

**ULSTER COUNTY
ENVIRONMENTAL MANAGEMENT COUNCIL**

Dave Haldeman, Chair
Emilie Hauser, Vice-Chair
Kenneth Panza, Secretary

Minutes for the EMC Meeting of January 27, 2021

A quorum present, the regular meeting of the Ulster County Environmental Council was convened by Zoom video conferencing at 6:33 p.m. by David Haldeman, Chair.

Municipal Members Present

Mark Ellison, Town of Esopus
Dave Haldeman, Town of Shawangunk
Emilie Hauser, City of Kingston
Jim Mays, Town of Olive
Mary O'Donnell, Town of Saugerties
Kristen Schara, Town of Hurley
Eric Stewart, Town of Marbletown
Simon Strauss, Town of Olive
Sarah Underhill, Town of Wawarsing

At Large Members Present

William More
Kenneth Panza
Virginia Starke

Department of the Environment

Amanda LaValle, Director

Guests

Dennis Doyle, Director, Ulster County Planning Department
Roberta Clements, Chair, Town of Gardiner EMC
Ann Silverman
Andrew Shapiro

Approval of Minutes

Minutes of **December 9, 2020** meeting of the EMC were presented, discussed, and approved by unanimous consent.

Announcements

Hurley Receives Local Champions Award

The Town of Hurley is pleased to announce that CAC member and Climate Smart Communities Coordinator, **Kristen Schara**, has been chosen to represent the town in the Local Champions Pilot Program! The goal of the pilot is to create a framework for participating towns to achieve Bronze Certification as a Climate Smart Community. Boatbuilders HV is sponsoring the program and each participating town will receive an \$8,000 grant from the New World Foundation to be used to support work related to achieving certification. Hurley is one of six municipalities chosen from a total of 24 applications from Dutchess, Columbia and Ulster Counties.

The communities selected are: Kathy Chow, Town of North East; Jennifer Rubbo, Town of Union Vale; Dan Haas, Copake; Christina Bohnsack, Germantown; Kristen Schara, Hurley; Madeline Russo, Rochester.

Chris White Leaving Ulster County Planning Department

Chris White, deputy director of planning for Ulster County, is leaving the department to become administrator for the City of Beacon.

Chris White, who has worked for Ulster County for nine years, was a Beacon City Council member in 1996-97, representing the Third Ward. He would succeed Anthony Ruggiero, who will leave at the end of January to join the Dutchess County health department. Before joining the planning department in Ulster, White spent 10 years managing a district office for Rep. Maurice Hinchey. He holds a bachelor's degree in politics from New York University and a master's degree in public administration from SUNY Albany.

Speaker/Presentation

Dennis Doyle, Director, Ulster County Planning Department

Dennis Doyle was appointed Ulster County's Director of Planning in April 2004. He also serves as Director of the Ulster County Transportation Council, which the Department is the host agency. Mr. Doyle has extensive expertise in the planning process and associated regulatory environment. He has assisted municipalities, developers, and neighborhoods on issues associated with community and economic development as well as natural resource preservation.

Mr. Doyle regularly provides training and technical assistance to municipalities and others in areas that include comprehensive planning, project reviews, transportation systems, and resource protection. He serves on the boards of the Ulster County Development Corporation, Rural Ulster Preservation Company, and the Agricultural and Farmland Protection Board. He was born and raised in Ulster County. Mr. Doyle holds a degree in geology with additional training in city and regional planning.

Rail Trails

Mr. Doyle gave the EMC an update about the status and planning for extensions to the rail trails. Construction of the Ulster to Kingston rail trail is expected to begin this fall. Several feasibility studies are underway, including extending the rail trail to Bellaire.

Transportation Studies

Fifty percent of UCAT buses are stored outside. A feasibility study to expand indoor storage puts the price tag at between 11 to 15 million. There are four or five other transportation studies underway.

Development vs the Environmental Community

There are no voices from the environment community about where affordable housing should be built. Environmental opposition to building on available sites in the pursuit of preservation is a major obstacle in meeting the county's housing needs. "If you propose it, we will oppose it."

Many communities have Open Space Plans identifying areas to be preserved, but no community has a plan that identifies where affordable housing can be built. The Natural Resources Inventory (NRI) identifies and maps every natural feature except areas available for affordable housing.

Mr. Doyle is asking the environmental community to work with the planning departments to identify sites for affordable housing. A siting tool for affordable housing, like the one developed by Scenic Hudson for solar, would be a huge asset.

Solar on Prime Agricultural Lands now Allowed

Ag and Markets (state Department of Agriculture and Markets) has relaxed its concerns about building large solar arrays on prime agricultural lands.

Election of Officers for the Year 2021

The following members were selected by EMC as officers for 2021.

Chair: Dave Haldeman, Town of Shawangunk

Vice-Chair: Emilie Hauser, City of Kingston

Secretary: Kenneth Panza, At-Large Member

Regular meetings will begin at 6:30PM on the last Wednesday of every month, except for November and December, when a meeting will be scheduled for early December.

Report from Department of the Environment

Amanda LaValle, Director

Climate Smart Municipal Task Force

A Climate Smart Municipal Task Force has been established consisting of individuals, municipal officials, and other stakeholders involved or interested in climate protection at the local level. The Task Force will engage with municipalities to advance climate adaptation and mitigation actions related to the CSC Program. Europa McGovern is coordinating the task force activities.

Ulster County Silver Level Recertification

In 2016, Ulster County was the first County to achieve Silver-level CSC certification in 2016. But certification doesn't last forever, and this year the County will apply for recertification at the Silver level.

NYSERDA Clean Energy Communities Program

Governor Andrew M. Cuomo announced \$17 million in funding and expanded high-impact actions under the state's Clean Energy Communities program to help drive stronger community leadership to reduce harmful carbon emissions, expand assistance for disadvantaged areas and foster further investments in the growing clean energy economy.

The program's new Leadership Round increases the options a community can choose from to lower their carbon footprint, recognizes their leadership through a point rewards system, provides access to additional grant opportunities for actions taken and supports Governor Cuomo's nation-leading

climate agenda, which includes a goal to direct 40 percent of the benefits from clean energy investments to disadvantaged communities.

Community Solar Campaign

One action item in NYSERDA's Clean Energy Communities Program is promotion of community solar. Previously the County issued RFPs for community solar providers, and is now considering sponsoring a roll out model promoting community solar.

Turbid Water Releases in Lower Esopus

New York City frequently releases muddy water from the Ashokan into the 34-mile-long Lower Esopus Creek to rid the reservoir of clay particles and other materials stirred up by rainfall. The releases turn the Lower Esopus a muddy brown, forcing the shutdown of local beaches, and undermining boating, fishing and tourism.

Recent anger has surfaced with the announcement that 600 million gallons per day of muddy Ashokan Reservoir water will be sent down the Lower Esopus. A City spokesman submitted an email to the Daily Freeman explaining that the releases were based on heavy rain over the Christmas holiday and the Catskill Aqueduct shutdown for repairs. "The runoff event on Dec. 24 and 25 was one of the top-10 largest runoff events in the history of the watershed since the reservoirs were built. It was the largest since Irene/Lee in 2011," he wrote.¹



The Esopus Creek at Tongore Road in Lomontville on Thursday, Dec. 31, 2020.
Tania Barricklo — Daily Freeman

Consent Order

In 2012, an agreement known as the consent order included a provision requiring the city to fund \$3.4 million worth of stream work and other environmental projects on the Esopus Creek watershed and it required the City to conduct a study of the environmental effects of the Ashokan releases, under the review of the DEC with public participation.

On December 16, 2020 the DEC released two draft documents related to water releases from New York City's Ashokan Reservoir for public review and comment, and is hosting a virtual public hearing on these draft documents on February 4, 2021. Public comments will be accepted until March 16, 2021.

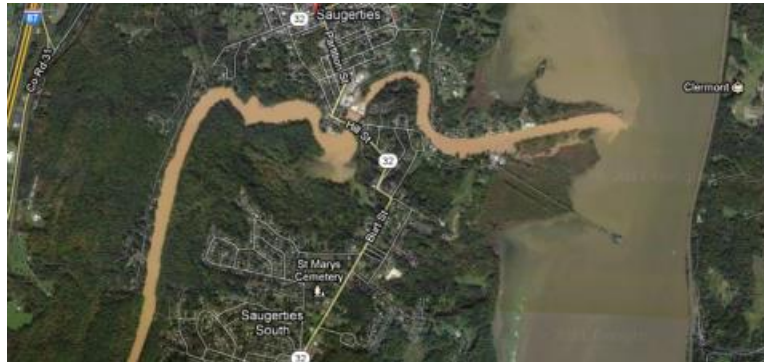
The Draft Environmental Impact Statement (DEIS) and proposed modification to New York City Department of Environmental Protection's permit for water releases from the Ashokan Reservoir would continue progress reducing turbidity in the reservoir and other connected waterbodies, including Esopus Creek. The draft State Pollutant Discharge Elimination System (SPDES) permit modification and DEIS would codify and fulfill requirements in a 2013 Order of Consent between New York City and New York State.

¹ William J' Kimble, "Ashokan Reservoir muddy discharges draw anger from towns along the Lower Esopus," Daily Freeman, December 31, 2020, Available at https://www.dailyfreeman.com/news/local-news/ashokan-reservoir-muddy-discharges-draw-anger-from-towns-along-the-lower-esopus/article_dc4e3e16-4b93-11eb-a805-0b9c998d0d04.html

Affected Towns

All towns along the lower Esopus are affected by these turbid releases. Marbletown, City of Kingston, Saugerties, Hurley, and Town of Ulster are following this issue.

The Saugerties Town Board has prepared a resolution opposing the Ashokan Reservoir discharges into the Lower Esopus Creek. The town's testimony will argue that the discharge of waters may be beneficial to the lower towns, but the turbid nature of the water is inimical to the town of Saugerties tourism economy and enjoyment of the Lower Esopus Creek. The application is being opposed on visual resources grounds, a legitimate environmental issue under SEQRA rules. The first half of a Vimeo drone video of the "chocolate" water flowing down the Lower Esopus Creek.



A "chocolate" river flows through Saugerties

Eric Stewart, Town of Marbletown, reported he is working with Rebecca Martin of Riverkeeper to document the impact of turbidity on the Lower Esopus.

Ulster County Legislature Energy & Environment Committee

A group has been convened to work with an independent technical consultant to review the DEIS. Dave Haldeman, Chair, with assistance from Amanda LaValle, will prepare and present a proposed resolution for the Energy & Environment Committee to consider at its February 1, 2021 meeting.

Town of Gardiner ECC

It was reported that the Gardiner Town Board dissolved its ECC with the expectation of reorganizing it at the beginning of the year. That action was rescinded. The Town of Gardiner zoning law requires an ECC review of applications before the Planning Board. Instead, the Town of Gardiner is considering establishing a Conservation Advisory Board.

Roberta Clements, chair of the Gardiner ECC, explained the many issues that need to be resolved within Gardiner between the Town Board and the ECC, but there is one area that is of greater environmental interest; protection of the Shawangunk Ridge.

Currently, the ridge in both Gardiner and Shawangunk has increased protection from development since it is designated as a critical environmental area. However, the Gardiner town board is talking about repealing the restrictions placed within the protected district. This action could have County wide implications with an effect on open space, wildlife corridors, and scenic views.

Motion

A motion offered by Sarah Underhill, Town of Wawarsing, seconded by Mark Ellison, Town of Esopus, to authorize the chair to send a letter expressing the views of the Ulster County EMC to the Gardiner Town Board supporting the continuation of the Shawangunk Ridge protections and the role of Gardiner’s ECC to evaluate development for the ridge.

The motion passed by unanimous consent.

Legislature Report – Energy & Environment Committee

Dave Haldeman, Chair, no report.

Adjournment

Meeting adjourned at 8:40 p.m. by unanimous consent.

Next Meeting

Wednesday, February 24, 2021 at 6:30 p.m. via Zoom videoconferencing.

Respectively submitted,



Kenneth S. Panza, Secretary