grey and green infrastructure components designed to reduce stormwater runoff.

Save the Sound applauds the Village for the capital program currently underway that is testing water quality and system connections, lining sewers, and making other investments that are improving water quality in and around the community. In addition to the \$350,000/year for five years currently committed to this work, we strongly recommend that a Sewer Use Fee dedicated to sewer system expenses be put into place. A Sewer Use Fee will create a reliable income stream that overtime will allow the Village to get out of paying for costly repairs, directly taxpayer funds instead to maintenance and upgrades, reducing SSOs and sewage backups in homes. A use-based fee also offers an incentive for homeowners and businesses to conserve water which further limits costs by reducing sewer system wear-and-tear.

Save the Sound looks forward to meeting with the Village in the coming month to discuss these recommendations and concerns. We thank you for the work you do on behalf of a clean and healthy Long Island Sound.

Respectfully,



Tracy Brown  
Director, Western Long Island Sound  
Save the Sound  
[tbrown@savethesound.org](mailto:tbrown@savethesound.org)  
914-381-3140

545 Tompkins Avenue, 3 <sup>rd</sup> Floor Mamaroneck, NY 10543 P 914.381.3140 F 914.381.3150 <a href="http://www.savethesound.org">www.savethesound.org</a>	142 Temple Street, Suite 305 New Haven, CT 06510 P 203.787.0646 F 203.787.0246 A program of Connecticut Fund for the Environment
---	---

cc: Village of Mamaroneck Trustees  
VOM Committee for the Environment

545 Tompkins Avenue, 3 <sup>rd</sup> Floor	142 Temple Street, Suite 305
Mamaroneck, NY 10543	New Haven, CT 06510
P 914.381.3140 F 914.381.3150	P 203.787.0646 F 203.787.0246
<a href="http://www.savethesound.org">www.savethesound.org</a>	A program of Connecticut Fund for the Environment