

ADIRONDACK COUNCIL CALLS ON STATE TO REGULATE LARGE COMMERCIAL WATER-EXTRACTION PROJECTS IN RESPONSE TO BIZARRE LEWIS COUNTY PIPELINE PLAN
Already Rejected by Town of Greig, Pennsylvania Driller Wants State's Permission to Build Plant in Nearby Turin, Remove 288,000 Gal./Day of Greig's Water Via Pipeline

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TURIN, N.Y. – The Adirondack Council has joined forces with concerned Lewis County landowners who want to stop a Pennsylvania developer's plan to remove 288,000 gallons of water daily from the neighboring Town of Greig and pump it into trucks for sale elsewhere. Turin is located in the Black River Valley between the Adirondack Park and Tug Hill Plateau, about 50 miles north of Utica.

Calling this project a symptom of a large problem, the Adirondack Council also called on the NYS Department of Environmental Conservation (DEC) to create regulations governing the extraction of large quantities of water from any part of the state.

"New York's communities need the DEC's help to avoid being victimized by large corporations seeking to remove their most valuable natural resource," said Adirondack Council Executive Director Brian L. Houseal. "We believe the NYS Department of Environmental Conservation already possesses the legal authority to regulate commercial water-extraction. DEC is reluctant to do so because of the costs involved in enforcement. Leaving water-extraction unregulated will be far more costly in the long run."

Houseal noted that such regulations would also assist communities where energy companies are planning to extract natural gas through a process (hydro-fracturing) that also involves large quantities of water.

The Lewis County project involves the first effort on record where a water-extraction company is seeking to overcome a zoning refusal in one town by moving to an adjacent town and extending a pipeline back to the original project site.

The Town of Greig has already rejected the proposal by John Smoke to construct a facility for loading tanker trucks with "Hidden Falls Spring Water," noting that it was incompatible with the residential areas in which it was proposed. Greig officials also believe the developer needs a town permit to extract water for sale. The developer has refused to apply for such a permit, claiming he doesn't need one. Greig officials are concerned over the potential loss of so much of the community's water supply, especially since no tests have been done to measure the total capacity of local underground supplies.

"The Town of Greig felt this extraction plant was not an appropriate use of its natural resources and was concerned about the impact on local drinking water, several local lakes, a stream and its tributary brook," Houseal explained. "Town of Greig officials said no."

"So the developer has moved the truck-filling plant to another parcel of land he owns in the neighboring Town of Turin, almost three miles away," Houseal explained. "He plans to drill under a highway and the Black River, and pipe the water from his springs off Sweeney Road in Greig to his filling station in Turin, near State Route 12."

"The developer needs the NYS Department of Environmental Conservation's approval to do this," Houseal explained. "We think the current plan and its Draft Environmental Impact Statement are

inadequate. We will urge state officials to reject the EIS and require the developer to measure the true impact of the proposal. This measurement would take several years.

“We have never seen a proposal like this one,” Houseal explained. “We are troubled that a commercial enterprise could so easily circumvent local zoning and find a way to exploit one town’s water supplies by pushing a straw under the river and draining these springs from miles away.”

Houseal noted that the western half of the Adirondack Park and the nearby Tug Hill Plateau are the sources of much of the purest water flowing into the Great Lakes Basin.

Over the past 20 years, several commercial water companies have moved into the Adirondack/Tug Hill region and built bottling plants. Several cities (outside the Adirondack Park) have municipal waterworks inside the Adirondack Park and on Tug Hill. They include private bottlers the towns of Forestport and Peru, and public supplies in Providence (Amsterdam), Ohio (Utica), and the Fish Creek Watershed (Rome).

Amsterdam recently announced plans to vastly increase the capacity of its water system with an eye toward selling water to a factory in the Mohawk Valley Town of Florida.

“When they are appropriately sited, in communities that want them, bottling plants are perfectly legitimate businesses,” said Houseal. “But we need to know what the impact is on the surrounding community will be, as well as the impact on local water quality and on wildlife habitat. Any project of this size will have an impact far beyond the site of the plant or springs. That’s why we need state standards. State and local decision-makers need to know what the impact is before they render a verdict on this and other proposals.

“This won’t be the last time someone wants to remove large quantities of water from the Adirondacks or Tug Hill,” Houseal said. “High quality drinking water may be common in Upstate New York, but the rest of the nation is not so lucky. Many of the cities of the American West and Southwest are parched and looking for any relief they can find.”

Houseal noted that the Great Lakes compact has already recognized this possibility. It is illegal to remove water from the Great Lakes Basin in tanker trucks or via pipeline. However, this regulation can be satisfied by placing the water into containers, even as large as the six-gallon bottles used for office water coolers. It is unclear from the application or the EIS where Hidden Falls Spring water would be bottled, if at all, or to whom it would be sold.

Among the concerns expressed by the Adirondack Council in its letter to the NYSDEC officials reviewing the draft EIS were:

Water Resources: Neither the state nor the developer has attempted to measure the impact on local streams, on the Black River or on local underground wells from the extraction of 288,000 gallons a day.

Underground Flow: It is unclear which direction underground waters move as water is removed from the aquifer. The project could be drawing water from inside the Adirondack Park as well as Tug Hill.

Wetlands: There is no attempt in the EIS to assess damage to wetlands from the construction, maintenance and operation of the water pipeline under the Black River.

Local Water Purity: Building the load-out facility will create water flows that can significantly raise water temperatures and gather large quantities of sediment from surrounding surfaces and deposit them in watercourses. Such particulate and thermal pollution will inevitably cause increased water temperatures, turbidity and sedimentation in the water bodies, and possible affects to the more sensitive headwaters.

Local Native Plants: The Christmas Fern – an evergreen fern – is a native plant that is likely to become threatened in the near future throughout all or a significant portion of its range within the state, if causal factors continue unchecked. It is present at the development site, but is not mentioned in the EIS. The draft EIS fails to discuss the importance of this plant and fails to complete a thorough review of potential “threatened,” “special concern” or “endangered” species and possible mitigation to protect such species.

Brantingham Lake: This project could draw down the level of nearby lakes, rivers and ponds uphill from the project site, including Brantingham Lake on the western edge of the Adirondack Park, and nearby Cat’s Paw Lake.

Thermal Damage: Cold springs like this one are vital to maintaining cool water temperatures that trout and other aquatic life need to survive the heat of summer.

The comments above are among the concerns listed by the Adirondack Council in its 31-page reply to the EIS, which was sent to DEC late last week.

The Council is a privately funded, not-for-profit organization with members in all 50 United States. The Council’s mission is to ensure the ecological integrity and wild character of the 9,300-square-mile Adirondack Park, the largest American park outside of Alaska. The Council carries out its mission through research, education, advocacy and legal action.