



Croton Watershed Clean Water Coalition



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A Community Fights Back

By Fay Muir, Clean Water for the Bronx

It has been such a roller-coaster ride trying to stop the DEP building of the dinosaur water treatment plant even in the court system. I worked with Bronx Environmental Health & Justice (BEHJ) to launch a lawsuit against NYC that requested a TRO which was granted 1/11 by one judge, stayed 1/18 by another, then rescinded by yet another. Illogical reasoning prevailed and we lost the battle. The continuation in court in the appeals process was stymied when our lawyer met an untimely accident and landed in the hospital and is still in rehab. CWCWC's request for a hearing by the NYS Appeals Court of their SEQRA lawsuit was rejected.

Construction preparation for the water treatment plant began in October and trees were felled in December 2004 even though DEP posted on their website a start date of January 2005. I later learned that NYC Council passed Local Law #77 requiring construction vehicles to use Ultra Low Sulphur Diesel fuel effective January 2005. Sulphur is the compound that when combusted poisons the air. Air quality from exhaust was one of the very first concerns raised many years ago. The community demanded and did receive that upgrade in September 2005. We are now fighting for filters on the trucks which take hundreds of trips every day to the park.

Continued on next page

An Eight-Year Battle Ends In Defeat

By Marian H. Rose

Our Coalition, the Croton Watershed Clean Water Coalition (CWCWC), was formed eight years ago to insure that NYC's magnificent Croton Watershed would continue to supply water of the highest quality, as it had done for so many past decades.

Our involvement was on two fronts. One, perhaps the most basic, was to try and prevent NYC from relying on a proposed chemical treatment/filtration plant for Croton water. By the Department of Environmental Protection's (DEP) own admission, such a plant would allow less stringent protective criteria for safeguarding the watershed's streams, wetlands and reservoirs. The CWCWC's contention is that given high quality source water such as the Croton, the more long-term, sustainable solution is to protect the water at its source rather than allow it to degrade and then be brought back to potable levels by a massive engineering construction. The plant that is now being built at the Mosholu golf course in Van Cortlandt Park will cost \$1.5 billion and will probably end up costing more.

Continued on page 5

Irresponsible Developer's Dreams

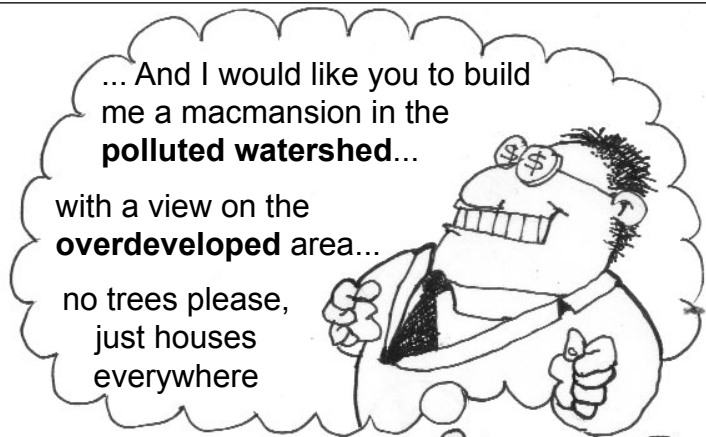


Illustration by Enrique Dura

The DEP launched a Facilities Monitoring Committee in March but shut out residents and the interested public. Our community launched a campaign to have DEP comply with the law and have public participation. We were successful in getting a representative of each of the three community boards in the jurisdiction on the committee. Action on the part of these members is the only reason we have had some mitigation of the tragic effects of the construction.

The CWCWC forum on membrane filtration was held in our community and got media coverage but we still have no political support whatsoever. The NWBCCC has dropped their staff support because there seems to be almost no City, State or Federal politicians willing to get involved. Much local support has been quieted because the \$200 million dollars bribe to Bronx politicians in exchange for the water treatment plant is now being spent on projects.

Some Citywide attention was brought to the issue when the NY Times covered our Central Park 'Gates' caper, a parody of the Gates Art Exhibit lauded by Mayor Bloomberg. The production was titled the Mayor's "Water Gate" and got the attention of scores of visitors to the exhibit. The



Fay Muir

community residents continued to put political figures on the spot by protesting at the Mayor's State of the City address and the Borough President's State of the Borough address which got good coverage by the media.

I educated two major hospitals by giving video presentations. Presentations were given to civic associations and high schools in the Bronx and also local TV programs. I also brought information to the local parks and health fairs as well as street fairs and other events. I took part in NYC Council hearings and a NYC Water Board hearing. I gave information to the citywide Council of Community Advisory Boards, the Boroughwide Social Action Committee, and NY1 Town Hall meeting on the road in the Bronx as well as a College in NYC. The candidate for Mayor in the Green Party has embraced this issue and spoken strongly in our favor.

It is difficult to get people to bring this issue to the forefront in the atmosphere of tragedies due to war and natural disasters. Hopefully, we can get a strong people-power movement to realize the significance of protecting water sources today is to prevent more natural disasters and wars in our future.

###

PROTECTING THE CROTON WATERSHED

By Suzannah Glidden, Hands Across the Border (HAB)

Members of HAB participated in stream monitoring, attended EPA's Decentralized Wastewater Management conference, wrote comments and attended hearings in Somers and Bedford to extend wetlands buffers from 100 to 150 feet. We attended CWCWC's oral testimony before the Supreme Court in Brooklyn and visited other lake communities that are using innovative septic alternatives to sewerage and a wastewater treatment plant (WWTP) to remediate their pollution problems.

At Peach Lake, progress of storm and waste water remediation remains snail paced. More Starr Ridge Manor residents are becoming disinclined to be included in sewerage when their septic systems are today's standard and functional. Lake residents were led to believe grants would cover the cost to study where to site the WWTP and draw sewer district boundaries, analyses that should have been included in the \$150,000 East of Hudson (EOH) funded wastewater study, but instead have been billed by the town boards for this \$60-100,000 cost should a sewer district be formed.

Technical results from Hahn stormwater study still have not been revealed or their remediation costs. \$325,000 is coming to each of the Croton Watershed towns from EOH funds for stormwater concerns: will Peach Lake be included in the towns' EOH projects? Had stormwater been addressed first which included the manure runoff from Route 121 horse farms into Peitsch Canal and had a septic maintenance district been formed, we could have substantially cleaned up the lake by now.

The most critical issue with the S&W work is that an appropriate study should have been conducted only after lowering the lake to controllable and manageable levels. That would have lowered the water table, and many failed septic systems might have functioned properly. Moreover, when

sewerage management is resolved, the residents will still be faced with an unmentioned and un-estimated future cost for dredging and de-clogging the north egress and perhaps also Peach Brook to lower the lake water level.

When Brewster built their new WWTP, the \$34 million price tag was 97% funded by NYCDEP partially because Brewster had to install an entire new water supply system. If a sewer district is formed at Peach Lake for pipes, pumps and a WWTP, what will happen to our old community water supply systems, will they have to be replaced? Residents are wary of segmentation of projects and exorbitant costs.

Lake Hopatcong in New Jersey has banned use of fertilizers with phosphorus and has run a successful education campaign to use only "lake friendly" phosphorus-free fertilizers and phosphate-free dish and dishwasher detergents. Rather than spend amounts of money that we can ill-afford on a WWTP, pipes and pumps, we should institute similar practices on Peach Lake lawns and golf courses, dredge to lower lake level, remediate horse farm and stormwater runoff and enforce maintenance, repair and upgrades of septic systems with a maintenance district. If some failing septic systems need cluster sewerage, let it be considered by engineers and a review group without an apparent WWTP agenda.

Stay tuned to our website at www.newyorkwater.org for PLEC response to our article Pollution and Politics at Peach Lake and ensuing interchange. A new blog has also been created for Peach Lake residents and others genuinely interested in issues at the lake to discuss their viewpoints at PeachLake@YahooGroups.com. If interested in participating, drop an e-mail to DenisCastelli@Yahoo.com for additional information and how you can join.

Development v. Open Space in Putnam County

By Ann Fanizzi, Chair, Putnam County Coalition to Preserve Open Space

Since its inception, protection of the Croton Watershed at its source has been a primary goal of the Coalition. Toward that end, we joined environmental and community organizations in Putnam County in an Open Space Alliance to support County Executive Bondi's 2004 strong recommendation that residents of Putnam County be given an opportunity to decide through the mechanism of a referendum whether they would accept a \$45 tax increase to establish a \$20 million open space dedicated fund to protect "Putnam County's dwindling open space."



Ann Fanizzi

Although assured of passage in 2004, within a year the proposal was battered by a series of financial reversals on the county, town and school level resulting in tax increases across the board. Strong support for the bond became soft and on November 8th, tax-shy residents defeated the Bond proposal by a narrow margin.

Running counter to the trend, Putnam Valley and Philipstown came in on the plus column with the Town of Southeast defeating the fund by a bare 38 votes. The tax issue was especially critical in the Towns of Kent and Patterson, with residents reeling from the highest property and school taxes in the County.

Yet, we are encouraged that over 6,300 residents supported the fund vs. 7,024 opposed. It signaled to us that residents had come to appreciate the pivotal role of open space as the first line of defense in the continuing struggle to maintain the high quality of water in the Croton Watershed and to counter the destructive effects of over-development in degrading that quality.

Such recognition has been the motivating force of residents, the Coalition and CWCWC opposing a host of intensive, high density residential and commercial developments in Putnam County. Among them are Patterson Crossing, a 410,000 square-foot Big Box Retail Center on the cusp of Kent/Patterson affecting Lake Carmel and the Middle Branch; Kent Manor, a proposed 303 townhouse development in Kent, impacting Michael's Brook and Palmer Lake; Hillcrest Commons, a mixed commercial/senior housing development of 300 units impacting again Michael's Brook; Fairways/Gateway/Summit proposal in the Town of Carmel, a mixed use hotel/conference center, restaurants and over 300 units of senior housing impacting the Middle

Branch Reservoir. And of course, there continues to be the intractable battle over widening of Rte 22 with its stormwater impacts to the East Croton.

These are but a few of the more high profile developments that pose grave risks to the Croton at its source. I would be remiss if I failed to mention the greatest risk and that is the \$1.5 billion chemical treatment/filtration plant currently being constructed in Van Cortlandt Park. The construction of this plant will only embolden developers and tax the enforcement of tenuous town ordinances protecting the watershed.

The task of protecting the Croton Watershed at its source, offers a daunting challenge but one which I am confident will be met.

###


A Video History of the Fight to Protect the Croton Watershed "Unfiltered Facts"

by David Ferguson, HDFC

During the past year I've been distilling some 800 hours of video tapes taken over seven years and covering all aspects of the effort to protect our watershed and prevent the building of a billion and a half dollar filtration plant in Van Cortlandt Park in the Bronx. CWCWC retained video editor and director Jim Graniela, to construct the 1 hour broadcast quality video, Unfiltered Facts from my video script.

Unfiltered Facts is composed of many voices: Bronx and watershed residents, various experts, governmental agencies, elected representatives and other stakeholders. The video is organized into sections:

- The Consent Decree Allows for an Alternative
- The Industrial Nature of the Planned Filtration Plant
- What's Carbon Got To Do With It?
- How DEP Has Failed To Protect the Croton Watershed
 - A. Failed to prevent Polluted Stormwater Runoff
 - B. Delayed Waste Water Treatment Plant Upgrades
 - C. Failed to Buy Land to Protect the Croton
 - D. Overstated the Problem of Color and Turbidity
- Who Pays for the Proposed Filtration Plant?
- How Filtration Can Threaten Good Water Quality
- An Overview: What Needs To Be Done



Tragically, the obsolete Dissolved Air Flotation with Filtration, DAFF chemical treatment/filtration plant is now under construction in Van Cortlandt Park. CWCWC lost its well founded and well argued case citing the fact that DEP never gave a "hard look" at the less environmentally damaging and superior membrane technology in violation of the SEQRA requirement.

But the issues raised in Unfiltered Facts remain critically important to protecting the irreplaceable watersheds and the quality and cost of the region's drinking water supply.

Unfiltered Facts may be viewed on the CWCWC web site, www.newyorkwater.org. A VHS cassette may be obtained by contacting CWCWC.

I've also done considerable work on a video that

will cover the extraordinary efforts made to protect the East of Hudson watersheds by watershed residents in Westchester and Putnam counties, as well as some surprising testimony by scientists at EPA conferences held in Washington, DC.

More recently, I represented CWCWC on a panel moderated by Chris Wilde of Riverkeeper. Others on the panel were Eric Goldstein, senior attorney at NRDC, Tom Alworth of the Catskill Center for Conservation and Joan Hoffman, an economist at John Jay College of Criminal Justice, now studying the economic impact of the 1997 Watershed Agreement. The panel was part of a two day conference, Eco-Metropolis at CUNY Graduate Center. My comments are also available on the CWCWC web site.

Please Join Us For CWCWC's Annual Party!

**Wednesday, December 7, 2005
Friends Meeting House
Purchase and Lake Streets
Purchase, New York
6 PM to 9 PM**

Come early and enjoy delicious refreshments, examine our displays and spend time with old friends. Please feel free to bring any interesting materials from your groups.

6:45 Business Meeting
•Results of Election to CWCWC's Board of Directors
•Short Reports on CWCWC Involvements during 2005

7:15 The Nimham Mountain Singers

The "Nimham Mountain Singers," formed in 1999, are an intertribal, mixed Drum group whose goal is to foster, preserve and rediscover traditional Native American beliefs, values and spirituality.

They perform not only at Powwows, civic and private events, but also have developed educational programs for both children and adults to introduce the public to the History of the Native American peoples.

They are multitalented, but mainly focus on the peoples of the Algonquin language group, singing their northern woodland songs. The group will perform in full regalia.

Please notify CWCWC office at (914) 234-6470 or Marian at (914) 234-3179 by December 3rd that you are coming. A contribution of \$5 would be appreciated.

Directions to Purchase Friends Meeting House:

If traveling South on I-684, take exit 2 (Airport exit) & make left turn at top of ramp, crossing over I-684. * At first traffic light, turn right onto Route 120. Look for sharp left turn after approximately one mile; Route 120 becomes Purchase Street. Take first driveway on left. (Watch for sign indicating Purchase Friends Meeting House.) Meeting is in rear of House. If traveling North on I-684, take exit 2 and make right turn at top of ramp. Follow directions from asterisk (*) above. Visit our website: www.newyorkwater.org

An Eight-Year Battle Ends In Defeat

Continued from front page

The digging of an 80-foot hole with an area of two football fields to "hide" the plant requires an army of diesel-spewing trucks to remove the debris. This will further endanger the health of the neighboring population whose children have the highest death rate from asthma of all five NYC boroughs

Unfortunately, CWCWC could not convince DEP to even look at less health-threatening alternatives such as replacing chlorine by chlorine dioxide and thus avoiding having to build a plant. That alternative failed even to be considered. CWCWC's suggestion that DEP use membrane filtration rather than their proposal of Dissolved Air Flotation with Filtration (DAFF) also went unheeded even though the use of membrane filtration plants has skyrocketed in the US and world-wide as they are more effective, cost less and have far less of an environmental impact. Even Hazen & Sawyer, the engineering firm that recommended DAFF to DEP back in 1997 is now recommending a membrane plant for the Westchester Joint Waterworks that draws water from Rye Lake.

The other front involves our efforts to protect the watershed from ill-planned development.

- We have vigorously supported enhanced buffer regulations for wetlands against determined opposition from developers who claim - incorrectly - that this would constitute a "Taking". Unfortunately, these scare tactics have worked in several cases, and towns have hesitated to enact such legislation or have withdrawn it completely.
- Developmental pressures are enormous. Over 3,500 acres of watershed land are in the hands of developers. Since 1997, the year of the Watershed Agreement, DEP has only bought about 550 acres in the Croton Watershed although it has bought considerably more around the West Branch and Boyds Corner reservoirs that are part of the Catskill/Delaware system even though they lie East of Hudson (EOH)

What does the future hold?

DEP is facing immense problems and expenses to maintain and improve its infrastructure and water delivery systems. For example, the City has yet many years to go before completing its

Third Water Tunnel. It is also facing a possible catastrophic breakdown of its Delaware Aqueduct near Wawarsing and, possibly also, beneath the Hudson River. At Wawarsing, the aqueduct is leaking over 40 million gallons per day. From a depth of 600 feet, the water is manifesting itself as a surface lake and waterfall. Were the tunnel to give way, NYC would lose at least 60% of its water supply. So far, DEP has given no indication that it knows how to deal with this problem. The City is also proposing to build yet another tunnel from the Kensico Reservoir to the valve chamber in the Bronx. A conservative budgetary estimate for these projects and others over the next 10 years is \$26 billion. The City is proposing to spend \$19.6 billion.



Marian Rose

Where will the funds come from? The City can raise the money, in part, by increasing water and sewer rates, thanks to its complete control of the NYC Water Board. Another possibility, since Croton water is to be filtered, is for the City to sell to developers the protective buffer land it owns around the reservoirs. This is prime land. After all, who would not want a view over a reservoir with rights to motor-boating and other pastimes? It should bring the City a considerable windfall.

In the meantime, what can we do to prevent our landscape from being obliterated by over-development?

At a minimum, watershed residents must

- be made aware that most development will not only raise their taxes, but will also lead to more traffic congestion, more air pollution, less reliable well-water and, in the end, that it will affect their health and reduce the value of their homes.
- support a small tax increase so that the towns and counties are enabled to buy land in the watershed.
- make sure that their respective towns fully comply with the Phase II stormwater regulations, particularly in terms of their town preventing any polluted runoff from entering its local streams, wetlands, lakes and reservoirs.

It is not too late to protect the Croton Watershed, but it has to be done now. Otherwise, the beauty of our land and the high quality of our water will be gone forever.



Lessons Learned

By Steve Kaplan, Hudson River Sloop Clearwater

During the year 2005 I continued trying to understand more of what's going on up in Putnam County where developers are hell-bent on delivering "death by a thousand cuts." While attending meetings about



Steven Kaplan

Camarda and Patterson Crossing, I realized that only a bioregional approach to development is appropriate. Nevertheless, it is difficult to get either Westchester or Putnam Counties to shake "Hands Across the Border" to do so. In the meantime, our efforts are fractured by a piecemeal approach to environmentalism. Time and energy were spent on all these issues, and my personal effort to head off diversion of sewage to the Hudson was diluted.

I went to view our Court appearance before the Appellate Division Second Department in New York City. I saw for myself how the attorney for

NYC lied right there in court. We did not stop the cutting of 350 trees in Van Cortlandt Park, nor did we persuade the City to THINK about their technical, social and political direction.

All of this could send our spirits spiraling downwards. My Russian V.P. of Technology, (a Ph.D. in Physics, just like our own Marian Rose, Paul Moskowitz and me) thought that war, pestilence and disease will take care of all ills. I am so glad that the rest of us will not let that happen. The lesson of cleaning up the toilet that was the Hudson River is still fresh in our minds.

This coming year, I hope to gain new energy in speaking the truth at public meetings and supporting my CWCWC board. I hope to forge a closer relationship with my fellow board members to work on changing county, city and town institutions and government. We also need to inform people about the best solutions about sewage management and watershed protection. PowerPoint to the People!

###

Fix Your Own Sewage

By Oreon Sandler, Federated Conservationists of Westchester County

Westchester County legislators are blocking what majority rule demands - fix your own sewage in your own towns. Distributing it to other people in other towns just doesn't cut it anymore. A few legislators are still trying to overcome what people feel should be done which is resulting in delay, delay, delay. Meanwhile, Yorktown is still dumping high amounts of ammonia into the Croton Watershed from its neglected, improperly maintained wastewater treatment plant, a condition which should have been fixed nine years ago. This stubborn resistance of Yorktown and county legislators is obstruction of majority opinion.

###

We Also Have Fun CWCWC Continues Its Stream Monitoring Program For The Third Year

Check www.newyorkwater.org
for further information



A Victory In Yorktown

By Paul Moskowitz, Huntersville Association

As a member of the Yorktown Advisory Committee on Open Space, I worked for the passage of a \$5 million bond for purchasing open space. The bond proposition was passed with the support of 60 percent of Yorktown voters. Also, 25 acres of land were purchased and added to Yorktown's Turkey Mountain Park.

**YOU CAN ACCESS EDUCATIONAL MATERIALS
THROUGH CWCWC'S WEBSITE!**



Multi-media educational tools are accessible through our Website, or you can request the same materials to be sent to you from our office!

AVAILABLE PRINTED MATTER:

Can be downloaded from our Website or ordered from our office.

The Real Price of Filtration: Is it Worth it?

By Anthony J. Blackburn

NOTE: Available only from our office.

**A Management Plan for the Croton
Watershed**

Presented by CWCWC

**The CWCWC Position Paper
On the Need for Examination of the Use
of Membrane Technology
to Treat the Waters of the Croton System**

By Michael Cole, Esq.

Membrane Water Filtration

By Professor Audrey D. Levine, PhD, PE

NOTE: Available only from our office.

AVAILABLE VIDEOTAPES

Can be viewed on our Website or ordered from our office.

**The Fight for the Croton Watershed:
Protection Vs. Filtration**

Produced by Rose Films, Inc. for CWCWC

Unfiltered Facts

Produced by David Ferguson for CWCWC

VISIT: WWW.NEWYORKWATER.ORG

EMAIL: CROTONWSHED@AOL.COM

CALL: (914) 234-6470

NOVEMBER DECEMBER 2005

PLEASE JOIN US

Through regional action, CWCWC is dedicated to providing alternatives to chemical treatment/filtration, and to protecting and improving the naturally-filtered, high-quality waters of the Croton Watershed for today and for generations to come.

Send in your membership and receive membership mailings, a subscription to CWCWC's newsletter, "Our Water, Our Future" and (at your request) a free copy of the multi-award-winning video, "The Fight for the Croton Watershed."

Most importantly, your membership will help you get involved with the preservation of one of our most precious resources, our water.

Croton Watershed Clean Water Coalition Membership Application

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

- Group/Coalition Membership (Voting) \$25/year [For Groups/Assoc. only]
- Individual Membership (Non-Voting) \$10/year [For Individuals only]

Is this a Renewal or a New Membership? (Circle one)

Make checks payable to Croton Watershed Clean Water Coalition and mail, along with your membership form, to:

FAY MUIR, Secretary, CWCWC, INC., 9 OLD CORNER ROAD, BEDFORD, NY 10506



Our Water, Our Future
Croton Watershed Clean
Water Coalition
9 Old Corner Road
Bedford, N.Y. 10506

