

**Supporting Efforts Of The Coalition Of Watershed Towns To Promote Good Faith Negotiations And Continued Funding Of Watershed Protection And Partnership Programs**

Referred to: The Energy, Environment and Sustainability Committee (Chairman Hewitt and Legislators Donaldson, Greene, Litts, Nolan, Stewart, Uchitelle, and Walls)

Legislator Kathy Nolan and Legislators Clinton, Corcoran, Criswell, Donaldson, Greene, Harmon, Hewitt, Lopez, Sperry and Stewart offer the following:

WHEREAS, the Coalition of Watershed Towns (CWT) represents 35 towns and villages in the West of Hudson New York City Watershed, including Shandaken and Marbletown in Ulster County, and is a signatory to the 1997 New York City Watershed Memorandum of Agreement (1997 Watershed MOA); and

WHEREAS, the Catskill Watershed Corporation (CWC) is a not-for-profit local development corporation with two voting members designated to serve on its board of directors from Ulster County, and is a signatory to the 1997 Watershed MOA; and

WHEREAS, the 1997 Watershed MOA, Paragraph 85, established that as a condition of the New York City Land Acquisition Permit, the New York City Department of Environmental Protection (NYCDEP) must also fund Watershed Protection and Partnership Programs; and

WHEREAS, the Watershed Protection and Partnership Programs are a benefit to water quality and to local watershed communities; and

WHEREAS, the 2010 Water Supply Permit issued by New York State Department of Conservation (NYS DEC) authorizes the New York City Watershed Land Acquisition Program through December 2025; and

WHEREAS, the CWT has been negotiating with NYCDEP on the next Water Withdrawal Permit that will govern New York City's land acquisition program and continued support of Watershed Protection and Partnership Programs; and

WHEREAS, on June 13, 2025, NYCDEP unilaterally and without warning or explanation terminated all negotiations on the permit and a side agreement and has submitted a draft permit to NYS DEC for consideration; and

WHEREAS, NYCDEP has refused to share the draft with the Coalition and has indicated that it will only commit to continued funding for the watershed programs if required by the next Filtration Avoidance Determination (FAD); and

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WHEREAS, both the refusal to negotiate the terms of the permit and commit to funding programs for the duration of the permit are inconsistent with past practice, the partnership between the watershed communities and the spirit, if not the letter, of the 1997 MOA; and

WHEREAS, release of a draft permit that has not been reviewed or agreed to by the Coalition is likely to result in harms to multiple parties, unnecessary acrimony, and potential disruption of a vital partnership that has developed in the nearly 30 years since the signing of the historic 1997 Watershed MOA); and

WHEREAS, both the CWT and the CWC have petitioned NYS DEC to place a pause on the processing of NYC DEP's submitted permit application, supported by resolutions from the Schoharie County Board of Supervisors and the Mountaintop Supervisors and Mayors Association of Greene County, with an additional resolution of support being considered by the Delaware County Board of Supervisors; now, therefore be it

RESOLVED, that the Ulster County Legislature supports the Coalition of Watershed Towns' request to the NYSDEC that funding for local Watershed Protection and Partnership Programs continue to be a requirement of the NYC Land Acquisition Program permit; and, be it further

RESOLVED, that the Ulster County Legislature supports the Coalition of Watershed Towns' request to the NYCDEP to agree to obtain the consent of the communities as a condition precedent to a ten-year expansion of its land acquisition authority; and, be it further

RESOLVED, that the Ulster County Legislature urges NYS DEC Commissioner Lefton to delay releasing a draft permit for public comment until the parties can complete the negotiations to ensure that *inter alia* funding is continued for the Watershed Protection and Partnership Programs,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

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Passed Committee: Energy, Environment and Sustainability on \_\_\_\_\_.  
on \_\_\_\_\_.

FINANCIAL IMPACT:  
NONE