

Village of Croton-on-Hudson
Water Control Commission Meeting of
July 20, 2016

PRESENT: Stuart Greenbaum, Chair
Ian Arturo
Mark Goldfarb

ABSENT: Charles Kane
Gail Sasso

ALSO PRESENT: Daniel O'Connor, Village Engineer (2nd half of meeting)

1) Call to Order:

The Water Control Commission Meeting of July 20, 2016 was called to order at 7:35 P.M.

2) New Business

- a) New York State Department of Environmental Conservation (NYSDEC) – Croton River (Section 79.10 Block 1 Lot 4) – Application for Wetlands Activity Permit for the proposed herbicide application (endothall) in a portion of the Croton River to control an invasive aquatic plant (Hydrilla).**

Representatives from the NYSDEC at tonight's meeting included Willow Eyres, Response & Management Coordinator, and Catherine McGlynn, Aquatic Invasive Species Coordinator. They prepared a PowerPoint presentation for the Board and also distributed hardcopies of the presentation.

They started by saying that Hydrilla is a threat to the Croton River and if not controlled will threaten the Hudson River, the NYC water supply, and other aquatic vegetation such as water celery. There is also a risk to waterfowl and raptors and is a threat to waters in NYS as well as adjacent states. Hydrilla is on the Federal Noxious Weed List and is banned in at least 17 States.

They spoke about the characteristics of Hydrilla and how highly adaptable it is. It produces turions, which are tiny buds that grow into new infestations and it produces tubers as well. It is very brittle and is spread by fragments.

They explained that they had been directed by the NYSDEC to see what could be done about Hydrilla and they came up with a project plan; however, there are quite a few project constraints and limitations as listed in the handout. They developed a plan for 2016 but it became evident that it would need to become a long term control project. The 2016 proposed plan is for an herbicide treatment in the summer of 2016. The injection method would be used with no more than 100 gallons of herbicide. The concentration would be 1.5 – 2.0 ppm for 24 to 36 hours at 20 – 39 CFS. The target area would span

15.5 acres (1.2 miles) from Black Rock Dam to Deer Island. The effective treatment area may extend beyond the target area but will be diluted as the river widens.

The chosen herbicide is endothall, which is EPA approved, has been used for the past 50 years, is well studied, and is very effective. It is a contact herbicide and interferes with plant respiration and protein synthesis and it degrades in the environment in less than 10 days.

Next, they spoke about how precautions were being taken with regard to endothall and non-target animal species and non-target aquatic plants.

Ms. Eyres and Ms. McGlynn then spoke about the proposed monitoring of the project and the required permitting process and pesticide use regulations.

They said the proposed project is a Type I Action under SEQRA and the NYSDEC is seeking Lead Agency status for purposes of SEQRA.

The anticipated results are to knock down Hydrilla vegetation biomass in the target area without having any negative impact on emergent plants, fish, or wildlife, and without any long-term negative impact on native aquatic plants. The project will also provide data on flow dynamics and will provide updated locations of Hydrilla. It is an adaptive strategy. Ms. Eyres added that money has been set aside by the DEC, and that there is hope that help would also come from volunteers.

The Board followed the presentation with their questions.

Chairman Greenbaum asked if the treatment would take place on both sides of the Croton River and Ms. Eyres said it hadn't been decided yet.

Mr. Arturo asked if the concentration mentioned was for the herbicide as a whole or just for the active ingredient. Ms. Eyres said it was for the herbicide and not just the active ingredient.

Ms. Eyres stated that it has been observed that the Croton River's flows have been low. She said ideally it would be better to treat the whole river but due to constraints, that cannot be done. She added that this proposed project is a short term plan to get control of Hydrilla in the river but a full term treatment plan is needed.

In response to Mr. Goldfarb's question, Ms. Eyres said the herbicide gets stored in the tuber and then is sent up the plant.

Chairman Greenbaum asked about statistics for the percentage of success in target areas. Ms. McGlynn said they did not know for sure. The label for the herbicide indicates above 95% success but it all depends on water flow and other environmental factors that influence success.

Chairman Greenbaum asked about Hydrilla in salt water versus fresh water. Ms. McGlynn replied that it does not do as well in salinity but they are worried enough about fresh water locations.

Mr. Arturo asked if there had been any other case studies in estuaries. Ms. Eyres said she was not aware of any and said that they are learning as they go along with regard to Hydrilla and have found that each project dealing with Hydrilla has been unique.

Chairman Greenbaum then asked what the plan was for the Reservoir. The Applicant replied that the DEC was working with the Department of Environmental Protection (DEP) for that purpose and that it is part of the 5-year plan.

A discussion followed about the multi-generational impact of the use of the herbicide on plants and animals. Ms. Eyres said that they have talked to national experts on the subject and that they had forwarded some articles to the Village Manager on this topic. Mr. O'Connor said that he would have the WCC Secretary give the Board access to the materials. Ms. Eyres added, however, that future generations of plants stand to lose with the spread of Hydrilla; that Hydrilla will replace them. The suggested treatment with the herbicide is so far below the thresholds of past tests that they can not see any impacts from the herbicide application.

Mr. Arturo asked if any low dose studies have been done and Ms. Eyres replied that the lowest was 5.

Chairman Greenbaum said he saw the need for action but was asking questions on behalf of those opposed to any kind of chemical being used. He said there is concern over the immediate impact on plants and animals.

Mr. O'Connor stated that the doses being suggested are low and that there is an extremely small window for the treatment which is approaching.

Ms. Eyres added that every year you wait, Hydrilla gets exponentially worse.

Mr. Arturo then asked about notification of the treatment. Ms. McGlynn said that they will provide door hangers for the residents along the River and will post signage at the treatment areas. She said the other groups such as Police and Fire Departments would be notified as well. Mr. Arturo suggested that recreational areas such as the Echo Canoe Launch, Mayo's Landing, and the Aqueduct Trail all be made aware of the proposed treatment.

Chairman Greenbaum then read the draft memo to the Waterfront Advisory Board (WAC) which included that the WCC is declaring itself Lead Agency with regard to LWRP, that the NYSDEC is Lead Agency for SEQRA purposes, that the proposed action

is a Type I Action under SEQRA, and that the WCC is referring the application to WAC for its consistency review.

Chairman Greenbaum then said that the Village's Recreation Supervisor, Mark Duncan, has requested, by memo, that the proposed treatment take place on or after August 8th and that it be done early in the week (Monday – Wednesday).

Ms. McGlynn stated that the treatment would not start before August 11th.

Mr. Arturo then made a motion to accept the memo to the WAC with regard to the application. Mr. Goldfarb seconded the motion. The motion passed with a vote of 3 to 0; all members present voted in favor.

Chairman Greenbaum concluded the discussion by saying that it seems that action needs to be taken but there is need to address all issues of concern and all possible effects.

3) Approval of Minutes:

Mr. Arturo made a motion to approve the minutes of the May 18, 2016 meeting of the Water Control Commission. The motion was seconded by Mr. Goldfarb and was passed with a vote of 3 to 0.

4) Adjournment:

The meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Toni Cruz
Secretary, Water Control Commission