



**City of Kingston
Conservation Advisory Council
420 Broadway
Kingston, NY 12401
(845)481-7339**

October 16, 2014

Mayor Shayne Gallo
Mayor, City of Kingston
420 Broadway
Kingston, NY 12401

James Noble
Common Council President
420 Broadway
Kingston, NY 12401

Dear Mayor Gallo and President Noble,

On October 14, 2014, the Kingston Conservation Advisory Council (CAC) hosted the Superintendent of the Kingston Water Department, Judith Hansen at our monthly Council meeting. At this meeting, Judith presented to the CAC and a capacity crowd, an overview of the Kingston water supply and distribution system; she discussed the issues pertaining to the proposal by Niagara Bottling as they pertain to the capacity of Kingston's water supply and distribution and she answered questions from both our Council and the public regarding the same.

From this meeting, over 250 questions and comments were submitted from the public primarily regarding concerns pertaining to the following (in no particular order):

- The potential and predicted effects of climate change and particularly drought on the water supply and watershed
- The effects of supply and demand and how future development might be impacted
- The effects of waste water discharges, increased flow and possible contaminants on the Lower Esopus Creek
- The impacts to and around Cooper Lake and the Mink Hollow water, watershed and neighbors water supply and quality in the Town of Woodstock
- The use of water, use of fossil fuels, use of toxic chemicals and effects of disposal, in bottle production
- The impact of increased vehicle traffic on greenhouse gas emissions, infrastructure and traffic in the Town of Ulster and Kingston
- The economic impact to Kingston Water Department rate payers, both if the proposal goes through and not, both pertaining to impacts from the proposal but also of Capital Improvement Projects
- The review of the environmental and litigious record of Niagara Bottling Company
- Potential contamination of underground aquifers
- The long term viability of the bottled water industry

- The principle of the privatization of Kingston's water
- The scope of the SEQR process, how effectively it is being followed, and whether the Town of Ulster is the appropriate entity to serve as Lead Agency
- The complication of the multi-jurisdictional nature of this proposal
- The impacts on the Ashokan Reservoir, Hudson River and Sawkill Creek from changes in flow and possible impacts from pollutants
- The transparency and comprehensive scope of the process
- Financial risks of the proposal

Upon taking these comments into consideration, along with review of the SEQR process, the Kingston Conservation Advisory Council would like to recommend to the City of Kingston Common Council and the Mayor of the City that the City of Kingston should recommend that the NYS Department of Environmental Conservation (DEC) would serve best as Lead Agency under SEQRA for the Niagara Bottling Proposal. Informing our recommendations for this consideration include the following concerns:

- The multi-jurisdictional nature of this proposal, with economic and environmental impacts on the City of Kingston, the Town of Ulster, and the Town of Woodstock
- The DEC's permitting oversight through the SPDES program
- The sensitivity of the impact on the Lower Esopus Creek particularly regarding its listing under Section 303(d) of the Federal Clean Water Act (CWA)
- The greenhouse gas emissions and traffic impact on local municipalities
- The principle of the sustainability of the use of fossil fuels in processing and bottling water for consumption

We feel as though the scope of the environmental impact of this proposal is larger than one single municipality, particularly as the source of the water is from one municipality, the sale of the water is from a second municipality and the siting of the bottling plant is in a third municipality. This concern, along with the concerns made evident above lead us to our recommendation.

Thank you for your consideration of this recommendation.

Sincerely,

Kingston Conservation Advisory Council

Cc:

Shayne Gallo, Mayor, City of Kingston

James Noble, Alderman at Large, City of Kingston