

SUNY | NEW PALTZ

# Water, water, everywhere

Regional planning to protect water rights is discussed during a SUNY New Paltz event

by Terence P Ward

**T**HE HUDSON VALLEY has an abundance of water, and regional planning is needed to protect and use that resource to the benefit of those who live here, panelists speaking on water rights said during a SUNY New Paltz discussion on April 7. The event, sponsored by the Students for Sustainable Agriculture, included activists involved in the Niagara Bottling fight in Kingston, a farm worker, a Plains Road resident facing her private well being taken away for the sake of the nearby municipal system and a representative of the university's think tank, CRREO (Center for Research, Regional Engagement & Outreach). The conversation, moderated by former town Planning Board member and current mayoral candidate Tim Rogers, often drew upon the water problems in California as a warning of what insufficient planning could mean for the region.

Gail Freedman recounted how it's been known for some years that the New York City aqueduct would have to be shut down for several long stretches to perform maintenance, and that after ten years, the Village of New Paltz is now rushing to meet a deadline that will hit in 2017. "New Paltz is the only community in New York State that doesn't have an alternative backup source in place," she said, and test wells drilled in her Plains Road neighborhood made it clear that private wells would be seriously affected by tapping that aquifer, necessitating those residents being put onto municipal water, "and our wells would be destroyed." The hydrogeological report they commissioned suggested that the aquifer may not be sufficient for college and village needs, "and there is no plan B," she said, because very little work was done to investigate using the Wallkill River instead. While reports have indicated unsafe levels of fecal coliform bacteria in that water, she said the river is "eminently cleanable."

Rebecca Martin and Jennifer Berky told how the decade-old group KingstonCitizens.org mobilized members "in the eleventh hour" when it became known that the Niagara Bottling Company was in quiet negotiations to buy 1.7-million gallons of water a day from the municipal Kingston supply, Cooper Lake in Woodstock. That issue raised considerable questions about transparency required by the various systems that offer tax incentives for economic development. The company was originally attracted to the area by the Start-Up NY program, which is administered through the local SUNY school and would partner with the firm, in this case SUNY Ulster. Only a select committee led by the president was aware of the details of the proposal, which ultimately didn't pan out. However, \$11 million was offered by the Regional Economic Development Council, and the

county's Industrial Development Agency also was considering tax incentives, but Kingston residents were not aware of discussions that, according to Berky, skirted open meetings laws by being conducted with elected officials individually.

Annie Courtens, a student at the college, recounted working on a Columbia County farm the year it was inundated by Tropical Storm Irene, and then spending a season in California in the third year of its drought. "People don't take the drought as seriously" as Irene was, she said, because the tropical storm was a sudden event, while the drought has been worsening over time. She also tied California's severe water shortage to consumer choices made

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here, such as buying produce that requires a lot of it. "It takes a gallon of water to produce just one almond," she said, using a statistic that has made the social media circuit and led to "almond shaming" of the owners of California's almond orchards. "We need to develop more resilient systems than relying on California for our produce," she said.

KT Tobin of CRREO said that an important way to engage with water issues on a regional level is to think in terms of watersheds, rather than the individual stream or pond that is being considered for a particular water use. The watershed approach also includes protecting the wetlands from which aquifers are replenished. "It's so much better to get our water cleaned by nature than do it ourselves, and so much cheaper," she said. The Hudson Valley has some of the most abundant water in the world, she said, and will become of increasing interest to the owners of water-intensive businesses. Despite the surplus of water, a lack of infrastructure impedes its use, and the lack of regional planning puts local governments in the position of reacting to applications, rather than seeking out suitable candidates by identifying the best water uses for an area.

"I see there is an overlapping theme here; are there overlapping opportunities?" asked Rogers.

Martin agreed that the Niagara Bottling application suggested some. "The City of Kingston wanted to sell water to support one single capital improve-

ment project," Tobin said, "but ten years later, we would need a new plan." That spoke to a lack of both regional planning and asset mapping regarding water. "We are water rich, but with climate change, no one really knows. What kind of business do we want to attract? Can we look at what our land provides and attract those uses, rather than the other way around?"

Berky said that the piecemeal planning is also evidence of a trend towards states competing with each other for outside businesses in the name of economic development. "It's easier to attract large businesses with a bundle of funding than it is to support small and micro businesses, which create more job growth," she said. "How can that money be used to support smaller businesses?"

Tobin pointed out that the structure of the Regional Economic Development Council encourages that preference towards large businesses. The ten regions must compete among themselves for state funding, and flashier projects tend to get prioritized as a result. "It's embedded in how the system works," she said, as is the tendency to place economic development and sustainability in disconnected silos. "The whole system exacerbates the problem."

"I see the same play book," said Freedman, one that is opaque to the public. "Some water source or other, a handful of vested interests come up with a plan, a feasibility study ratifies it, and the ball is pushed down the field before the public becomes aware. We must demand transparency as citizens."

Without that transparency, it's the concerned citizens who find themselves reacting. Berky and Martin said that they effectively had to stop working for four to five months in order to mobilize members of KingstonCitizens.org, an effort which was a combination of grassroots organization and understanding the entire legal process, so as to identify "leverage points" upon which to act. In the end, Niagara Bottling executives withdrew the plan of their own accord.

New laws might make improvements in some cases -- for example, restructuring the Kingston Water Board so that the mayor, who appoints the other members, does not sit on it as well -- but they are not always needed. The state open meetings law, when applied correctly, creates the transparency panelists were calling for. In addition, the State Environmental Quality Review Act (SEQRA) is considered one of the strongest protections in the nation, but is often not well followed. The process calls for additional levels of analysis, and public hearings, if a project meets certain thresholds of disruption to the natural or neighborhood environment, including wetlands destruction, traffic pattern changes and noise pollution. It also forbids the segmenting of a larger project so as to avoid that scrutiny, which is something Niagara Bottling was accused of trying.

While the prospects for change seemed daunting at times, it was pointed out that thinking on other issues has been altered for the better. Twenty years ago, "recycling didn't exist," Tobin said, and there was no infrastructure to support it. Changing how people think about water may also take time, but is entirely possible. ++



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