

County of  Saratoga
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OFFICE OF THE
CLERK OF THE
SARATOGA COUNTY BOARD OF SUPERVISORS
Board of Supervisors

PAUL J. SAUSVILLE
Chairman

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PAMELA A. WRIGHT
Clerk

July 21, 2014

Ms. Sally Jewell
The Secretary of the United States
Department of the Interior
1849 C Street, N.W.
Washington DC 20240

Dear Ms. Jewell:

The Saratoga County Board of Supervisors unanimously passed the enclosed resolution at their July 15th Board meeting.

Chairman of the Board Paul Sausville would like to know what your office's intention is to assist on this issue. He looks forward to your response.

If you should have any questions, please do not hesitate to contact me.

Thank you.

Sincerely,



Pamela A. Wright, Clerk
Saratoga County Board of Supervisors

/pw
Enc.

7/15/14



SARATOGA COUNTY BOARD OF SUPERVISORS

RESOLUTION 149 - 2014

Introduced by Supervisors Lawler, Daly, Grattidge, Johnson, Kinowski, Lewza and Richardson

URGING THE ENVIRONMENTAL PROTECTION AGENCY, GENERAL ELECTRIC COMPANY, THE STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, THE STATE ATTORNEY GENERAL'S OFFICE AND THE US DEPARTMENT OF THE INTERIOR TO UNDERTAKE A COMPREHENSIVE EVALUATION OF THE FLOOD PLAINS AND BACKWATER AREAS ALONG THE UPPER HUDSON RIVER FOR PCB CONTAMINATION AND TO CONDUCT NAVIGATIONAL DREDGING OF THE OLD CHAMPLAIN CANAL AND BARGE CANAL SYSTEM

WHEREAS, in February 2002, the United States Environmental Protection Agency (EPA) issued a Record of Decision for the Hudson River PCBs Superfund Site that called for the targeted environmental dredging of approximately 2.65 million cubic yards of polychlorinated biphenyls (PCBs) – contaminated sediment from a 40 mile section of the Upper Hudson River from Fort Edward to Troy, New York; and

WHEREAS, in accordance with a legal agreement entered into between the EPA and the General Electric Company (GE) in November 2006, GE conducted Phase 1 of the dredging project from May through November 2009 over a six mile stretch of the Upper Hudson River near Hudson Falls, and removed approximately 283,000 cubic yards of PCB-contaminated sediment; and

WHEREAS, Phase 2 of the dredging project was commenced by GE in June 2011, and targets the removal of 2.4 million cubic yards of PCB-contaminated sediment from the Upper Hudson River by the completion of said Phase in November 2015; and

WHEREAS, the EPA's 2002 Record of Decision calls for the evaluation of the floodplains along the Upper Hudson River to determine the risk of the possible exposure of residents and ecological receptors to PCBs in the low-lying shoreline areas of the River; and

WHEREAS, the EPA and GE have conducted, and will continue to conduct, soil sampling along the floodplains of the Hudson as part of a comprehensive Remedial Investigation/Feasibility Study planned for the future that will include an evaluation of human and ecological risks and potential long-term clean-up solutions; and

WHEREAS, the watered section of the Old Champlain Canal between Lock 5 and Fish Creek contains PCB contaminated sediment, and is the principal drainage channel for all stormwater draining from the Villages of Schuylerville and Victory; and

WHEREAS, several recent storms have caused the Canal's channel to fill to overflowing and serious bank erosion has begun in the overflow areas; and

WHEREAS, in the event overflows were to breach the Canal's dyke, disastrous flows of PCB-laden silt would flood the newly installed well fields that supply potable water to the Schuylerville/Victory municipal water system, as well as newly revamped Sanitary Sewer Treatment Plant servicing the Villages, and the recreation fields of Fort Hardy Park that are heavily used by the Schuylerville school system, local sports organizations and the public at large; and

WHEREAS, the Town of Saratoga, the Village of Schuylerville and the Village of Victory are prohibited from removing PCB-contaminated silt from the Old Champlain Canal bed due to their inability to dispose of the contaminated material; and

WHEREAS, at Hudson Crossing Park, north of the Village of Schuylerville, PCBs detected in the soil along the riverbanks forced the closing of the new kayak launch and the posting of signs warning against the digging or disturbing of the soil, thereby impairing the \$5,000,000 in public dollar and local investment used to develop the Park; and

WHEREAS, the presence of PCB-laden sediment along the banks of the Upper Hudson River will prohibitively escalate the costs of future development projects along the waterfront, if not eliminate their potential altogether; and

WHEREAS, it is essential that navigational dredging of the Old Champlain Canal, including the Greenwich Barge Terminal, be conducted to remove PCB-contaminated sediment from the Canal, and to bring the barge canal to the 12 ft. depth mandated by the New York State Constitution, before the Dewatering Facility supporting the environmental dredging project in Hudson Falls is shut down next year; now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors hereby urges the Environmental Protection Agency, General Electric Company, the New York State Department of Environmental Conservation, the New York State Attorney General's Office and the United States Department of the Interior to undertake a comprehensive and timely evaluation of the flood plains and backwater areas of the Upper Hudson River, including the Old Champlain Canal in the Villages of Schuylerville and Victory, and to take appropriate remedial action to eliminate the exposure of County residents and individuals to PCB-contaminated sediment; and, be it further

RESOLVED, that this Board of Supervisors further urges the Environmental Protection Agency, General Electric, the New York State Department of Environmental Conservation, State Attorney General's Office and United States Department of the Interior to conduct and complete navigational dredging of the Old Champlain Canal and the barge canal system to remove PCB-contaminated sediment, and to bring the barge canal system to the 12 ft. depth mandated by the New York State Constitution before the Dewatering Facility in Hudson Falls is shut down; and, be it further

RESOLVED, that the Clerk of the Saratoga County Board of Supervisors shall forward certified copies of this resolution to the Administrator of the Environmental Protection Agency, the General Electric Company, the Commissioner of the New York State Department of Environmental Conservation, the New York State Attorney General, the Secretary of the United States Department of the Interior, State Senator Kathleen Marchione, Congressman Bill Owens, the Village Clerk of the Village of Schuylerville, and the Village Clerk of the Village of Victory, and the Town Clerk of the Town of Saratoga.

BUDGET IMPACT STATEMENT: No budget impact.

STATE OF NEW YORK)
)
COUNTY OF SARATOGA)

I, Pamela A. Wright, Clerk of the Board of Supervisors of Saratoga County, do hereby certify that the foregoing is a true copy, and the whole thereof, of a resolution duly adopted by the Board of Supervisors of said County, on the 15th day of July 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed hereto the official seal of said Board of Supervisors this 21st day of July 2014.


Clerk of the Board of Supervisors
Saratoga County, New York