

Ashokan Reservoir: Stop the mud

Fact Sheet



NYC is dumping billions of gallons of muddy water into the Lower Esopus

The New York City Department of Environmental Protection continues its practice of dumping millions of gallons each day of turbid water from the Ashokan Reservoir into the Lower Esopus Creek. High volume, turbid releases, such as those following the 2020 Christmas storm, leave the Lower Esopus Creek a muddy mess. These releases have such a negative impact that the Lower Esopus Creek has been placed on the New York State List of Impaired Waters for excessive silt and sediment.

Why is this happening?

The Esopus Creek is dammed to create the Ashokan Reservoir, one of the most important parts of New York City's unfiltered drinking water supply, which serves over 9.5 million people in New York City and the Hudson Valley. Erosion from severe storms – which will become more common as the climate changes – causes excessive turbidity in the reservoir.

One of the ways New York City manages this challenge is to dump high volumes of muddy water from the reservoir into the Lower Esopus Creek, which flows 32 miles to the Hudson River. These releases are the least expensive way for the DEP to preserve the quality of NYC drinking water. However, this “solution” only shifts the costs and consequences onto the farmers, businesses and residents along the Lower Esopus from these releases.



What is the impact?

The turbid water severely affects water quality, wildlife habitat, recreation, and quality of life throughout seven Ulster County communities along the Lower Esopus.

When a waterbody is turbid, the levels of light and oxygen within the water are reduced. This negatively affects everything living in the stream, from microscopic organisms and submerged plants to aquatic insects and fish. In particular, it stresses fish and impacts their ability to feed and see their food. Fine sediment also physically impacts the stream channel by filling in the natural voids and spaces in the streambed. This reduces habitat for aquatic insects and smothers fish eggs and larvae.

The turbidity also complicates drinking water treatment for the communities that draw drinking water from the Hudson River. These impacts are only expected to grow with climate change, making these releases an unsustainable and unacceptable “solution” for the Ashokan Reservoir’s turbidity in the long term.

What are the alternatives?

This is an essential question. It’s essential to study and explore alternative solutions that could better address the challenges of a changing climate and avoid harmful impacts. Potential alternatives might involve a bypass tunnel from Upper Esopus to Lower Esopus, improved flow controls between the reservoir’s east and west basins, or operational requirements that limit turbid reservoir releases to the Lower Esopus. The DEP has not taken a “hard look” at alternatives as required by NYS law.

What are communities doing about this?

Communities are continuing to raise their voices. In 2010, the release protocol was improperly adopted without any assessment of its impacts. Since then, Ulster County officials, community members, grassroots groups and Riverkeeper have insisted on a robust environmental review process to oppose the DEP’s releases and ensure that all environmental, social and economic impacts of the releases are identified and mitigated as mandated by law. As a result, DEP was required to assess the impacts as part of the Catalum SPDES Permit.

A decade later, in December 2020, the Draft Environmental Impact Statement (“DEIS”) was finally released for public comment. However, its cursory assessment of impacts failed to provide a real solution:

- The DEIS rejected consideration of all structural alternatives, such as those mentioned above, to avoid or minimize turbid releases without thorough analysis. Only minor modifications to its current release protocol were proposed as the ultimate solution. These minor modifications are not enough. They will not be protective of the Lower Esopus communities or the aquatic environment. They will not provide a sustainable management approach to the NYC drinking water supply.
- The current release protocol allows DEP its choice of releasing the most turbid water in the reservoir. DEP could reduce the turbidity of its releases by blending or releasing the cleaner water.

During the environmental review public comment period that ended on July 16, 2021, the public had submitted 1,200 comments. Nearly a dozen local resolutions were adopted, and elected leaders across the region delivered a unified, bipartisan message demanding alternative solutions to the turbidity problem. The next step will be for the DEC to review and respond to all comments, make modifications to the DEIS and prepare a supplemental EIS if necessary. If the modifications are substantial, there will be another public comment period. If not, DEC will issue a Final EIS. All involved agencies will prepare a written findings document. The process will be complete once the final permit is approved and issued by the DEC.

What can I do next?

We must continue to make clear that the current state of Ashokan releases is unsustainable and unacceptable. The DEIS must create a different long-term plan to stop the mud, specifically accounting for climate change impacts.

- Upload your photographs, videos and story to social media of how the muddy discharges on the Esopus Creek and/or Hudson River have impacted you and your community using the hashtag #stopthemud.
- In the fall, join Riverkeeper when we tell the DEC that it has a duty to consider all of the public comments, and to require revisions and/or supplementation of the current DEIS to capture the concerns raised.
- Sign-up to Riverkeeper's mailing list to get updates on actions during this process.

Check back for updates at [Riverkeeper.org/stopthemud](https://www.riverkeeper.org/stopthemud)