Minutes for the EMC Meeting of May 26, 2021

A quorum present, the regular meeting of the Ulster County Environmental Council was convened by Zoom video conferencing at 6:40 PM by David Haldeman, Chair. Meetings of the EMC are open to the public, and if others wish to attend, please notify the secretary or the chair to obtain Zoom login instructions and passwords.

Municipal Members Present

Mark Ellison, Town of Esopus
Dave Haldeman, Town of Shawangunk
Mary O'Donnell, Town of Saugerties
Kristen Schara, Town of Hurley
Simon Strauss, Town of Olive

At Large Members Present

Margot Becker
Jim Mays
William More
Kenneth Panza

Department of the Environment

Nick Hvozda, Deputy Director

Guests

Evelyn Wright, Deputy County Executive
Roberta Clements, Town of Gardiner, Environmental Conservation Commission
Neal Rindlaub, Town of Gardiner, Environmental Conservation Commission
Michael Waite, Woodstock, Columbia University

Approval of Minutes

Minutes of **March 31, 2021** meeting of the EMC were presented, discussed, and approved by unanimous consent.

Minutes of **April 28, 2021** meeting of the EMC were presented, discussed, and approved by unanimous consent.

Dr. Evelyn Wright, Deputy County Executive

Dr. Wright is an economist, energy analyst and has worked as a consultant for energy policy for local, state, and national governments and environmental organizations. She is also the founder of Commonwealth Hudson Valley, promoting a more just, democratic, and sustainable economy in the Hudson Valley and beyond.

Dr. Wright holds a PhD in Ecological Economics from Rensselaer Polytechnic Institute. Dr. Wright has taught economics and environmental policy at Franklin and Marshall College, Towson University, and The Washington Center.

Dr. Wright's portfolio as Deputy County Executive includes the implementation of County Executive Ryan's "Green New Deal" and "Grow and Diversify our Economy for All" priorities and environmental, energy, and economic development initiatives.

Ulster County Green New Deal

Joined by environmental leaders from throughout the Hudson Valley at an Earth Day press conference, County Executive Pat Ryan released his Green New Deal for Ulster County. The plan, consisting of over 30 goals and targets, makes Ulster County the first County in New York State and among the first in the nation to release a comprehensive Green New Deal.

The Green New Deal is a multi-pronged plan over a 20-year time horizon with specific programs and initiatives tied to three goals:

1) Accelerating the transition to clean energy,

2) To build an equitable green economy,

3) Conserving natural resources and building resiliency.

The "Accelerating the Transition to Clean Energy" section calls for setting new high efficiency and standards for new buildings, retrofitting and weatherizing 1,000 Ulster County homes per year by 2025, and greening 20% of Ulster County's vehicle fleet in the next five years.

The "Build the Equitable Green Economy" section builds on the success of the Ulster County Green Careers Academy launched by County Executive Ryan in 2019 by combining low-income home weatherization efforts with job training opportunities, piloting green careers education in middle and high schools, and working to make the Hudson Valley a center for green economy innovation.

The "Conserve our Natural Resources and Build Resilience," looks to assess all County roadways for storm resilience, continue Ulster County's efforts in redeveloping foreclosed brownfields, and work to ensure that all Ulster County farmers utilize climate smart practices.

Green New Deal Initiatives

Some of these initiatives are already in place. County Executive Pat Ryan signed an executive order requiring companies building renewable energy projects for or selling renewable energy to Ulster County to pay their employees the prevailing wage or enter into project labor agreements. And Ryan wrote a letter opposing the application by Danskammer Energy LLC to repower and expand the Danskammer power plant in Newburgh.

Other initiatives, including kicking off the household weatherization and retrofitting program that will make homes more energy-efficient, as well as continuing to invest in trails and outdoor recreation activities, will get underway in the next six months.

Solarize Ulster

Currently, the only active Green New Deal initiative is the Solarize Ulster Campaign. Ulster County has partnered with three community solar providers, listed below, to offer subscriptions during the Solarize Ulster campaign.

	Common Energy	PowerMarket	Solstice
How to subscribe:	Common Energy (844) 899-9763	PowerMarket (845) 533-1557	Solstice (866) 826-1997
Project locations:	Saugerties, NY Enfield, NY Ghent, NY Hopewell Junction, NY Stanfordville, NY Union Vale, NY	Medusa, NY Nichols, NY Windsor, NY Walden, NY	Kingston, NY Norwich, NY
Utilities serviced:	Central Hudson NYSEG	Central Hudson NYSEG	Central Hudson NYSEG

Anyone who pays an electric bill can receive community solar credits. These monetary credits are generated by local solar arrays whenever the sun is shining. These credits must be "redeemed" by a utility account holder and are applied directly to your utility bill. The Solarize Ulster campaign providers are offering these credits through a subscription at a 10% discount—so you pay for only 90% of the credits you receive on your utility bill. There is no initial cost or monthly fee. You pay only for the credits you receive. For example: If you get $100 in community solar credits, you'll be charged $90 and you'll save $10.

For each subscription, the Solarize Ulster providers will donate $100 to the County's Green New Deal fund. This fund will be used to directly impact Ulster County's community response to climate change through Green New Deal programs.

For additional Information

> Solarize Ulster Website
>
> About Community Solar
>
> Ulster County Green New Deal

Report from Department of the Environment

Nick Hvozda, Deputy Director

SM4 Annual Report

Under the federal regulations commonly known as Stormwater Phase II, Ulster County is regulated as a traditional, non-land use control Municipal Separate Storm Sewer System (MS4). The Departments of the Environment, Public Works, Information Services, and Planning worked together to achieve this year's stormwater program objectives. Ulster County Soil and Water Conservation (UCSWCD), Ulster County Cornell Cooperative Extension-Ulster County (CCE-UC), Ulster County Resource Recovery Agency (UCRRA), and Ulster County Environmental Management Council (EMC) significantly contributed to meeting the County's stormwater goals particularly in the areas of Public Education and Outreach (MCM1) and Public Involvement/Participation (MCM2). This presentation fulfills the requirement for a public review of Ulster County's stormwater plan.

Letter of Support of Grant for County-Wide Natural Resource Inventory

Ulster County will develop a County-wide natural resources inventory, with maps and narrative report, and integrate these into a cloud-based mapping portal and accompanying municipal toolkit. This project will set the stage for expanded and standardized implementation of conservation planning and projects, supporting the County, and the 24 local governments within the County, in this imperative work.

Key community stakeholders will be engaged in its development, and the resources created will enable decision-makers at every municipal level to identify and prioritize the conservation of natural resources, as well as the opportunity to formally incorporate these into the land-use approvals process, and will create a framework to which future maps, datasets, and other resources can and will be added in the future.

This project will address key priorities outlined in the Mid-Hudson Region's REDC Plan - including enhancement of the natural, historic, and cultural assets of the region - and will complete several actions under the NYS Climate Smart Communities Program, supporting Ulster County's goal of achieving gold-level certification by 2025. The end-goal is for this to be a resource for local municipalities, as well as the County.

Motion to Approve Letter of Support

At Large Member Kenneth Panza offered the following motion. Mary O'Donnell, Town of Saugerties, seconded.

Move to authorize the Chair to sign a letter of support for Ulster County's application to this round of the Hudson River Estuary Grants for Local Stewardship Planning, for the Ulster County Natural Resources Inventory, and Cloud-based Mapping Platform project.

Voting in favor of the motion: Mark Ellison, Town of Esopus; Dave Haldeman, Town of Shawangunk; Mary O'Donnell, Town of Saugerties; Kristen Schara, Town of Hurley; Simon Strauss, Town of Olive; At Large Members Margot Becker, Jim Mays, William More, and Kenneth Panza. Voting against: None; Abstaining: None.

The Motion carried.

Solarize Ulster Campaign

Nick Hvozda, Deputy Director, explained the department's involvement in the Solarize Ulster Campaign.

New Business

Saugerties Hydropower, Jim Mays, At-Large Member

Federal regulators have opened a comment period on a proposed $2 million 1.52 megawatt hydroelectric generating plant that would restore use of the Cantine Dam to a public power supply. The comment period will run through July 9 on a proposal by Rhinebeck-based Saugerties Community Hydro LLC to use the existing penstock to channel water from the Lower Esopus Creek to generate electricity.

Notice by the Federal Energy Regulatory Commission on 05/14/2021

[Saugerties Community Hydro, LLC; Notice of Preliminary Permit Application Accepted for Filing and Soliciting Comments, Motions To Intervene, and Competing Applications](#)

Annandale Dam Micro-Hydropower Project

Joel Herm, Current Hydo of Rhinebeck, the developer of the Saugerties project, is also the developer of the Annandale micro-hydro project on the Saw Kill at Bard College. Woodstock submitted its participation in the Bard project in partial fulfillment of Climate Smart requirements for renewable energy feasibility studies.

[Woodstock Micro-Hydro Feasibility Study](#)

[Addendum, Woodstock Micro-Hydro Feasibility Study](#)

[Bard College Project for Micro-Hydro](#)

Legislature Report – Energy & Environment Committee

Dave Haldeman, Chair, reviewed a discussion by the Energy & Environment Committee about favoritism in access to RRA created compost. The discussion was continued in executive session.

Council Member Roundabout

Many of the Council members reported activity related to enrolling in a CCA. This section will summarize what is currently known about the status of the CCA offerings. The dates reference documents file by Joule Assets, Inc. with the Public Service Commission to obtain authorization to continue the Hudson Valley Community Power CCA initiative.

March 2021

On March 3, 2021, Joule Assets submitted a request to the Public Service Commission (PSC) to renew the CCA agreements for towns enrolled in Hudson Valley Community Power and requested approval to add the Towns of Gardiner, Rhinebeck, and Saugerties. The currently participating municipalities are: City of Beacon, Town of Clinton, Village of Cold Spring, Town of Fishkill, Town of Marbletown, Town of New Paltz, Village of New Paltz, Town of Phililpstown, City of Poughkeepsie, and Town of Red Hook.

Joule Assets currently serves as CCA administrator for these ten municipalities whose electricity supply contracts are set to expire in July of 2021. These municipalities are part of Joule's Hudson Valley Community Power (HVCP) Aggregation. Hudson Valley Energy serves as Local Program Manager of the HVCP Program. With contracts expiring in July, Joule has initiated a process to secure a new electricity contract for these municipalities. Those efforts, both completed and planned are reported in this Renewal Plan. Additionally, 3 new municipalities have selected Joule Assets as CCA Administrator and seek to join the HVCP Program. Joule is working with these municipalities to procure a first supply contract in tandem with the renewing municipalities.

On March 15, 2021, the PSC responded, "Joule Assets, as the Community Choice Aggregation Administrator, is authorized to continue the Hudson Valley Community Power CCA Program consistent with Commission orders."

Opt-out CDG (Community Solar) Approval Request

On March 29, 2021, Joule Assets, "hereby submits this Opt-Out Community Distributed Generation ("CDG") Implementation Plan for the Hudson Valley Community Power Program, as a supplement to Appendix A of the Joule Assets Community Choice Aggregation ("CCA") Master Implementation Plan, for Department of Public Service approval.

This Plan describes the structural and operational details pertaining to the implementation of an opt-out CDG program in addition to the existing Hudson Valley Community Power Program, for the participating municipalities. The Joule Order allows authorized municipalities to participate in a CCA program, and conditional on Department of Public Service Staff approval, implement an opt-out CDG program that operates in tandem with the CCA supply contract. Details of magnitude of CDG projects, implementation timeline and outreach activities in each of the CDG Participating Municipalities are included as Exhibits to this Plan.

On April 5, 2021, Joule Assets, as the Community Choice Aggregation Administrator, is authorized to request data and implement its opt-out CDG program, in addition to the CCA supply, for the Town of Marbletown consistent with Commission orders once it has entered into a Data Security Agreement with the relevant utility or utilities.

CCA Renewals

On May 3, 2021, Joule requested approval of opt-out letters for nine Hudson Valley Community Power municipalities that are renewing electricity supply contracts through their CCA Programs and seek approval in advance of mailing Opt-out Notifications. (Town of Fishkill dropped out.) Except for the Town of Red Hook, the following rates are being offered. Red Hook is offering only a renewable option.

Rates ($/kWh)*

Service Class	12-month Central Hudson Price to Compare**	Default 100% Renewable Fixed Rate	Standard Fixed Rate
Residential	$0.0576	$0.06573	$0.05968
Small Commercial	$0.0595	$0.07112	$0.06215

* Rates do not include Gross Receipt Tax (GRT). If GRT is collected in your municipality, it will be added to your rate.
** Calculated average price paid per kWh consumed by residents of participating municipalities for Central Hudson electricity supply service, April 2020 - March 2021.

May 25, 2021 /PRNewswire/ -- With their initial community choice electricity supply contract expiring June 30th, nine Hudson Valley Community Power (HVCP) participating municipalities chose to continue providing their residents access to affordable, locally-sourced 100% renewable energy. The new contract will run from July 1, 2021 through June 30, 2024. Town of Gardiner, Village of Nelsonville, Town of Rhinebeck, and Town of Saugerties are expected to join the program under the terms of the second electricity supply contract effective July 2021, bringing the number of participating communities to thirteen.[1]

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[1] Joule Assets, Inc/, "Nine Hudson Valley Communities Continue Clean Energy Program, Select Supplier," CISSION PRNewswire, May 25, 2021 (Available at https://www.prnewswire.com/news-releases/nine-hudson-valley-communities-continue-clean-energy-program-select-supplier-301298740.html

Unresolved Issue – Consolidated Billing for Community Solar

Under the current terms of CDG, i.e. community solar, customers receive two bills. The first from the utility for the balance due after deducting the community solar credit. The second bill is from the solar provider for 90% of the credit received by the customer.

Receiving two bills has been identified as a major impediment to the adoption of the community solar. Consolidated billing is a proposal that allows the utility to include payments to the solar provider on the regular utility bill, thus eliminating the complexity of multiple billings.

It's Mabletown's intention of offer opt-out community solar as part of its CCA agreement, but without consolidated billing, the offering doesn't work. This issue should have been resolved by now, but not in time to include opt-out community solar in the CCA renewal agreement.

Town of Gardiner - Neal Rindlaub

Gardiner ECC held a very successful Trees for Tribs, Arbor Day event. Fifty residents joined Gardiner Climate Smart, Parks & Rec of Gardiner, and the DEC in the mud and rain to plant over 300 trees and shrubs along the Wallkill River.

Town of Esopus – Mark Ellison

Esopus Environmental Board distributed over 200 saplings appropriate for pollinators to residents at the town's transfer station. The saplings and seeds are native pollinator species, which are supportive of fauna like honeybees and non-disruptive to the local environment.

Adjournment

Meeting adjourned at 8:12 pm by unanimous consent.

Respectively submitted,

Kenneth S. Panza, Secretary

Attachments

Letter of support for Department of Environment grant application

Summary, 2020 SM4 Annual Report

COUNTY OF ULSTER
P.O. BOX 1800
KINGSTON, NEW YORK 12402

ENVIRONMENTAL MANAGEMENT COUNCIL
Dave Haldeman, Chair
Phone: 845-338-7287
Fax: 845-338-7682

May 26, 2021

Susan Pepe
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233-3506

Re: Letter of Support, Ulster County Natural Resources Inventory and Cloud-based Mapping Portal project

Dear Ms. Pepe,

The Ulster County Environmental Management Council (EMC) fully supports Ulster County's grant application to the Hudson River Estuary Program, for completion of a County-wide Natural Resources Inventory and Cloud-based Mapping Portal.

In the EMC's role of reviewing and advising both the County and local governments in using, protecting, and conserving the environment, we understand that there is a need for access to data, and especially the value of it being hosted at the County level. The proposed project will support standardized and coordinated planning surrounding natural resource conservation County-wide and will vastly increase the local capacity for this work by creating a valuable resource to be used by our municipalities and residents. The opportunity this project offers to continue to host (and add) data moving forward will serve to establish a valuable toolkit that will become even more useful over time.

The EMC voted unanimously to provide this letter of support for the County's proposal at our May 26, 2021 meeting, and we look forward to assisting with this project and its future implementation.

Sincerely,

Dave Haldeman
Chair
Ulster County Environmental Management Council

<h1 style="text-align:center">Ulster County Department of the Environment
Summary of 2021 Stormwater Annual Report</h1>

Ulster County Department of the Environment
Summary of 2021 Stormwater Annual Report
(Reporting Year: March 10, 2020- March 9, 2021)

Under the federal regulations commonly known as Stormwater Phase II, Ulster County is regulated as a traditional, non-land use control Municipal Separate Storm Sewer System (MS4). The Departments of the Environment, Public Works, Information Services, and Planning worked together to achieve this year's stormwater program objectives. Ulster County Soil and Water Conservation (UCSWCD), Ulster County Cornell Cooperative Extension-Ulster County (CCE-UC), Ulster County Resource Recovery Agency (UCRRA), the Wallkill River Watershed Alliance, and Ulster County Environmental Management Council (EMC) significantly contributed to meeting the County's stormwater goals particularly in the areas of Public Education and Outreach (MCM1) and Public Involvement/Participation (MCM2).

The County's MS4 Annual Report is prepared to comply with MS4 regulations and is submitted to the NYS DEC. The full annual report is available for review https://ulstercountyny.gov/environment/environment/stormwater-and-green-infrastructure/ms4-reporting, and any comments may be submitted via email to stormwater@co.ulster.ny.us or in writing to the **UC Department of the Environment, PO Box 1800, Kingston NY 12402**.

The Ulster County Stormwater Management Program plan (SWMP), which was revised in 2013 (revision currently underway), is available for review at https://ulstercountyny.gov/sites/default/files/Ulster-County-Stormwater-Management-Program-Plan.pdf.

The MS4 program mandates are divided into six minimum control measures (MCM): public education and outreach, public involvement/participation, illicit discharge detection and elimination (IDDE), construction site runoff control, post-construction stormwater management, and pollution prevention/good housekeeping. The County's activities in each of these areas are detailed below.

MCM 1: Public Education and Outreach

The County's education efforts focus on internal staff development, educating the public on pollution prevention, providing educational opportunities for municipal stormwater and code enforcement officers, as well as educating local contractors. No training on MS4 best management practices, pollution control, and illicit discharge detection and elimination was required for Ulster County and Municipal employees this reporting period.

County staff attended the Eastern New York Stormwater Regional Training Center's 2020 training series. Two of the courses were held in the prior reporting period, while one was held during this reporting period. The three courses were Green Infrastructure, Redevelopment and Retrofits, and Construction General Permit.

The County is committed to providing technical, mapping, and GIS support of our municipal MS4 communities (sixteen municipalities within Ulster County are independently regulated under the MS4 Stormwater program). The County offered technical assistance to two MS4 municipalities this reporting period. The County also continues to offer a lending library of water testing and training materials in support of watershed groups and municipalities.

Stormwater information brochures are available to the public in the tourism kiosk in the County Office Building's lobby. The Department of the Environment also provides literature for various County as well as town environmental events (limited due to the COVID-19 Pandemic). In addition, the Ulster County Department of Health distributed 650 brochures on the *Food Service Waste Reduction Act* and *Stormwater Pollution Prevention Guide for the Food Service Industry* to Ulster County restaurants with their permit renewals. These brochures were created by the Department of the Environment and are distributed annually by the Department of Health.

The Kingston Center of SUNY Ulster (KCSU) along with the green infrastructure (GI) practices at the main County Office Building complex continue to serve as practical public demonstrations of using GI to handle stormwater volume and pollutants.

The Wallkill River Watershed Alliance held a Summit Series with 90 attendees and four speakers.

MCM 2: Public Involvement/Participation

As a traditional non-land use MS4 under the regulations, the County is not required to provide participation opportunities to the general public. However, our County agencies have continued to involve the public and reduce potential pollutants through various efforts. These efforts not only strengthen the County's stormwater program but help the local MS4 municipalities which do have an explicit requirement to involve and educate the general public.

Ulster County Resource Recovery Agency (UCRRA) continues to offer household hazardous waste (HHW) collection events. No HHW days were conducted this reporting period due to the COVID-19 Pandemic. UCCRA facilities also collect electronic waste for recycling. These HHW events provide for the safe removal and disposal of potential pollutants and are scheduled to resume next reporting period.

Ulster County convened the County's Water Quality Coordinating Committee six times during the reporting period with 2 meetings open to local community groups and municipalities. Presentation topics included stream protections and source water protections. A special event was also held with a presentation from USGS on sediment research and the USGS Gage Network in Ulster County.

MCM 3: Illicit Discharge Detection and Elimination

We continue to inspect our outfalls at least once in five years. The purpose of these inspections is to detect and eliminate any illicit connections or discharges to our County storm drainage system. The County also maintains a stormwater hotline for the public to report suspected illicit discharges or other stormwater concerns. There were no illicit discharges to the County MS4 system identified this year. A total of 122 (23%) MS4 road outfalls were inspected and 29 (100%) of building outfalls were inspected during this reporting period. Ulster County piloted a GIS based outfall inspection application and will continue to develop this application.

MCM 4: Construction Site Runoff Control

There were no active construction projects on Ulster County owned property. Active construction sites are inspected weekly by certified construction inspector firms.

MCM 5: Post-construction Stormwater Management Practices

Ulster County's post construction stormwater management practices include a dry pond at Golden Hill, a retention pond at the Ulster County Law Enforcement Center, a Vortechs unit at the DPW main yard, and a pond at the County Highway substation in New Paltz. In addition, there are two rain gardens and a bioretention area at the Ulster County Office Building complex and pervious pavement at Kingston Center of SUNY Ulster. These practices were inventoried, inspected, and cleaned/maintained as needed during this reporting period.

MCM 6: Pollution Prevention/Good Housekeeping

In 2009, the Ulster County Legislature enacted Local Law No.4 adopting a non-toxic pest management (NPM) policy on all land owned or leased by the County. This policy mandates the use of natural, non-toxic, or, as a last resort with advisory committee approval, least toxic cultural practices that promote healthy soil and plant life as a preventative measure against the onset of turf and landscape pest problems. The advisory committee met twice this year to discuss requests by the Catskill Mountain Railroad for the use of herbicide on a portion of the rail corridor. One waiver was issued.

In the field, drainage inspections and maintenance are conducted at all 21 county owned properties (19 in the MS4 urbanized area). These inspections ensure that any problems are addressed timely. The County has stopped using sand during winter events (except for ice events and in mountainous terrain), this greatly reduces the sediment entering the MS4. No catch basins were cleaned in this reporting period given the reduction in sand use, likewise, no County parking lots needed sweeping. All 87 miles of county road in the MS4 area were swept during the reporting period.

All road salt is kept in covered salt storage sheds at County highway garages. Ulster County continues to try to minimize salt usage and its negative environmental impact without sacrificing safe winter travel on our roads. A switch to brine application should be further explored to continue to limit salt use as a deicer.

All relevant County departments conduct an annual inventory and inspection of chemical storage.