



July 1, 2022

Mayor Bill Murphy and Board of Trustees  
Village of Saugerties  
43 Partition Street  
Saugerties, NY 12477

Re: **Water Supply**

Dear Mayor Murphy and Village Trustees:

Catskill Mountainkeeper's mission is to protect our region's forests and wild lands; safeguard air and water; nurture healthy, equitable, and sustainable communities; empower environmental justice communities; and accelerate the transition to a 100% clean and just energy future in New York State and beyond. We have members throughout New York State and the Catskill Region, with many of our members living in the Village of Saugerties and the Town of Saugerties.

We are writing in regard to the Village's expressed intent to establish a water supply at or near the Winston Farm site, drawing from the aquifer beneath the Beaver Kill (the "Beaver Kill Aquifer").

We understand that this location has long been identified as the optimal site for a much-needed secondary water source for the Village, and we support ongoing communications between the Village and the Town of Saugerties about how to achieve an adequate and secure water supply. As discussed at the April 4th Village Board meeting, the Village continues to explore mechanisms for working with the new owners of Winston Farm to create a Village water supply. The minutes reflect: "Trustee Hackett stated that the village has been looking for a secondary water source for years. The Town will need an increase supply with the new developments." The community has also expressed the need for an auxiliary, back-up water supply.<sup>1</sup>

Catskill Mountainkeeper has long been dedicated to protecting groundwater resources, which are essential to human life and ecosystem health in our region. Catskill Mountainkeeper has fought to protect groundwater from such threats as hydrofracking and illegal dumping.

Members of our organization have expressed concerns about proposed developments that may jeopardize the Beaver Kill Aquifer, particularly the Winston Farm project. We stand by and strongly support the Village in your proactive efforts to secure a water source to meet your needs, as well as related efforts to safeguard the quality and quantity of that water.

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<sup>1</sup> "Focused on Water System Renewal," *Municipal Sewer & Water*, August 2021. Available at: <https://www.mswmag.com/editorial/2021/08/focused-on-water-system-renewal>

To this end, Catskill Mountainkeeper commissioned a study by hydrogeologist Paul Rubin focused on the Beaver Kill Aquifer (the “HydroQuest Report, June 2022”). We are providing the report, “Hydrology and Land Use Considerations for Protecting Recharge Pathways to the Beaver Kill Aquifer” for the Village’s reference and use. The Report addresses concerns about how the Winston Farm site can realistically be both a water source and a development site.

In particular, the amount of water the Winston Farm development would require may leave no extra supply for the Village’s needs. Moreover, intensive development on and around the aquifer is a threat to a reliable clean water supply underground. This letter summarizes several key points from the HydroQuest Report, and we encourage you also to review the full list of conclusions on pages 44-45 of the Report.

### **The proposed development at Winston Farm could consume more water than the site can produce.**

As the Village Board discussed at its April meeting, one important reason for a second water supply is to accommodate new development in various parts of the community. But if Winston Farm is built out as planned, it may consume more water than a well at the site can produce, causing a net reduction in the Village’s supply. Significant additional hydrogeologic testing is warranted, inclusive of longer duration pumping to assess aquifer boundary conditions and safe yield. The HydroQuest report documents the presence of bedrock boundary conditions.

As you are aware, in the Village’s own study, a Winston Farm test well was pumped at a rate of 110 gallons per minute for 24 hours. Based on a Village consultant’s evaluation of this May 2018 well test, the estimated theoretical yield of the aquifer may be up to 251 gallons per minute (equivalent to about 361,000 gallons per day).<sup>2</sup> The Winston Farm developers’ initial Environmental Assessment Form (EAF) predicted that their envisioned development would consume 373,980 gallons per day (or 260 gallons per minute), and a more recent, revised EAF increases that predicted need to 500,000 gallons per day (347 gallons per minute). Even if high yields (in the range of 361,000 gallons per day) were achievable, under Winston Farm’s proposed scenario, the development would use all the water produced on the site and still demand more from the Village’s water supply.

The HydroQuest report reviews and questions the accuracy of the 251 gallons per minute prediction, in ways similar to concerns raised about the calculations in the report of the Village’s own consultant, as well as in review by other independent sources.<sup>3</sup> The HydroQuest Report further highlights the limitations of the preliminary tests that have been completed. It notes that longer-term pumping at high rates “may affect offsite water supplies,” and that neighbors’ wells should be monitored during future testing.<sup>4</sup> A sustainable safe yield may be substantially lower than the projected 251 gallons per minute.

Further, even if wells at Winston Farm can produce 251 gallons per minute, that same water cannot simultaneously support new development in the community, serve as a back-up source for emergencies, *and* supply the Winston Farm development. The Village needs water and should safeguard its supply. We encourage the Village to continue working with the Town to further address source water resources.

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<sup>2</sup> Letter from Stacy Stieber, LBG Hydrogeologic & Engineering Services, P.C., June 28, 2018.

<sup>3</sup> HydroQuest report at 32.

<sup>4</sup> HydroQuest report at 33.

## **Building on Winston Farm would interfere with the aquifer.**

As you are aware, for groundwater to stay clean and plentiful, the aquifer recharge area, the land area where rain and snowmelt soak into the aquifer, must be protected. The HydroQuest Report demonstrates that the recharge area for the Beaver Kill Aquifer is likely quite limited, and that the Winston Farm site constitutes much of the primary recharge area for the aquifer.<sup>5</sup> Water seeps through bedrock fractures and glacial sediments beneath Winston Farm to recharge the groundwater aquifer. Recharge also occurs through solution conduits in the Onondaga limestone in the area north of Winston Farm along Route 32.<sup>6</sup>

The risks from heavy development in the aquifer recharge area are twofold. First, hardening the land surface disrupts the natural infiltration of water into the ground. “Major roadway and building construction, utility infrastructure development, and grading . . . may significantly disrupt . . . naturally-occurring groundwater recharge.”<sup>7</sup> In other words, the amount of water collecting in the aquifer now, with forests and fields on the surface, could be significantly reduced if the land is covered with buildings and pavement. Water runs off hard surfaces into streams instead of soaking into the ground.

Second, a developed landscape can produce contaminants that pollute the aquifer. Everyday pollutants like lawn chemicals and automotive fluids can seep into the ground, and activities like manufacturing or warehousing can introduce serious additional contamination risks.

We note also that the proposed site for the Denier Car Wash, just north of the Winston Farm site, also forms an important part of the Beaver Kill Aquifer recharge area and is particularly susceptible to contamination.<sup>8</sup> We are concerned that the Town of Saugerties, instead of upholding its sensible, existing aquifer protection laws, is considering a zoning amendment to allow car wash operations within the aquifer recharge area.

## **The Village should secure its water supply now.**

Based on these concerns, two conclusions are clear: (1) The Beaver Kill Aquifer beneath Winston Farm cannot provide water both for the Village *and* for Winston Farm; and (2) the land comprising Winston Farm cannot both supply clean water to the aquifer *and* be paved over to create a new village.

Considering the Village of Saugerties’s well-documented needs both for more water and for a back-up supply, we urge the Village to take immediate additional actions to secure a safe and adequate water supply. This would include seeking funding to further ascertain the available volume of water from a well or wells in the Beaver Kill Aquifer, along with working with the Town to determine how the recharge area supplying the aquifer should be protected.

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<sup>5</sup> HydroQuest report at 4-9.

<sup>6</sup> HydroQuest report at 10-11, 35.

<sup>7</sup> HydroQuest Report at 8.

<sup>8</sup> HydroQuest Report at 34, 44.

We note that New York State law authorizes a village to purchase “land, streams, water or water rights” needed for its water supply.<sup>9</sup> Villages also have the power of eminent domain for their water system.

Catskill Mountainkeeper supports the Village in taking action now, before decisions by the Town jeopardize a critical water supply. We stand ready to assist with technical, legal, and other resources. Please do not hesitate to contact my colleague Kathy Nolan (Mountainkeeper’s Senior Research Director) regarding technical issues ([kathy@catskillmountainkeeper.org](mailto:kathy@catskillmountainkeeper.org); 845-417-6489) or myself on any matter.

Sincerely,

Kate Hagerman

Program Manager

Catskill Mountainkeeper

[kate@catskillmountainkeeper.org](mailto:kate@catskillmountainkeeper.org)

914-473-4137

enclosures: HydroQuest Report  
Map of aquifer overlay districts in the Town of Saugerties

cc: Town of Saugerties  
Town of Saugerties Planning Board  
Town of Saugerties Conservation Advisory Committee  
Beautiful Saugerties

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<sup>9</sup> Village Law § 11-1106.