

**COLUMBIA COUNTY  
ENVIRONMENTAL MANAGEMENT COUNCIL**

**MEETING MINUTES  
23 FEBRUARY 2009**

**PRESENT:**

J. Pierre Gontier, Chairman, Canaan  
Mark Burch, Stuyvesant  
Ed Nabonzny, Greenport  
Frances Szasz, Germantown  
Kate Cashen, Claverack  
Robert Kessler, Hillsdale  
Dan Marcus, Stockport  
Dean Vander Schaaff, Livingston  
Anthony LaSalvia, Taghkanic  
Karen Mort, Ghent  
Deirdre Henderson, Chatham  
Ed Van Nostrand, CC DOH

**REGRETS:**

Ed Simonsen, Kinderhook  
Melissa Sorman, Gallatin  
Harvey Weber, Copake  
Theresa Mayhew, CC Coop. Ext.

**STAFF:**

Roland R. Vosburgh, Principal Planner

**CALL TO ORDER & INTRODUCTIONS**

Chairman Gontier opened the meeting at 7:00 pm and noted that a quorum (11 of 19 members) was present to conduct business. The newly appointed representative for the Town of Greenport, Ed Nabozny was introduced.

**APPROVAL OF MINUTES**

Kate Cashen made a motion to approve the October 2008 and January 2009 minutes and seconded by Robert Kessler. Vote: All in favor.

**SPECIAL SPEAKER**

Chairman Gontier introduced Dr. Jay Bloomfield, Chief, Inland Lakes and Freshwaters, of the NYS DEC Bureau of Watershed Management to speak on the NYS List of Impaired Water Bodies based upon Section 303(d) of the Clean Water Act.

Dr. Bloomfield went through a power point slide show describing the Kinderhook Lake and Robinson Pond Phosphorus Total Maximum Daily Load (TMDL) Study. He explained that under the Clean Water Act, states are required to identify water bodies impaired by contaminants, sediments, or nuisance vegetation. Statewide, NYSDEC, in view of limited staff, decided to develop a template or desk top simulation which could be applied to about 50 small lakes and ponds in NYS impaired by phosphorus loadings which results in eutrophication. Non point phosphorus sources include, agriculture, forestry, urban land uses, individual septic systems, natural sources, and atmospheric deposition. To approve this approach, the US EPA required NYSDEC to sample four lakes intensively to determine whether the simulation would provide reliable and accurate TMDL values for individual lakes. Kinderhook Lake and Robinson Pond were selected in Columbia County and also Basic Creek Reservoir in Albany County and Sleepy Hollow Lake in Greene County.

TMDL values are the maximum amount of a pollutant that a water body can receive and still meet water quality standards set by the state under the Clean Water Act and is typically an equation or computer simulation model used for water quality assessment and documentation. A TMDL is used to set numeric targets for pollutants and assigning pollutant allocations among the various sources. TMDLs are enforceable for all activities regulated under the Clean Water Act (e.g. effluent discharge permits, stormwater permits, etc.) but only advisory for activities not regulated under the Act (e.g. on site wastewater treatment, silviculture, atmospheric deposition, etc). The TMDL process brings stakeholders into the process and this will happen for the two lakes in the county at a future point. Field data has been collected for Robinson Pond already and will be for Kinderhook Lake in 2009. Public meetings will be held to present study results and receive public comment. The actual data collection in the watersheds upstream from the two lakes uses automated flow measuring devices placed in the tributary just upstream from the lake and then NYSDEC uses a computer watershed model developed by Penn State University to predict tributary loadings of phosphorus to the lakes. He explained that phosphorous loadings are correlated with land use; with increasing phosphorus loads with higher percentages of watershed development (human use).

Dr. Bloomfield said that Columbia County is very fortunate in having excellent water quality throughout the water bodies and stream segments in the county. There is very little impaired use for county streams and lakes, outside of some phosphorous loadings and some PCBs in the Valatie Kill which feeds Kinderhook Lake.

During the question portion, Dr. Bloomfield explained that:

- the TMDL process can take from two to four years to complete, depending on the size, of the lake,
- implementation of TMDLs for unregulated practices could include local government regulation or via a watershed management plan,

- there is always a “margin of safety” built into the TMDLs,
- NYSDEC and local governments through planning departments or EMCs can act as “mediators of disputes” ,
- Though the goal is to rely on scientific facts, sometimes other factors including economic, social, and political considerations play a role,
- Environmental monitoring is dying out because it is very expensive and high maintenance for all sectors, government, private, and colleges and universities.

Chairman Gontier and the members present thanked Dr. Bloomfield for the excellent presentation.

### **OLD BUSINESS**

Committee Reports:

- 1) Energy: In the absence of Ed Simonsen, Chairman Gontier reported that he spoke with Mr. Simonsen and the committee continues its development of recommendations and he expects that they will be presented to the full EMC at the March meeting.
- 2) Water: Tony LaSalvia reported that the committee continues its work. He also spoke with Richard Reynolds of the USGS Albany office and he requested information on how much a groundwater study for the southern portion of Columbia County would cost. He distributed copies of the groundwater study that USGS completed in 1999 for the Kinderhook and Schodack areas and to EMC staff.
- 3) There were no other committee reports.

### **NEW BUSINESS**

Chairman Gontier distributed a color flyer on the giant hogweed, an invasive plant which causes a sever skin rash and grows to 15 feet in height and apparently has been found in the northern part of the county. The consensus of the EMC was to have staff distribute two copies to each local government (chief elected official and highway superintendent) to alert them to this nuisance plant.

Chairman Gontier said he still has extra copies of the proceedings of the meeting on modeling wind patterns in the Hudson River Valley held in Germantown last year if anyone is interested.

Deirdre Henderson noted that in one of the email forwards from staff, she learned about programs to undertake wildlife inventories at the county level (e.g. Tompkins County). This information would be useful to local government during project review and permitting and she thought that this would be a possible future EMC project. Chairman Gontier agreed in the goal, but explained that without a geographic information system (GIS), this would be difficult and

unwise. He pointed out the County is moving toward establishing a GIS, but it is not available this year. He also pointed out that once GIS is available, much of the process and protocols for building layers of information pertinent to wildlife resources would be best addressed by individual town EMC representatives. He recommended that annual photographic updates of resources in the town and linked to the GIS would be useful and should be handled at the town level.

With no further business, the meeting was adjourned at 9:10 pm.

The next meeting will be held on Monday, 23 March 2009.

Meeting minutes prepared by:

Roland R. Vosburgh, Principal Planner