

September 21, 2020

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Re: Please Sign the Adirondack Road Salt Reduction Task Force and Pilot Program (S.8663a/ A.8767a) into Law

Governor Cuomo,

Thank you for your leadership in preserving the clean water and wildlife that are so important to Adirondack communities. New York has faced great challenges with the Covid-19 pandemic, and as you regularly remind the public, we are not yet in the clear. The work to fight Covid-19 continues, as do so many other important tasks related to the protection of public health and safety. Your data-driven approach to Covid-19 testing and treatment has helped New York to flatten the curve of the worst pandemic in a century. Now, we need this same scientifically informed approach to avoid a drinking water crisis: road salt pollution. And as we have seen all too clearly in recent months, public health and the economy are intertwined. Sometimes, we are fortunate enough to discover opportunities to both protect public health and reduce state expenses simultaneously. **Road salt is costly, and once it gets into our water it is impossible to remove. Road salt pollution is a threat to Adirondacks Lakes and has already compromised drinking water and the health of people who live in or visit New York. Because of these reasons, we write to urge that you sign the Adirondack Road Salt Reduction Task Force and Pilot Program (A.8767a Jones/ S.8663a Kennedy) into law immediately.**

The Science is Clear: Road Salt Pollution is Widespread and a Threat to Public Health

The data clearly demonstrates that we have an emerging public health crisis that requires your leadership. Road salt applied to our state's roads has been leaching into drinking water, and there is no way to remove this pollution once it is there. **A recent study by the Paul Smiths College Adirondack Watershed Institute showed that of over 500 wells sampled in the Adirondacks, 66% of wells downslope from state roads were contaminated with sodium and or chloride above the Environmental Protection Agency's drinking water guidance values (compared with less than 10% of wells downslope from locally-maintained roads).**^[i] Additional Adirondack studies have shown that when roadside surface water data is compared to data from more remote surface waters, the average chloride concentration of roadside surface waters is found to be 22 times higher.^[ii] Extensive news coverage has documented incidents of homeowners along state roadways in the Adirondacks suffering from health issues and citing damage to property ranging from appliances to death of cattle.^[iii] The impacts are heartbreaking, but there is still hope. It is not too late to prevent more widespread damage from occurring across New York.

The Adirondack Road Salt Reduction Task Force will Lead the Way

This legislation, if enacted, would establish a task force led by the Departments of Transportation and Environmental Conservation. The task force would additionally include representatives from the Department of Health, the Adirondack Park Agency, and experts appointed by you and your counterparts in the Senate and Assembly. Under your leadership, the task force would undertake a review and assessment of the scope of road salt impacts within the Adirondack Park and the current DOT policies

and practices for winter road maintenance. Additionally, the task force would develop recommendations for road salt reduction targets and accompanying strategies to meet those goals through state and local action while ensuring that safe winter travel conditions are maintained. Those recommendations would then serve to guide the DOT in a three year Park-wide Road Salt Reduction Pilot Program, where those strategies can be tested for efficacy and improved as needed. Lessons learned from this project should assist the DOT in their winter road management strategies across the state.

Despite DOT’s intensive efforts over the past seven years to address this problem with improved technology, driver training, alternative de-icers, slowed application speeds, better plows, and vehicle telemetry, the buildup of residual chlorides in our watersheds continues. It is time to take a top-level strategic look at the problem since incremental change has proved beneficial, but inadequate to address the larger goal of clean and safe water. The complex issues that link technological approaches and public policies to keeping our roads safe must be addressed now. These are issues that rise above the charter of any one agency.

Experts around the country, and in this state, have already begun to develop effective strategies that reduce road salt use, keep drivers safe, protect clean water, and spare winter road maintenance budgets. There is not one “silver bullet” solution to replace road salt with another product, but there are a collection of tools, products, and strategies that result in safe roads, clean water, and serious savings for Highway Departments and the DOT. Alternative technology and strategies such as brines, improved plow technology, GPS tracking and alternative salt application strategies (speed, rate, timing, and frequency) offer cost effective solutions that can save the state millions of dollars in the Adirondacks and even more across the state as emerging best practices are more broadly deployed.

Reducing Road Salt will Reduce State and Municipal Expenses

In these challenging times for the New York State budget, smart winter road maintenance strategies can save the state tens of millions of dollars each year. In 2019, New York State purchased 1.2 million tons of road salt for winter road maintenance, costing an estimated \$77 million. An estimated \$16 million of that was spent on Adirondack roads. Salt corrosion and pollution imposes a hidden tax on the people of this state. Road Salt corrodes transportation infrastructure, reduces the value of motor vehicles, reduces the value of ecosystem goods and services, and corrodes pipes and appliances in homes where wells have been affected by salt pollution. **Repair, maintenance and replacement of road infrastructure corroded by road salt is estimated to cost \$18,563 per lane-mile per year. Repair, maintenance and depreciation of motor vehicles from road salt corrosion amounts to an estimated \$3,416 per lane-mile per year.**^[vi] Upfront and secondary costs of road salt are estimated to total more than \$25,000 per lane-mile per year.

Results from recent efforts to reduce salt pollution in the Lake George Basin offer promising potential to reduce overall winter road maintenance costs through an Adirondack Park Salt Reduction Pilot Program. At the 2019 Salt Summit held in Lake Placid, NY, the Town of Lake George shared preliminary data from January and February of that year on a comprehensive effort to reduce overall salt application. Their efforts resulted in safe roads and a reduction in salt use estimated to range between 30-50%.^[vi] The town’s efforts were supported by WIT advisors, consulting professionals who specialize in municipal salt use reduction. **WIT Advisors has cited as much as a 25% reduction in overall winter road maintenance costs through comprehensive salt reduction efforts.**^[vi] This is done without sacrificing public safety. Any minor upfront costs for technology and equipment upgrades are proven to provide a return on the investment in just a couple of years. And the effectiveness of salt use reduction strategies for improving water quality while maintaining road and public safety standards is being further quantified by a pilot study underway in the Mirror Lake watershed of Lake Placid. The proposed task force will not delay

current DOT efforts, but help them expand and accelerate existing isolated pilots into a regional strategy that can inform state-wide practices.

Public Safety is Paramount

The Department of Transportation manages our state roadways for a liability that is of paramount importance: the safety of the driving public. **We applaud the department's commitment to ensuring safe travel for New Yorkers and those who visit this state. While the department has effectively managed state roadways for this particular liability, a new liability has emerged.** Growing numbers of homeowners are seeking remediation from the state for polluted drinking wells. Both liabilities are matters of public health and safety, and the state should not manage for one at the expense of the other. Experts point out that the courts have ruled that so long as the state and its agencies are complying with their established levels of service for state roadways, the state is not exposed to liability for negligence.^(vii) This means that the Department of Transportation is not bound to current winter road maintenance practices out of any legal necessity. And no one would ask the state to expose the driving public to increased risk. The task force established under this legislation would take the more holistic approach that is needed to manage for multiple liabilities. New Yorkers can and should have safer driving, cleaner water and longer lasting infrastructure, all at less expense.

New York has led the way in the fight against acid rain, and it has been said that road salt pollution is the next acid rain. That is a frightening prospect, but you have a unique opportunity to once again demonstrate your leadership, bringing together your agencies along with a collection of experts to boldly reshape the way New York keeps the driving public safe. **With the utmost force, we urge you to sign the Adirondack Road Salt Reduction Task Force and Pilot Program (A.8767a Jones/ S.8663a Kennedy) into law immediately.**

Sincerely,

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Protect the Adirondacks!

CC:

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Christopher O'Brien, Deputy Secretary for Transportation
Senator Tim Kennedy
Senator Betty Little
Assemblyman D. Billy Jones
Assemblyman Dan Stec
Assemblyman Bill Magnarelli

[i] Kelting, Dan, 2018, Salinization of Adirondack Waters by Road Salt - Research Summary, Adirondack Watershed Institute at Paul Smith's College

[ii] Kelting, Dan, Corey Laxson, 1993, Review of Effects and Costs of Road De-icing with Recommendations for Winter Road Management in the Adirondack Park, Adirondack Watershed Institute at Paul Smith's College

[iii] Rivard, Ry. Salt in the Wounds. Adirondack Explorer (April 30, 2020): [Salt in the wounds: The uphill struggle against road pollution](#)

[iv] Vitaliano, Donald F. "An Economic Assessment of the Social Costs of Highway Salting and the Efficiency of Substituting a New Deicing Material." Journal of Policy Analysis and Management, vol. 11, no. 3, Summer 1992, pp. 397-418. JSTOR,

[v] Lake George Successes- Presentation on Salt Reduction Strategies and Results:
<https://fundforlakegeorge.org/saltsummit-2019>

[vi] WiT Advisors: Economical Benefits of Liquid Brine for Snow & Ice Control:
<https://www.youtube.com/watch?v=uFi2W8gg9xI>

[vii] 2014 Road Salt Conference - James Gelormini, former NYS Assistant District Attorney:
Presentation of Case Studies and a Discussion of Legal and Liability issues related to Winter Road Management
https://www.youtube.com/watch?time_continue=1840&v=JCzsoNU2ecI&feature=emb_logo