

NEWS

New York State Department of Environmental Conservation Commissioner Joe Martens

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DEC ANNOUNCES AGREEMENT TO IMPROVE MANAGEMENT OF ASHOKAN RESERVOIR DISCHARGES INTO THE LOWER ESOPUS AND NEARLY \$3.4 MILLION FOR ENVIRONMENTAL PROJECTS

New York State Department of Environmental Conservation (DEC) Commissioner Joe Martens today announced an agreement with the New York City Department of Environmental Protection (NYC DEP) to reduce the impact of discharges from the Ashokan Reservoir into the Lower Esopus Creek, and advance additional initiatives that will protect the environment and promote recreational activities in Ulster County.

Under the agreement, New York City will perform a comprehensive environmental review of NYC DEP's releases from the Ashokan Reservoir, which are currently governed by DEC's Catskill Turbidity Control Program. DEC will be the lead agency for the review which, will be subject to full public participation. The Catskill Turbidity Control Program consists of management practices to control turbidity in the system, including management of the Ashokan Reservoir release channel, which balances multiple competing uses of water in the Ashokan Watershed.

New York City will also invest approximately \$3.4 million to fund environmentally beneficial projects in the Esopus Creek Watershed. This program will include a stream management plan for the Lower Esopus and \$2 million to implement that plan or related projects. Two major stream stabilization projects will be undertaken in the Ashokan Reservoir as part of a comprehensive program (that includes FAD projects) to reduce turbidity and erosion at its source. Fish stocking, installation of stream gauges and water quality monitoring will be undertaken on the Lower Esopus under this agreement. The sum of \$80,000 will be provided to support Ulster County with technical consulting services during the environmental review process.

Recreational opportunities in Ulster County will also be expanded through a \$2 million State Environmental Protection Fund (EPF) appropriation for the Ulster County Rail Trail, extending recreational trail opportunities to include a connection with the Walkway Over the Hudson with rail trails in Ulster and Dutchess counties. The proposed public recreation trail will start in Kingston and follow the Ulster & Delaware line westward to the Ashokan Reservoir, linking the Catskill Park with the Hudson River and Walkway Over the Hudson. The \$2 million in funding for this project was designated by Governor Andrew Cuomo in the 2013-14 State Budget.

“Protecting water quality is one of the primary goals of managing water systems and we are pleased that we have an order that will improve the management of the Ashokan system and reduce impacts on the Lower Esopus,” Commissioner Martens said. “I commend the NYC DEP for working with us on a forward-looking order that will help to reduce turbidity, combined with additional funding for other related projects in the Esopus Creek Watershed, provide environmental benefits to communities and residents in the region, and also help to attract tourists and businesses. I also want to acknowledge the efforts of Ulster County Executive Mike Hein, who was a strong representative of his community throughout this process and a tireless advocate for local needs. DEC also appreciates the work of Congressman Chris Gibson to protect the interest of his constituents while also supporting environmental improvements within the Esopus Creek Watershed.”

Under the agreement, which will be executed as a consent order, NYC DEP will be required to reduce the duration of any turbid releases to the Esopus Creek, flush the creek with clear water more frequently than in the previously-proposed order, limit the maximum release rate, and limit turbidity in releases that are intended to reduce storm flows downstream of the Ashokan Reservoir. The enforcement order includes a penalty if NYC DEP does not meet the order’s requirements.

The order also includes significant funding for environmentally beneficial projects in the Esopus Creek Watershed, such as stream restoration projects on the Upper and Lower Esopus Creek, development and implementation of a stream management plan for the Lower Esopus, installation and maintenance of new stream gauges, and fish stocking.

The interim reservoir release protocol now in place has been enhanced in response to public comments. This release protocol will be fully assessed and improved through the environmental impact review process, and will ultimately be incorporated into a regulatory permit.

The order complements programs set forth in the Filtration Avoidance Determination (FAD) including stream management programs in the Lower Esopus similar to projects undertaken in the watershed. The New York State Department of Health, in consultation with United States Environmental Protection Agency and DEC, has released a draft Filtration Avoidance Determination (FAD) for public comment. The draft FAD has identified the following projects and funding in the New York City Watershed, including the portion of Ulster County in the City’s watershed:

- \$50 million increase to continue NYC DEP’s land acquisition program.
- \$15 million for a flood buy-out program. This program will include properties that fall outside of the FEMA flood buy-out eligibility criteria. Additional funds can be shifted to this program from the \$50 million land acquisition allotment if flood buy-outs requests exceed the \$15 million allotment.
- \$17 million to support a local flood hazard mitigation grant program (structure relocation, flood proofing, elevation, flood plain reclamation).
- Seven major stream restoration/turbidity reduction projects in the Ashokan Watershed at an estimated \$3 million.

- \$20.6 million increase for the County Soil and Water Conservation Districts to address erosion and stream stabilization and local flood hazard mitigation planning and projects.
- \$23 million for Watershed Agricultural Council farm conservation easements.
- \$6 million for Watershed Agricultural Council forestry conservation.
- Nine stormwater retrofit projects annually, with potential funding available at approximately \$3.6 million.

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