

Ulster County Legislature

Carl Belfiglio, Legislator District No. 8
Chairman: Environmental,
Energy & Technology Committee



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FOR IMMEDIATE RELEASE
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ULSTER COUNTY SUBMITS TESTIMONY IN RESPONSE TO THE DRAFT NYC FILTRATION AVOIDANCE DETERMINATION

(Kingston, NY) – Today, Environmental, Energy, and Technology Committee Chairman Carl Belfiglio and Legislators Tracey Bartels, Craig Lopez, Mary Wawro, and Kenneth Wishnick submitted the remarks from twenty-three Ulster County residents and elected officials concerned with missing elements in the draft NYC Filtration Avoidance Determination.

The comments were compiled from the presenters attending the Committee's September 25, 2013 Public Hearing as well as written testimony submitted to the Committee. This hearing gave the Ulster County public an opportunity to voice its opinions and concerns over the NYS DOH's FAD. The testimony demonstrated the impact of the FAD is not isolated to one community or one section of Ulster County.

In fact, based on the concerns and research presented, the impact of the FAD's omission of the Environmental Protection Agency (EPA)'s requirement that the New York City Department of Environmental Protection (DEP) cease all turbid water releases, as well as address the recovery actions to repair the damage done, affects Ulster County as a whole.

Upon review of the enclosed testimonies, the Committee found the following to be of utmost concern and respectfully request the NYS DOH ensure these actions are included as part of a required revision of the FAD:

1. Move a substantial amount of appropriations from the Land Acquisition Program to Stream Mitigation and Infrastructure Projects.

2. Maintain reservoir levels at lower and less environmentally hazardous levels for upstate communities.

3. Require long term structural solutions to turbid water releases with recognition that turbid water releases are not only unacceptable but also in violation of the EPA's Clean Water regulations.

4. Require not only a direct connection between the FAD and the DEP's Consent Order within the FAD instrument but also ensure long term enforceable reparations should the Consent Order not be followed.

Chairman Belfiglio stated, "The voice of Ulster County has been heard and submitted. We urge the New York State Department of Health to not only examine these comments but ensure Ulster County's concerns are addressed with a revision to the draft that includes actions to hold NYC accountable to the upstate communities that play host to their water."

Committee member, Legislator Mary Wawro, reminded all, "The deadline for submitting written testimony is Friday, November 15, 2013. There is still time for your voice to be heard. If you are concerned with the impacts of NYC's water filtration avoidance, send the New York State Department of Health your testimony."

Testimony can be mailed directly to NYSDOH Attn: Pamela Young, Empire State Plaza, Corning Tower Room 1110, Albany, NY 12237; or electronically to fadcomments@health.state.ny.us.

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[Testimony Submission Document Attached]