

Meeting	REMOTE Hudson River Drinking Water Intermunicipal Council
Date	Thursday, October 15, 2020 Quorum: 5:32pm Adjourn: 6:34pm
Location	Remote
Chairperson	Mayor Gary Bassett, Village of Rhinebeck
Vice Chair	Supervisor Jay Baisley, Town of Poughkeepsie
Secretary	Deputy Supervisor Neil Krupnick, Town of Hyde Park
In Attendance	<ul style="list-style-type: none"> ● Mayor Gary Bassett, VoR ● Deputy Supervisor Neil Krupnick, ToHP ● Supervisor Shannon Harris ToE ● Deputy Supervisor Russ Gilmore ToL ● Board member Bill Carlos, ToL ● Neil Curri, ToL ● Paul Malmrose (Technical Advisor, Engineering) ● Emily Svenson (Technical Advisor, Land Use) ● Brad Barclay, Dutchess County Representative ● Rebecca Martin, Riverkeeper (coordinator) ● Dan Shapley, Riverkeeper (presenter)

Regular Business

1. Call To Order 5:32
2. Roll Call & Quorum Determination.
 - a. Voting members: Gary Bassett (VoR), Neil Krupnick (ToHP), Shannon Harris (ToE), Russ Gilmore (ToL), Bill Carlos (ToP). **Five voting members (quorum)**
3. Approval of 8/20/20 and 9/17/20 minutes
 - a. **8/20: Bassett/Krupnick. Motion carried.**
 - b. **9/17: Bassett/Krupnick. Motion carried.**
4. Communications
 - a. Suzie Ross, 2021 M.S. Candidate in Climate Science & Policy at Bard College (presentation)
 - i. Ms. Ross is a 2021 Masters of Science Candidate in Climate Science and Policy student at Bard. Her thesis project is focused on contingency plans for appropriate alternative

drinking water source solutions in the case the Hudson River is unaccessible or unsafe for consumption. She has selected the Poughkeepsie Water Treatment Plant (limited to selecting one plant) as it serves the largest population though hopes to expand the scope and focus to all Hudson 7 communities. Randy and Paul (Malmrose) have been generous and helpful with information. **GB** asked what the timeline was. **SR** said she had already started down the path of literature review, end result in April or May. Gary asked for a report when complete.

- b. [Sodium levels up in Poughkeepsie drinking water and Hudson 7](#)
 - i. **GB** suggested that members reach out to Randy if they have any questions.
- c. Reading from John Lipscomb: “Is New England’s Biggest Renewable Energy Project Really a Win for the Climate?” Next article (part 2) should deal with CHPE.
 - i. **GB** explained this was a good article for everyone to read.
- d. Notice of Violations of the Endangered Species Act and the National Environmental Policy Act in Connection with the Champlain Hudson Power Express (CHPE) Project
- e. A late communication arrived from Jen Laird White, VP/External Affairs for Transmission Developers Inc regarding the Water Intake Certificate plans and CHPE. The Hudson 7 agreed to take it up next month.
 - i. **PM** expressed his concerns about CHPE. **BC** said that he and Randy had discussed years ago and it wasn’t the intakes that concerned him as much as the gas lines that run from one side of the river to the other and the potential of laying a high charge electric cable over these gas lines when they get to their point in the river. **GB** said that when they cross over any gas or electric, the lines would have to be surrounded with concrete. **DS** To Paul's point, a parallel to Central Hudson clean-up is going back many years, there were negotiations with the DEC and Riverkeeper and others regarding which parts of the river were most sensitive to habitat and fish? The Hudson River as a drinking water source was not well known back then and therefore, not a consideration at that time. The awareness of the

Hudson River as a drinking water source is different today, and there is an opportunity to influence the CHPE process. That's the function that the Hudson 7 can play.

1. ACTION: Take time to read the response, and work to get Jennifer to visit in November.

- f. Wappinger Creek federal Superfund site progress made. The Remedial Investigation/Feasibility Study (RI/FS) work plan was completed, and EPA has contracted to begin the RI/FS.
 - i. **DS** gave an overview. The superfund site is at the mouth of the Wappingers Creek, connected directly to the Hudson at that point. The DEC cleaned up the land 15-20 years ago. A few years ago, the EPA was asked to take over the clean-up in the sediment itself. If you look at our Hudson 7 map based on the DOH delineation, this is just south of Poughkeepsie's intake, and we know that the delineation is just a draft so it's important to pay attention to this site. This process will be long and this step will be the first step as they investigate the extent of the contamination and develop alternatives for how they might clean it up.

1. ACTION: Dan has a copy of the work plan (technical document) and will send it around to the Hudson 7.

5. Public Comment

- a. None

Reports and Actions on Old Business

1. Hudson River Source Water Protection initiatives

- a. Update on NYS Drinking Water Source Protection Program

- i. Dutchess and Ulster County Updates

- 1. Amanda LaValle, Class C Streams gave a presentation regarding the Class C stream map that Ulster County created to support the proposed legislation S5612A/A8349 to amend the NYS Environmental Conservation Law to add class C streams to the list of protected streams. This would increase the miles of streams for which disturbance requires a permit from the NYS DEC. Currently, based on a standard (trout and trout spawning). Passed through the state senate and

assembly, waiting on the governor. It may not be signed due to the 'burden' to the DEC. Ulster County decided to create a map of Class C streams to take a look. Amanda was really surprised to see the number of miles of streams, and those with a direct connection to the Hudson River, including the mainstem of the Rondout Creek in the tidal section (from Eddyville Dam and downstream are Class C) meaning you wouldn't need a DEC stream disturbance permit, technically a permit required from the ACE however they are often very far away and not really as involved as the DEC when permitting there. Amanda said that there seems to be a bias in what is protected in NYS when it comes to cold water streams, what neighborhoods they are in, whether or not they are protecting drinking water and direct tributaries into the Hudson. **GB** asked what the red on the map were. **AL** said that they were D streams. **DS** the scorecard report identified this issue, though Ulster county's map illustrates it in a new way that makes it very obvious. The legislature approved it two years ago. The senate and assembly has voted twice on this, but the governor has not signed it. Dan suggests that the Hudson 7 sign a letter to urge the governor to sign the bill. Amanda is interested in finding a way for the county to support municipalities in stream protection. **RM** asked what the Dutchess side looks like re: Class C streams? Brad is going to ask Devin to put together a map that is similar to look at that. Brad said that C streams are considered 'normal' streams. D streams are known as impaired. Amanda says that it has them looking at historical bias where drinking water, bathing and then trout recreation. Although trout may be an indicator for other problems, that today, it may not be the best surrogate for protecting streams. **BB** Trout was an economic indicator, more in Ulster than Dutchess. **BC** asked if the Fallkill Creek was a C Stream. It was confirmed that it was.

a. ACTION: Hudson 7 to send a letter to the Governor to ask that he sign the Class C Stream bill. Bassett/Carlos. Motion carried.

- ii. DWSP2 updates 1. On October 6, Dutchess and Ulster County Hudson 7 representatives discussed DWSP2 Mapping Strategy and the Hudson 7
1. Dutchess is looking at some of its existing databases, concerned about the county health department databases. Ulster County is in the same place, inquiry into SWA's.
 2. **DS** An update to the DWSP2 grant, Dan spoke with the state office of general services who has approved the DEC starting to spend money re: the DWSP2. Last month, we learned they had determined their state consultants. We are waiting now to learn which communities will receive assistance. **SH:** Esopus called and got in touch with the Contracts and Grants division. They are looking into it now (the outcome of the Hudson 7 submission). **EM** said in Ulster County, the water quality coordinating meeting, Amanda has invited someone from the DWSP2 to present. She will try to get a direct question about announcements. HVRC is working with the Village of New Paltz, they have been assessing the water supply and are starting to look into threats now. In the future, we might want to invite someone from New Paltz or HVRC to provide an overview of the process.

b. Central Hudson

- i. Central Hudson did a mass mailing regarding the DEC determined that plans are adequate for the hydraulic dredge pilot test this season. **BC** the dredging is to start in a non-contaminated area to see if the process works. If it does, they have narrowed down the site to seven acres, where the coal tar is seven feet thick. Kudos to the Hudson 7. The PWTF got its Mass spectrometry online. Central Hudson made a purchase to that and they are now discussing how to share information. **DS** said that the mass spectrometry has the ability to measure

lots of different types of chemicals in a water sample. It's a big new capacity not only for Poughkeepsie but the Hudson 7.

- ii. Champlain Hudson Power Express presentation request
 1. **ACTION: Take time to read the response, and work to get Jennifer to visit in November.**
- iii. Hudson 7 presentation and NYS American Water Works Association
 1. **PM** said how impressed he was of the accomplishments of the Hudson 7 in only 18 months of their being active. He's been able to put the presentation up on the Hudson 7 site. His goal is to encourage other communities that share source water to get together with environmental groups to protect their water source.
- iv. Update on Municipal code review
 1. **ES** still has three complete communities, Town of Poughkeepsie being the most recent. More soon.

2. Water Operators

- a. Next steps for convening operators and/or providing assistance during COVID
 - i. This item on the agenda is a placeholder for now. We will continue to work towards this.
- b. Equipment share
 - i. **GB** has shared with his water department and encourages other Hudson 7 communities with water operators to do the same.
 1. **ACTION: Rebecca to draft a shared service agreement for the Hudson 7 to review.**

New Business

1. Update on Dutchess County Fire Training Center (Hyde Park) – Site Added to State's Superfund Registry
 - a. **DS** said that he reached out to Anthony (Tony) Bolasina, P.G., Assistant Geologist - Bureau D, Section D of the New York State Department of Environmental Conservation site manager and added the following Hudson 7 council members to the communications list to get updates on milestones and outreach. He expects that we will hear something. **GB** thought to go through the county budget to see if there is a line item or not for this. **DS** learned that the DEC has been

asking Dutchess County to fund this investigation and the next stage is an investigation of the cleanup. Dan doesn't have documents, but it appears as though Dutchess County has refused to engage on this item and therefore, the state takes on 'orphan' sites like this. It is the reason why it is in their hands currently. There might be something to understand re: the relationship between Dutchess and the DEC. **BB** does not know where the investigation level is or what the county has done to this point. His understanding is that this project is at the very beginning and is not based on testing, but rather based on the fact of none usage. **DS** said it started with non usage, but there has been some testing done based on the DEC's fact sheet for this project. The single test result that was collected in the creek itself was not very high. It's something to watch, and Dan personally believes that more testing is needed to feel confident that that one sample is indicative of the conditions in the creek overall and what's flowing out to the Hudson. The state of knowledge is small due to the current testing, and next steps needs to be a lot more testing.

i. ACTION BB to follow-up to learn more.

Adjournment

Bassett/Carlos. Motion carried.