

ULSTER COUNTY LEGISLATURE



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August 15, 2018

Hon. David H. Mortimer, President
Palisades Interstate Park Commission
Bear Mountain State Park
3006 Seven Lakes Drive
Post Office Box 427
Bear Mountain, New York 10911-0427

Dear Mr. Mortimer and Members of the Board:

I am writing to urge you to withdraw your proposal to drain Tillson Lake, and instead to fulfill your obligation to preserve this precious natural and recreational resource.

I represent the Town of Gardiner and portions of the Town of Shawangunk on the Ulster County Legislature. Tillson Lake is a treasured part of my constituents' lives and an integral part of the community. People from the area and beyond visit the lake regularly to fish, kayak, canoe, hike, picnic, bird watch, and enjoy the outdoors. The lake also attracts repeat visitors who support the local economy. These communities would be devastated by the loss of the lake.

The Palisades Interstate Parks Commission has a responsibility to be good stewards of Tillson Lake, as with the rest of the Minnewaska State Park Preserve. Tillson Lake is the only lake in the park that allows fishing, and was always intended to be preserved and to have its facilities improved, as the Park Master Plan provides for the parking area.

Because the dam is necessary for the very existence of Tillson Lake, maintaining the dam is the most basic element of park stewardship and has long been identified as a critical priority in the Master Plan. In 2012, PIPC commissioned an Engineering Assessment Report that recommended needed repairs to the dam. Now, in 2018, instead of news of a repair, my constituents are being told that PIPC intends instead to remove the dam permanently, destroying the lake and all the services it provides.

It is beyond disappointing that this key responsibility has not been fulfilled. Simply put, you have failed to maintain key infrastructure, and now that state regulators have identified the deficiencies, you are proposing to abandon that infrastructure. Nothing about this is consistent with your stewardship responsibility for the Parks, or with the public's trust in you to fulfill that responsibility.

In addition to the loss of a recreational resource, draining the lake is also likely to cause substantial environmental impacts. I also serve as Deputy Chair of the Ulster County Legislature's Standing Committee on Energy and Environment. Among the concerns that have come to my attention are the following:

- Wildlife – Tillson Lake supports a robust array of fish and bird life. It is popular among local fishermen as a great place to catch bass, brown trout, and other fish. My constituents have observed an array of bird species including water birds, song birds and raptors in the area, that along with the Shawangunks

are a critical path for many migratory species. PIPC must examine the impacts that would result from dewatering the lake, displacing fish and aquatic species, and decimating birds' habitat and food supply.

- Wetlands – Ulster County's Open Space Plan emphasizes the importance of wetlands for cleansing water and providing essential wildlife habitat. According to a study commissioned by the Friends of Tillson Lake, approximately half of the lake is composed of lacustrine wetlands. Draining the lake would destroy these wetlands and the ecosystem services they are providing. These in-lake wetlands are not mentioned in the Environmental Assessment Form for the proposed dam removal. This omission must be corrected immediately, and destruction of this wetland resource must be analyzed. Additionally, I understand that the Friends group may petition the DEC for a jurisdictional determination on the wetlands. Should that occur, the PIPC plan must be made consistent with all applicable state wetlands regulations.
- Impacts on the Wallkill River – Downstream of Tillson Lake, the Palmaghatt Kill flows into the Shawangunk Kill and then the Wallkill River. The Wallkill River has been plagued by phosphorus pollution, which has led to harmful algal blooms. These issues deserve priority consideration in any water management decision in the watershed. Since dams typically sequester phosphorus and stabilize flows, the dam at Tillson Lake could be providing some mitigation benefit in the Wallkill watershed. PIPC must analyze whether removing the dam at Tillson Lake would result in higher phosphorus levels in the Wallkill and/or exacerbate summer low-flow conditions.

As stewards of a Park Preserve, New York State has a statutory responsibility: "Maintain the integrity of park land, flora, fauna, and scenic vistas." NYS Parks, Recreation and Historic Preservation Law § 20.02(2). This proposal would do the opposite – destroying a scenic and recreational lake, and the flora and fauna that inhabit it.

I ask that you withdraw this flawed proposal immediately. I will gladly support you in advocating for funding from state decision makers to bring the dam up to state standards.

Sincerely,



Tracey A. Bartels
Ulster County Legislator, District No. 16

Cc:

NYS Senator John Bonacic
NYS Assemblyman Kevin Cahill
NYS Office of Parks, Recreation & Historic Preservation Commissioner Rose Harvey
Palisade Interstate Park Commissioner Executive Director James Hall
Ulster County Executive Michael Hein
Town of Gardiner Supervisor Marybeth Majestic
Town of Shawangunk Supervisor John Valk
Friends of Tillson Lake, Inc. President Morey Gottesman