



NEW YORK STATE SENATOR

Cecilia Tkaczyk

Senator Tkaczyk wants NYC to Help Protect Esopus Creek

[CECILIA TKACZYK](#) November 22, 2013

| ISSUE: [ENVIRONMENT](#)

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State Senator Cecilia Tkaczyk said New York City should be directed to fund an independent study on the issues related to the release of turbid water from the Ashokan Reservoir into the Lower Esopus Creek.

In order to protect NYC's drinking water supply in the Ashokan Reservoir, the City's Department of Environmental Protection releases up to 600 million gallons of highly turbid,

muddy water per day from the reservoir into the Lower Esopus Creek. Those releases have created many problems for Ulster County residents and business owners near the creek, including polluted water and an increased frequency of flooding. Critics also contend the releases have damaged local wildlife and recreational activities.

In her testimony to the NYS Department of Health (DOH), Senator Tkaczyk noted that in the resulting battle between local towns in the watershed and NYC, the local towns are at a huge financial disadvantage with far fewer resources than those available to NYC.

"We need to create a level playing field for our towns, in order to ensure that the concerns of the residents along the Esopus are heard by the DOH and are addressed in any proposed solution," she said.

New York City has been granted a Filtration Avoidance Determination, which is now up for a renewal. As part of the process, the DOH must consider revisions and accept public comment.

In her testimony to the DOH regarding the issue, Senator Tkaczyk called on the agency to postpone a decision until an independent study, paid for by NYC, is concluded.

"I believe that it is the responsibility of New York City to provide funding for technical assistance, unfettered in its scope and use, so that the people who know the community best, those who live there, can be a full partner in finding workable solutions and creative alternatives to the problems related to the Ashokan Reservoir," Senator Tkaczyk said.

The Senator believes that such funding could be helpful in identifying workable alternative to the proposal offered by NYC, which would continue to divert muddy water into the lower Esopus.

Senator Tkaczyk asked that the DOH's determination "be stayed, and the city of New York's Department of Environmental Protection be directed to immediately provide a sum of money, not to exceed \$100,000, for the purpose of expert review on behalf of the affected communities. The results of that review should be incorporated into these proceedings, and made part of DOH's decision-making process."

Currently, money is set aside for local governments for research and evaluation. However, that research cannot be used in any of the formal review proceedings. Tkaczyk wants independent studies that will be incorporated in the DOH review process, every time a new permit is applied for, or extended, or a legal application is made relative to the reservoir.