

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

Via Email

Date: September 6, 2018

Nancy J. Brighton
Chief, Watershed Section
Environmental Analysis Branch, Planning Division
U.S. Army Corps of Engineers, New York District
26 Federal Plaza, Room 2151
New York, NY 10279-0090

Re: New York-New Jersey Harbor and Tributaries Coastal Storms Risk Management Feasibility Study.

Dear Ms. Brighton,

I am writing on behalf of the Ulster County Environmental Management Council (EMC) to express the Council's views regarding the *New York-New Jersey Harbor and Tributaries Coastal Storms Risk Management Feasibility Study*.

The EMC, appointed by the Ulster County Executive and confirmed by the Ulster County Legislature, is comprised of members of Ulster County town-based environmental councils. The purpose of the EMC is to advise the Ulster County Legislature and local governments on present and proposed methods of using, protecting and conserving the environment for the benefit of all the people of Ulster County. Ulster County shares 40 miles of shoreline with the Hudson River.

While the EMC recognizes the importance of managing the risk of coastal-storm damage in New York Harbor and its tributaries, it has concerns regarding both the process of public input and the environmental, economic and social effects of some of the six options proposed by the Army Corps of Engineers' *New York – New Jersey Harbor and Tributaries (NYNJHAT) Coastal Storm*

Risk Management Feasibility Study. Proposals for storm barriers may impact Ulster County's tidal waterfronts along the Hudson River, Rondout Creek and Esopus Creek. The Hudson River and its tributaries in Ulster County directly impact the county's economy, especially that of its waterfront municipalities of Marlborough, Lloyd, Esopus, Kingston, Ulster and Saugerties. Any changes to these waterways may impact public health, the environment and the county's economy.

The Hudson River is part of Ulster County's heritage, natural beauty, and economic viability. Much of Ulster County's economy derives from a healthy and beautiful natural environment. Many businesses rely on the Hudson River directly, including for water transportation, waterfront recreation and commerce. The towns of Lloyd and Esopus use the Hudson for drinking water. Freight is shipped by rail on the banks of the Hudson. Ulster County is a tourist and recreational destination for millions of New York City and state residents and visitors from across the country and around the world. At the same time, the Mid-Hudson Valley is a complex geography, including one of the historically most polluted but also one of the most economically crucial rivers in our country--the Hudson--along which reside millions of people of mixed socio-economic and cultural heritages. The Hudson is simultaneously a Superfund site and an American Heritage River. The Indian Point nuclear power facility is situated along its banks and, even when decommissioned in 2020-2021, the facility will remain a source of potential nuclear contamination. Complexity is inevitable here and must be considered and addressed.

1. We believe that adequate environmental studies on the effects of all these proposals (including the proposal the no action alternative) have not been carried out, and note that they will still need review when done. While at this time, the EMC lacks sufficient information about the proposals under consideration, we are concerned that several of the Army Corps' proposals call for construction of massive, in-water barriers that have the potential to critically harm the Hudson River Estuary. It is crucial that any proposal for in-water, storm-surge barriers along the New York coastline take into considerations effects on the Hudson River's tidal flow, which must move freely in order to ensure that sediment and contaminants are not trapped and that the migration of fish is not blocked. While we believe that shoreline-based perimeter strategies, such as wetlands, shallows, dunes, dikes and levees, may be the best solution, we await rigorous environmental impact studies and look forward to considering all options from an environmental lens. ***The EMC respectfully requests that the Army Corps of Engineers contract for extensive, rigorous, reliable in-depth scientific environmental reviews of all proposed options, evaluating environmental, economic, and other impacts before selecting any one of them.***

2. In addition, we understand and agree that: (a) selecting an affordable proposal is crucial; however, we are concerned that costs considerations not outweigh environmental and public health considerations; (b) large populated metropolitan counties down river are tremendously at-risk, including economic risk; however up-river communities must be adequately considered as well; and (c) superstorms are the immediate risk to public safety; however, we also recognize that permanent inundation caused by sea level rise present an existential threat for many New York communities, including all Ulster County communities with tidal waterfront. ***The EMC respectfully requests that: (a) a decision not be made primarily on cost, but that environmental impacts be equally and fully considered; (b) a decision not be made based primarily on the needs and impacts of down-river communities, but that all up-river communities and the life***

of the Hudson as a totality also be adequately considered and addressed; and (c) not only superstorms but also the threat of sea level rise be addressed in selecting a proposal.

3. Such entities as the NYS Department of Environmental Conservation, Scenic Hudson, Riverkeeper, and others, represent “deep knowledge” of the local effects of--and successful interventions for--storm events, surges, floods and sea level rise. By working closely with them, New York State’s own experience will be included in the decision-making process. ***The EMC respectfully requests that the Army Corps of Engineers utilize the extraordinary knowledge of local agencies and stakeholders in selecting a proposal so that our communities’ concerns can be addressed.***

4. The Ulster County EMC is concerned that the Army Corps’ selection process may fail to make detailed information available to the public and lacks adequate opportunities for public participation. We understand that the “3-by-3-by-3” criterion for feasibility studies is the reason that HATS is on such a tight schedule; nonetheless, public input must be fully informed by rigorous and reliable studies with an adequate process for public comment. Recently, in this process Army Corps of Engineers provided the public with only a brief overview and a series of alternatives from which the agency would choose one to pursue. The alternatives list was insufficient in that it included no alternatives for up-river estuary communities regarding storm surges and no suggestions for a mix of alternatives to be pursued. ***We request adequate study information and data on which the public may then comment, as well as additional public meetings to be held as early in the review period as possible to provide much-needed details about the proposals and the results of the studies. These public meetings should be structured to allow for input from interested groups, stakeholders and the general public, and timed to allow for broad comment by the public and other stakeholders. They should not be one-way meetings in which the Army Corps of Engineers does most of the talking and the public is required to remain largely passive; the public must be an active part of the decision-making that will so impact our communities.***

It is crucial that, without dragging our feet, we collectively make decisions about a solution with the greatest level of research and skillful visioning. Given the possible multi-billion dollar cost of this project, it must be the very best it can be, and address the greatest number of threats (both super storms and sea level rise), human needs, environmental problems, and economic concerns. Let’s take the time needed and do the studies required to make the best decision with full input from knowledgeable organizations, interested groups, all stakeholders and the general public.

Yours truly,

Dave Haldeman, Chair
Ulster County Environmental Management Council