

**Ulster County Legislature
Environmental Committee
P.O. Box 1800
Kingston, New York
County Office Building, Legislative Library
6:00 PM, 3/19/08**

Call to order:

6:05, Brian Shapiro, Chair

Present:

Brian Shapiro, Chairman; Richard A. Parete; Hector Rodriguez; Gary Bischoff; Amanda LaValle, Ulster County Department of the Environment (DOE); Kathleen Capella, USDA-NRCS; Gary Capella, UCSWCD; Michael Bemis, UCRRA; Charles Whittaker, UCRRA; Bruce Duffy, Trout Unlimited; Ron Leonard, Trout Unlimited; Roger Walters, Trout Unlimited; Miriam Strouse, secretary

Agenda:

Proposal for public fishing access at Stone Ridge Orchard, Stone Ridge
Resolution on Events in Tibet
Bushkill Creek emergency stream restoration
Soil & Water Conservation District
UCRRA
Department of the Environment
Outdoor Wood Burning Boilers

Public fishing access at Stone Ridge Orchard:

Guests: Bruce Duffy; Trout Unlimited, Bushkill Rod & Gun Club, Ulster Federated Sportsmen Club, Catskill-Delaware Natural Water Alliance, Lower Esopus River Watch; Ron Leonard, Trout Unlimited, Catskill-Delaware Natural Water Alliance; and Roger Walters, Trout Unlimited, Ashokan-Pepacton Trout Unlimited Chapter

Trout Unlimited (TU) presented a proposal to create public fishing access at the Stone Ridge Orchard, off Route 213, in Stone Ridge. This site has abundant wildlife, including songbirds, muskrats, beavers, waterfowl, and two large ponds “loaded with fish.” Centrally located near major roads, it could provide recreation and education

for youth, the disabled, and the community at large. TU would develop and maintain the site by hosting fishing and car-top boating events, offering fishing equipment and instruction, and building handicapped as well as conventional fishing access. This pilot project could be replicated at other ponds. TU has been gathering support, and has access to pro bono grant writing. Also, the DEC and the Open Space Institute (OSI) have expressed interest in partnering on this project. Mike Flaherty of the DEC has offered to help with a fish census; the OSI is a potential source of at least \$1,200,000.

Further discussion explored the recent development proposals, current status, and development potential of the property.

Brian Shapiro proposed a resolution of support for the fishing project:

Recognizing the unique biodiversity of the Stone Ridge Orchard site, the Environmental Committee supports the creation of public fishing access at this location.

Richard Parete seconded the resolution, which passed unanimously.

Tibet:

Brian Shapiro offered a *Resolution Supporting the U.S. Department of State's position on Events in Tibet*. (on file) Hector Rodriguez seconded the resolution, which passed unanimously.

Bushkill Creek emergency stream restoration:

The Trout Unlimited representatives, reminding the committee that its mission is “*the conservation, preservation, and restoration of cold water fisheries*,” criticized the design and implementation of a 2007 emergency stream restoration project on the Bushkill Creek between the route 28A bridge and the Watson Hollow Creek bridge. TU voiced concern that the project's tree removal and heavy moving equipment had degraded the stream. Gary Capella, Kathleen Capella, and Amanda LaValle spoke to TU's concerns, explaining the goals (protecting life and property, and maintaining road access), compressed timeline, and regulatory framework of this post-flood Emergency Watershed Protection (EWP) project. Kathleen Capella noted that both the town of Olive and the adjacent landowners had signed off on the project. Gary Capella added that bare root seedlings will be planted to stabilize the site in this spring. The TU guests accepted this clarification. Roger Walters pointed out that, by protecting the Catskills' world famous trout fishery, they're protecting part of a \$20,000,000 annual industry in Ulster County. TU emphasized that they want to

collaborate, and to benefit everyone, including land owners. (Incidentally, Bruce Duffy offered to share his equipment for making willow fascines.)

The Environmental Committee requested notice from Soil and Water of future major projects, including Emergency Watershed Projects. Explaining this request, Hector Rodriguez noted that New Paltz had not notified him of the stream stabilization project there, even though he is the county legislator, and that he had only learned of it by chance.

Soil & Water Conservation District:

Gary Capella, Executive Director, introduced the 2007 annual report by reviewing the Ulster County Soil & Water Conservation District's (the District's) mission since its creation in 1965. After distributing a brochure detailing the District's work, and referring interested parties to www.ucswcd.org, he highlighted 2007's work in stormwater compliance, wetlands and wildlife restoration, site assessment, and permitting assistance. The District's stormwater work included partnering with Ulster County to assist the MS4 municipalities in meeting their mandatory stormwater outfall mapping deadline. The District provided over 500 hours of assistance, valued at \$19,000. Additional accomplishments included:

- Creating over eighty five acres of wetlands and wildlife habitat
- Stabilizing 2,500 linear feet of stream, work valued at \$77,000
- Providing permitting assistance, sketches, standards, and specifications for 15,000' of work on streams, roads, ditches, and hillsides
- Providing 43 soils groups worksheets to assist Ulster County farms qualify for tax abatements which promote farm viability, thus protecting 1,840 acres of open space
- Implementing USDA cost sharing programs on 69 Ulster County farms, providing \$370,000 of protection to over three thousand acres
- Protecting 3,300 linear feet of stream bank with approximately \$300,000 in funding from the Emergency Watershed Stream Bank Protection program
- Generating \$19,000 of revenue for NYS businesses
- Distributing over 20,000 tree and shrub seedlings and over 10,700 fish

In 2007, the District implemented programs valued at approximately \$1,100,000, representing a 14:1 ROI for the County's funding.

UCRRA:

Mike Bemis, Executive Director introduced Charlie Whittaker, UCRRA Operations Manager. Mike Bemis reported recent projects to revive the agency's original mission, "to reduce waste, and increase recycling." All nineteen transfer stations have installed the new recycling signs described at the February meeting. Over 80,000 new recycling brochures, which also publicize the next household hazardous waste (HHW) and electronics waste (e-waste) collection (see below), are being distributed through newspaper inserts, waste haulers, direct mail (City of Kingston), and at nineteen transfer stations.

Mike Bemis noted that current markets for metals, including scrap metal, and plastics are excellent. He reminded the Committee that UCCRA's financial information is available at <http://www.ucrra.org/aboutus/aboutus.htm>.

There was general discussion of the future of Ulster County's solid waste in light of today's rising diesel fuel costs. UCRRA buys 600,000 gallons per year, and the cost has risen \$1.00/gallon over the past year. One possibility, currently being considered by Sullivan County, is being developed by Taylor Recycling, a recycling innovator for over twenty years. Taylor asserts, "The main advantage of the Taylor gasification process is that it converts the vast majority of waste (biomass and plastics) into a medium-Btu gas that allows economical production of electricity without combustion and with an ash discharge approximately 10% of the incoming waste stream. The energy produced is *renewable, clean and non-polluting*." (my italics) See <http://www.taylorbiomassenergy.com/>

HHW/e-waste:

The next HHW and e-waste collection is April 19; registration is required. See <http://www.ucrra.org/recycling/hhw.htm>. As a possible collaboration between by UCRRA and the Department of the Environment, Brian Shapiro suggested a joint press release to promote the April 19 event.

Four towns, Marbletown, Shawangunk, Hurley, Saugerties, and the city of Kingston currently provide year round electronics waste recycling at their transfer stations. UCCRA's provides this service informally. At the facility, Mr. Whittaker pulls e-waste from the waste stream; customers spontaneously add added their own e-waste.

Currently, two bills promoting E-waste recycling statewide are stalled in the state Assembly. Mike Bemis believes that either bill would be a great step forward. (Bill summaries attached, see <http://assembly.state.ny.us/leg/?bn=A07191> and

<http://assembly.state.ny.us/leg/?bn=A08444> for full texts.)

Department of the Environment (DOE):

Amanda LaValle, Coordinator, described the DOE's current work. The staff has moved to the renovated offices at 17 Pearl Street, and the deputy coordinator position has been advertised.

While the DOE office has been getting established, the Coordinator has also met with those county departments specified in its mission, including Information Services, Health, DPW (both Highways and Bridges, and Buildings and Grounds), Planning, UCS&WCD, Cornell Cooperative Extension, and stormwater (MS4).

She also met with UC Emergency Management's Director, Art Snyder. Although Emergency Management was not specified in the DOE's original plan of work, this department is potentially a key player in the County's environmental programs. By definition, emergency response presents unexpected possibilities, when funds are released and work is done. With pre-emergency planning, future emergencies could create opportunities to work "with [environmental] stewardship in mind".

Lining up current projects, the Coordinator also met with Planning on the Open Space Plan, and attended DEC regional open space meetings. She held meetings on natural resource inventory and GIS with various county departments, and also met with representatives from the Upper Esopus Stream Management Plan.

Amanda LaValle also promoted a free workshop on 3/28/08, *Flood response, recovery, and mitigation*, sponsored by Cornell Cooperative Extension (UC) (with support from Soil and Water). She noted that this program takes the knowledge base developed in the DEP watershed with NYC money, adds some DEC funding, and makes it available to the entire County. (See attached pdf.)

One Upper Esopus issue concerns hazard mitigation and grant funding. The Catskill Watershed Corporation (CWC) is administering a grant program, the Stream Corridor Protection Program, which began in January 2008. Each project can receive up to \$100,000 for design and study, and up to \$100,000 more for construction. These projects must reduce threats to people or property within the watershed, along stream corridors, stream banks, or flood ways. Under this program, 100% funding may be available for to remediate a county property in Phoenicia, where the railroad ROW is actually *in* the water. The Coordinator visited the Phoenicia site with Dave Burns of DEP, Jeremy Magliaro of Cornell Cooperative Extension, Nate Hendricks of CWC, representatives of the Catskill Mt. Railroad, and owners of adjacent property. This

problem area has had ongoing erosion problems, especially since the 2005 flood. A stream project at the could correct an eyesore, where the tracks are hanging sideways in the water, and also address water quality and flooding issues.

The Committee reviewed the grant application process. After the application is cleared by Administration, it will be possible to apply for the grant without a resolution. The legislature can approve the grant later, when it goes to contract. This grant process is unusual, as the CWC needs to get RFPs simultaneously with the grant application. Amanda LaValle noted that there's a very high probability of winning the grant, as this is a very small program, and both CWC and DEP showed interest in the project.

The DOE will put out the RFP as soon as possible; Bob DiBella and Robin Peruso will shepherd the process. Sue Ronga, in Administration, informed the DOE that there is no need for a legislative resolution for this type of grant, which has 100% external funding.

Governments and individual property owners could all benefit from this project. Brian Shapiro suggested that it is always good to get a County resolution of support, even when it is not mandatory. He will call a very short meeting to pass a resolution of support on caucus night, April 2. Brian Shapiro asked Amanda LaValle to keep the committee informed of the project's progress. He'll approach the Shandaken town board for a resolution of support for the project, which will protect the community's water supply. Also, Jeremy Magliaro, of CCE, has good ties in the area, and is going to ask landowners for letters of support for the project.

Gary Capella's mentioned that Soil and Water's is negotiating a contract with the DEP for a program, the Streamside Assessment Project (SAP), which will provide staff, including a riparian assessment expert, stationed in the watershed. The stream expert could probably help study the Phoenicia site. Amanda LaValle welcomed this offer, and also mentioned that the site is ideal for planting, rather than construction.

Rich Parete brought up the need for county culvert data in the watershed. He's been hearing from highway departments that, "rainstorms have been worse than ever", and he's like to see if any CWC grants are still available, as the need is still there for this data. In 2006, Ulster County won a \$50,000 CWC contract to collect data on culverts in the watershed. However, the county had never signed a contract with the CWC, because the then County Attorney did not like the language of the CWC's boilerplate contract. He'd like the DOE to revisit this, perhaps go back to the legislative resolution that passed unanimously in 2006, speak with the County Attorney's office, and start a dialogue to make it possible to revisit this grant opportunity.

Moving to another topic, DPW is moving towards using green cleaning products at the county buildings. The DOE is going to help Vic Work put out a press release.

Outdoor Wood Burning Boilers:

At the next Environmental Committee meeting, Brian Shapiro would like to see Ulster County consider exploring possible adoption of a uniform, county wide policy on Outdoor Wood Burning Boilers.

Adjourn:

Richard Parete proposed, and Gary Bischoff seconded, a resolution to adjourn at 8:15, which was approved unanimously.