

In Support Of New York State Senate Bill No. S1768 And New York State Assembly Bill No. A7836 Amending The Environmental Conservation Law In Relation To The Level Of Certain Reservoirs

The Environmental and Consumer Affairs Committee (Chairman Hathaway, and Legislators DePew, Harris, Meyer, Bartels, R.A. Parete and Shapiro) and Legislators Aiello, Alfonso, Busick, Cummings, Every, Felicello, Gerentine, Maloney, McAfee, Noonan, Roberti, Stock and Tipp offer the following:

WHEREAS, the flood of April 2005 has caused catastrophic property damage throughout Ulster County and thirteen additional counties, and

WHEREAS, the flood displaced hundreds of residents from their homes and caused a loss of life, and

WHEREAS, the overflow waters that came from the region's reservoirs caused much of the destruction throughout Ulster County and thirteen additional counties, and

WHEREAS, the Department of Environmental Protection has acknowledged it has no policy or requirement for releasing waters in anticipation of flooding, and

WHEREAS, the destruction may have been averted with proper water level management.

RESOLVED, that the Ulster County Legislature supports New York State Senate Bill No. S1768 and New York State Assembly Bill No. A7836 to provide that the Commissioner of Environmental Conservation shall provide in anticipation of any major inflow of water to a reservoir that such reservoir shall be lowered to a level which will ensure that no significant overflow takes place. In making such determinations, the Commissioner shall consider, among other things, the seasonal effects of melting snow and ice, and

FURTHER RESOLVED, that the Clerk of the Ulster County Legislature shall forward copies of this resolution to Governor George E. Pataki, Comptroller Alan Hevesi, Senate Majority Leader Joseph Bruno, Senate Minority Leader David A. Paterson, Assembly Speaker Sheldon Silver, Assembly Minority Leader Charles Nesbitt, New York State Senators John J. Bonacic and William J. Larkin, Jr., New York State Assemblymen Kevin Cahill, Clifford Crouch, Daniel Hooker and Thomas Kirwan, and the New York State Association of Counties,

Resolution No. 194 June 9, 2005

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and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 27 NOES: 6
(NOES: Legislators Bartels, R.A. Parete, R.S. Parete, Rodriguez, Shapiro and Zimet)

FINANCIAL IMPACT:
NONE

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