

Our Water, Our Future

Croton Watershed Clean Water Coalition Newsletter



Issue #10, July/August 2002

***Our Water, Our Future** is the newsletter that keeps you, our valuable members, on the leading edge of watershed protection activities. Through the generosity of the Noyes Foundation, both this newsletter and our website, www.newyorkwater.org, have been made possible.*

CRITICAL RESOURCE WATERS A Major Victory for Safe, Clean, and Affordable Water for More Than Half of New York State

*By Marian Rose
President, CWCWC*

On May 23, 2002, the New York District of the U.S. Army Corps of Engineers approved of New York Governor Pataki's designation of the whole East of Hudson (EOH) Watershed as a Critical Resource Water (CRW). Waters that are so designated receive significant extra protection because it means that most Nationwide Permits – automatic waivers for allowing certain activities pertaining to dredging and filling in waters of the US – are withdrawn. The vast majority of activities within a CRW area require a special permit that is subject to an extra careful review and possible denial.

The designation of Critical Resource Waters is usually applied to National Oceanographic and Atmospheric Administration (NOAA) - designated marine sanctuaries, National Wild and Scenic Rivers, critical habitat for Federal listed threatened and endangered species, (cont., page 2)

OUR WATERSHED, STREAMS, RESERVOIRS AND WETLANDS Need People Just Like You To Protect Them

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Do you feel you have talents to offer to aid in protecting our beautiful natural world? Would you like the chance to perform interesting and meaningful work?

We would love to hear from you. With the implementation of the Critical Resource Waters designation [see *adjoining article*], the N.Y.S. Department of Environmental Conservation (NYSDEC) has enthusiastically embraced the idea, presented by CWCWC, of a volunteer corps to aid it in enforcing watershed protections.

The Corps would be charged with regulations enforcement, water monitoring, on-site records keeping, and attending town planning meetings, among other undertakings. Some specialized training and an enthusiastic desire to protect our watersheds are the only requirements to join.

Through these efforts, our drinking-water reservoirs will continue to improve, (cont., page 3)

CRITICAL RESOURCE WATERS.(cont.)

coral reefs, State natural heritage sites, and outstanding national resource waters or other waters designated by a State as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment.” (Fed. Reg., Vol. 65, No. 47, March 9, 2000)

Although the wording of the CRW designation does not specifically mention drinking water sources, neither does it specifically exclude them. The East of Hudson (EOH) watershed, which includes the New Croton and the Kensico reservoirs, supplies 9 million people with naturally filtered drinking water and should be as worthy of the CRW designation as coral reefs or critical habitats for endangered species. CWCWC -- 52 groups united to protect the Croton Watershed and avoid filtration -- decided to initiate a proposal for this designation by requesting support from Governor Pataki.

The Campaign

In a letter dated May 10, 2000 to Governor Pataki, CWCWC asked him to designate the EOH reservoirs, together with their tributaries and contiguous wetlands, as CRWs. This initiative was immediately and enthusiastically supported by all the major environmental groups, such as Riverkeeper, NRDC, Trout Unlimited, Sierra Club, Audubon, Federated Conservationists of Westchester, and Friends of the Great Swamp, as well as many NYC community and housing groups, including NYPIRG, Manhattan Community Board 5, the HDFC Coalition, the Westchester County Board of Legislators, and political figures from both major parties. This support was supplemented by hundreds of letters to the Governor favoring the designation, resulting in a stack inches thick of mail being delivered to the Governor's office. (Special thanks are owed to George Nikitovich of Trout Unlimited, who convinced his fellow fly fishermen to put pen to paper.)

In December 2001, the Governor gave the EOH Watershed the Critical Resource Water designation, a far-sighted move and much to his credit.

The final approval of the District Engineer of the N.Y. District of the U.S. Army Corps was announced on May 23, 2002, after another massive letter-writing campaign. In their press release, the Corps stated that “the Corps’ action will result in additional scrutiny for all projects involving wetlands and waterbodies within the East of Hudson of the New York City watershed, thereby providing

additional protection for New York City’s water supply.”

A Proposal for Consolidating the CRW Designation

However, that’s not the end of the story. Good regulations are indispensable, but are meaningless unless properly enforced. Unfortunately, the N.Y.S. Department of Environmental Conservation (DEC), which, together with the Army Corps, is responsible for enforcement, remains understaffed, and too often unable to fulfill its current enforcement duties in a timely manner. CWCWC suggested supplementing some of DEC’s duties with a corps of volunteers appropriately trained by DEC and others, and working in conjunction with DEC and the Army Corps. Volunteers trained in stream monitoring are already performing valuable work.

DEC staff has reacted favorably to the Coalition’s suggestion. In addition to stream monitoring, CWCWC is also proposing that volunteers be trained in wetlands monitoring and wetlands regulations, as well as having a working knowledge of the provisions of the Clean Water Act and the State Environmental Quality Review Act (SEQRA). The aim is to develop a group of knowledgeable volunteers [see *adjoining article*] to attend town and planning board meetings at which developments in the watershed are being proposed, and, if needed, bring to the boards’ attention the components of SEQRA and CRW with which proposals need to be in compliance. Such oversight would go far in keeping development projects in compliance and aid all parties in achieving sustainable goals for this and future generations.

Further Protection of the EOH Watershed is Needed

Although the CRW designation can be invaluable in helping to protect the watershed, more needs to be accomplished in order to convince the U.S. Environmental Protection Agency (EPA), and the N.Y.S. Department of Health (DOH) to relinquish the Consent Decree that they have signed with N.Y.C., forcing the City to filter its Croton System at a cost of what has now been cited as more than \$1 billion.

Wastewater treatment plants need to be upgraded to the high levels stipulated in the historic 1997 Watershed Agreement (the MOA); as an immediate priority, the several hundred sites in the watershed, identified by Trout Unlimited, where stormwater runoff is polluting the tributaries (*cont., page 3*)
CRITICAL RESOURCE WATERS. (cont)

and reservoirs must be remediated; land in the Croton Watershed should be protected, either through direct acquisition by NYC or through conservation easements, and on a par with the expenditures in the Catskill/Delaware watershed; the New Croton Aqueduct, which has severe leaks, some due to age and others due to construction, should be repaired.

However, if the City is forced to spend \$1 billion on a filtration plant, there will be little incentive and hardly any funds available either for watershed protection or for buying still undeveloped land. Instead, these lands will be available for development into shopping malls, golf courses, and housing, all of which currently contribute significant amounts of polluted runoff into the reservoirs. Inevitably, Croton water, which presently fulfills all federal and state health standards, and which does not need filtration according to the DEP, will suffer irreversible degradation.

Alongside watershed protection, recent EPA regulations stipulate that water suppliers of unfiltered water must include two disinfectants in their arsenal (one in addition to widely used chlorine), in order to comply with the required reductions in giardia and cryptosporidium, two pathogens of much concern to the regulatory agencies. The Coalition has strong scientific reasons to believe that chlorine dioxide, in addition to chlorine, can fulfill these EPA requirements without filtration, and at a fraction of the cost. The Coalition is supportive of a pilot study being conducted at the Croton Gatehouse in order to test the validity of this assumption.

Together with other environmental groups and our new cadre of impressive and active volunteers, we shall work to find alternatives to filtration for the Croton. By protecting its still high quality water sources, rather than spending \$1 billion on filtration, we are confident that NYC can continue to supply more than 9 million people with safe, clean and affordable water. [CWC](#)

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CWCWC's great web
site at:*

www.newyorkwater.org

VOLUNTEER CORPS TO PROTECT W'SHED (cont.)

which means cleaner, healthier water emanating from our water taps at home. Involvement in the program also means opportunities to wander on foot and in canoe in some of the least-known and most scenic parts of our reservoir system—which includes swamps, streams, and wetlands. We hope that the end result will include a prideful stewardship of our water system, and a message of water protection rippling outward to an even wider audience.

If joining a sophisticated and caring group of volunteer elites appeals to you, please give CWCWC a call at 914-234-3179/6470 or contact the office via e-mail at crotonwshed@aol.com. We have already had a number of interested people sign on to the program, and we are looking to continue to attract a substantive crowd who are singular in their vision and dedication to our reservoirs. [CWC](#)

Just a Reminder
Please help us carry out our campaign to protect the watershed by contributing generously to our Volunteer Corps efforts. Please use the enclosed envelope for your contribution, and mail to Croton Watershed Clean Water Coalition, 9 Old Corner Road, Bedford, NY 10506. Thank you for your extra effort on behalf of our drinking water!

Calendar

September 5: CWCWC General Membership Meeting, Purchase Friends Meeting House, Purchase, N.Y., 7:00PM. Refreshments to be served, interesting people to attend, and our guest speaker to be announced!

Directions (by car): If traveling South on I-684, take exit 2 (Airport exit) and make left turn at top of ramp, crossing over I-684. *At first traffic light, turn right onto Rte. #120. Look for sharp left turn after approximately one mile; Rte. #120 becomes Purchase Street. Take first driveway on left after that sharp turn. (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.