



## **MEMORANDUM OF SUPPORT**

### **S6276 (Senator Bonacic) and A10140 (Assemblymember Cahill)**

**TITLE OF BILL:** An act to amend section 3 of part NN of chapter 57 of the laws of 2008 relating to authorizing the New York state mortgage agency to transfer certain moneys, in relation to the use of surplus funds from the greater Catskills flood remediation program.

**PURPOSE OR GENERAL IDEA OF BILL:** To authorize the purchase of homes near the New York City aqueduct which are susceptible to flooding or water infiltration because of the leaking New York City-owned aqueduct. The bill would authorize use of remaining funds from the Greater Catskills Flood remediation program (for which the time to apply has expired) to purchase homes near the Delaware Aqueduct leaks, in Ulster County.

Riverkeeper, Inc. strongly supports the above-titled bill, and urges the Assembly to follow the Senate's lead and swiftly and unanimously pass A10140. This important bill would provide long needed relief to residents living with substantial impacts from the Delaware Aqueduct leaks.

Flooding in the Catskills is not a new phenomenon; the amount of rainfall is a principle reason why the New York City Watershed is such a vibrant and robust drinking water supply for half the State's population. The Legislature smartly addressed flooding impacts, in part, through the Catskills flood remediation program. What is a new and significant phenomenon, however, is flooding not from surface water, but up from a leak or leaks in the Delaware Aqueduct.

For nearly a decade Riverkeeper has called attention to the Delaware Aqueduct leaks. Reports show that the portion of the aqueduct flowing under Wawarsing, NY (in Ulster County) has been leaking up to 35 million gallons of water a day (mgd), or over 1 mgd an hour, for well over a decade.

Residents in Wawarsing are living with the Delaware Aqueduct leaks' impacts. Basements are flooding and sinkholes are appearing on residential property. Like many rural communities, homes in the area rely upon individual wells for their drinking water (the Town of Wawarsing does not tap into the Delaware Aqueduct for drinking water) and have septic fields for their sewage waste. The elevated water table has resulted in flooded septic fields contaminating well water. Consequently, residents are unable to drink their tap water because it is contaminated with bacteria from their septic fields.

While Wawarsing flooding has been ongoing for years, homeowners report that many of their problems began in March 2008, when the New York City Department of Environmental Conservation (DEP) reactivated the Delaware Aqueduct after a two-week shutdown starting

February 20, 2008. Shortly after DEP reactivated the aqueduct, residents reported that their tap water turned cloudy and/or brown and tested positive for coliform and other bacteria. The rate and amount of flooding also increased after this shutdown, resulting in basements flooding and ponds appearing in fields.

Wawarsing residents report that the flooding is intense; water shoots up through cracks in the floor rather than seeping in through the basement walls. One resident reported pumping out 1 million gallons of water from his basement in a 48-hour period. Another couple reported that their concrete floor buckled from the pressure beneath it, and that even with a sump pump operating 24 hours a day the basement fills with 8 to 12 inches of water.

Sinkholes are another problem Wawarsing residents face. One resident reported she first noticed them in 2006, while another reported that since March 2008 they have appeared all over her yard. They vary in size, starting small and growing to a few feet in depth and width.

The Delaware Aqueduct provides approximately 55% of the 1.2 billion gallons of water New York City consumes daily – water used for drinking, bathing, cooking, fire fighting, and other municipal purposes. The Delaware Aqueduct delivers water collected in the Cannonsville, Pepacton, Neversink and Rondout Reservoirs to the Hillview Reservoir in Yonkers, where it enters the City's water supply distribution system. At 84 miles, the Delaware Aqueduct is the longest continuous tunnel in the world.

Fortunately, New York City has begun planning to repair leaks in the Delaware Aqueduct. A fix, however, is an incredibly complicated engineering project and decades away. The City has also started planning for a third aqueduct crossing the Hudson from the Catskills. In the meantime, residents in Wawarsing must contend with a nightmare scenario.

Attached to this Memorandum of Support is Riverkeeper's most recent report on the Delaware Aqueduct leak, which details impacts in Wawarsing. The report is also available on our website: [http://www.riverkeeper.org/wp-content/uploads/2009/06/RvK\\_Report\\_Delaware\\_Aqueduct\\_Leak\\_Preparing\\_to\\_Repair\\_final2.pdf](http://www.riverkeeper.org/wp-content/uploads/2009/06/RvK_Report_Delaware_Aqueduct_Leak_Preparing_to_Repair_final2.pdf)

Riverkeeper strongly urges the Assembly to act fast and pass this bill.

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