

Meeting	Hudson River Drinking Water Intermunicipal Council
Date	Thursday, May 20, 2021 Quorum: 5:34pm Adjourn: 6:35pm
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"> ● Gary Bassett, Mayor (VoR) ● Neil Krupnick, Deputy Supervisor (ToHP) ● Bill Carlos, Town Board (ToP) ● Randy Alstadt, WWTP Operator/Technical Advisor (CoP) ● Marc Nelson, Town Administrator (CoP) ● Shannon Harris (ToE) ● Paul Malmrose (Technical Advisor, Engineering) ● Emily Svenson (Technical Advisor, Land Use) ● Brad Barclay, Dutchess County Representative ● Europa McGovern, Ulster County Representative ● Rebecca Martin, Riverkeeper (Coordinator) ● Dan Shapley, Riverkeeper

Regular Business

1. Call To Order 5:30pm
2. Roll Call & Quorum Determination.
 - a. Voting members: Gary Bassett (VoR), Neil Krupnick (ToHP), Bill Carlos (ToP), Randy Alstadt (CoP), Shannon Harris (ToE)
Four voting members (quorum)
3. Approval of minutes
 - a. Motion to approve 4/21/21 **Bassett/Carlos. Motion carries.**
4. Communications
 - a. Central Hudson: Mark McLean would like to be placed on the agenda for an update next month.
5. County representative report

- a. Ulster County. Esopus Creek Congrats to the Hudson 7 for DWSP2 program. Ulster County looks forward to supporting the project in any way that they can.
6. Public Comment
- a. Emily Vail gave an update on the Hudson 7 on community resilience building workshops planning process and outcomes. Town/Village of Rhinebeck and City/Town of Poughkeepsie have completed theirs. The Town of Hyde Park is just getting started and the Towns of Esopus and Lloyd will be outreached in June. Paul Malmrose asked about the salt front as being a concern for Poughkeepsie and Lloyd. Gary Bassett said that the report that was created for them was thorough and helpful. It was of great value to go through this process and helped Rhinebeck secure a bronze climate smart community.

Reports and Actions on Old Business

1. Hudson 7 Priorities for 2021-2022 (committee report)
 - a. Dan Shapley gave an overview of the [Hudson 7 goals for 2021-2](#) created by the ad hoc committee that included Elizabeth Spinzia (ToR) and Russell Gilmore (ToL), Dan and Rebecca. Regarding the DWSP2, Gary asked if the Hudson 7 would take the lead for all water treatment plants, or would communities work independently? Randy suggested that the Hudson 7 take the lead. Gary wondered if the Hudson 7 ought to form a committee or to wait for the state consultant. Dan's expectation is that the contractor would organize the process so that the meetings will occur and there are prompts to get the right people in the room. They would be doing the mapping, although there are some questions Dan has given the size of the watershed and the estuary. The counties can provide layers that might be out of the purview of the consultant. Brad added that once we had an idea of their scope, we could look at where the value added would be from a county perspective. Looking at this watershed as a drinking water source is an entirely different ballgame. Emily asked about the timeline. Dan said the start date is less certain. A year of planning and two years of implementation. The Hudson River as a drinking water source might involve a longer planning time. Emily said it was smart to make this a larger priority for the year, as it's

going to take a lot of the Hudson 7's capacity. Gary asked if the current committee would continue forward with the goals? Dan said that the group completed their tasks to create the goal sheet. Gary asked if Dan would interface with the state for the Hudson 7? Dan suggested Erin from Tighe and Bond who put together the application and the Town of Esopus as the lead to represent the grant. Dan is happy to serve on a committee.

- i. Motion to form a new committee to evaluate the funding proposal from the priorities committee. **Bassett/Krupnick.**
Motion carried

b. Champlain Hudson Power Express (CHPE) (committee report)

- i. Emily said the last time the group met, the group honed in on the legal questions. The first question was if there was any way to re-open Article 7 process that has already resulted in a permit. The second question was what is the process that lies ahead through the next phase of environmental Management and construction plan and how much opportunity does that give the municipalities and state agencies to build in safety mechanisms? Emily brought these questions to the pro-bono attorney for feedback, and to discuss whether or not they want to take on as counsel for the group on this matter. There are political opportunities, as a group writing a letter to the NYC mayor and governor to alert them of the concerns the Hudson 7 has and to not take action until those concerns are addressed. Maybe joining forces with opponents of the CHPE project, however some/all might have different concerns than ours and therefore are not relevant to the Hudson 7. As to technical concerns, Dr. Chant is going to be reviewing the materials that have come back from TDI to see what he thinks about the pollution potential from the project. Another outcome from the meeting, Rebecca was going to review the minutes of the meeting that we had with TDI in February to see what they promised and whether or not they had followed through. Paul thinks that the Hudson 7 should get something to the commissioner of the PSC. We need to get our concerns into that work plan. Brad said that they made a couple of offers to

pursue, such as a pilot program and pre-route testing. Could solve concerns or alert the group to the trouble that could be ahead.

1. Motion for Emily to draft a letter to NYC mayor and governor to alert them to the concerns of the Hudson 7 to not take action until those concerns are addressed.

Bassett/Carlos. Motion carried.

c. Esopus Creek turbid discharges (committee report)

- i. Hudson 7 Memorializing Resolution: There were two outstanding items to be addressed. Dan said the group decided to strike the phrase re: “significant” and clarity on the ToL switch over and determined that Lloyd did switch from the Hudson River because of turbidity. Paul said that when he spoke to Lloyd, because they do not have clarifiers like the other plants that go directly to their filters so they can’t handle high turbidites, they switched over to their reservoir at the end of December and switched back on January 21.

1. Motion to approve the memorializing resolution striking the reference to ‘significance’ of the Esopus as tributary and clarification that the turbidity in Lloyd was in the Hudson River and including new items that include the algae problem and TOC (to be consistent with the Hudson 7 comment letter). **Bassett/Carlos. Motion**

carried.

- ii. Hudson 7 comment letter: Paul summarized changes he made. Conclusion that turbidity is typically present after a storm for 2-3 days where we were battling this recent storm for 86 days/four months. We want them to release for four days, flush the stream before then. We want continuous community releases of 25 million GPD year round. NYC right now is using 15 million GPD in the summer and 10 million GPD in the winter and that hasn’t shown it being able to keep the creek from becoming stagnant which would allow for algae blooms. Also that the Hudson 7 gets on the mailing list to get the daily flow information and turbidity data (might be a lot of data). Brad said their EIS said that there would be no difference

whether they operate the channel or not based on the water coming over the dam. They cleverly include the community releases where we might say we don't want them. How do we approach this? Paul said that any water going over the spillway has low turbidity. The spillway is currently spilling over and the water in the creek today is clear because of it. The DEP says that the reservoir is providing flood protection to the Lower Esopus, which it does - and if they release water from the channel at a controlled rate (600 MGD) they'll assure that flood levels won't be reached. We have to continue to want flood protection as people continue to live closer to the Esopus. Brad said it's all about how much you are releasing at a time. They presented a good chart that shows the average flows. The operational releases need to be addressed and not only the spill mitigation or community releases. One is just cost avoidance. Paul reminded the council that the Hudson 7 will only address how these discharges impact their intakes. The problems that have been identified however are many and there needs to be immediate solutions. NYC has a tendency to delay things. For instance, there hasn't been work done on the Catskill aqueduct for over 100 years when the life of an aqueduct is 50 years. They haven't done any work on the Delaware leaking 20 MGD of water since 1993. NYC has told us for 100 years that they couldn't release water except over the spillway.

1. Motion to accept letter drafted to Basil Seggos NYSDEC. Gary will send out through his office and will add additional names if needed (such as the EPA)

Bassett/Carlos. Motion carried.

Adjournment: 6:35pm

Bassett/Carlos. Motion carried