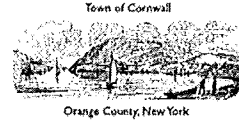




VILLAGE OF CORNWALL ON HUDSON
&
TOWN OF CORNWALL



June 19, 2013

BY EMAIL AND OVERNIGHT MAIL

Village of Kiryas Joel Board of Trustees
% Tim Miller Associates, Inc.
10 North Street
Cold Spring, New York 10516

Re: Joint Comments on the Village of Kiryas Joel's Annexation DGEIS

Dear Board of Trustees:

The Village of Cornwall on Hudson and the Town of Cornwall jointly wrote to the New York State Department of Environmental Conservation last year regarding serious issues we have with the water supply expansion sought by the Village of Kiryas Joel. There are significant and substantive issues that must be addressed resulting from the water supply expansion including the use of wells within Cornwall and near Cornwall on Hudson's own water supply wells. The time to address our concerns is now, during Kiryas Joel's annexation process; the annexed lands would be served by Kiryas Joel's water supply.

As the provider of water for both Cornwall on Hudson and Cornwall, we are concerned with any proposals that might impact our ability to provide water to our residents. This was why we previously wrote on this matter. As a result of our prior comments, and the comments of others, the DEC determined to hold a legislative hearing. After the hearing, rather than addressing the many comments raised, Kiryas Joel suspended the DEC's processing of the application. But Kiryas Joel continues with the construction of the pipeline. Yet the concerns remain unaddressed. Because Kiryas Joel's insufficient analysis of the water supply expansion, we engaged the services of Maser Consulting to conduct our own evaluation of Kiryas Joel's proposed water supply expansion.

Kiryas Joel declared itself to be the lead agency for the environmental review of both the water supply expansion and now the annexation. A key question is whether Kiryas Joel's proposal to take 612,000 gallons per day from its well within Cornwall will impact the current and future needs of the Village and the Town's residents.

Maser conducted an extensive review of Kiryas Joel's proposal, and found that the aquifer test conducted by Kiryas Joel's consultants is inadequate for determination of

impacts to water-dependent natural resources. Maser prepared a report, criticizing Kiryas Joel's application for shortcomings in its analysis. Maser has now updated that report, reviewing the statements in Kiryas Joel's Draft Generic Environmental Impact Statement. A copy of Maser's updated report is attached.

Maser's efforts focused on whether Kiryas Joel's proposed water taking would detrimentally affect the Moodna Creek Watershed and the Village and Town's current needs for water supply. What Kiryas Joel completely ignored was the Town's plans to expand its public water supply significantly to unserved areas of the Town. The Town commissioned plans for such an expansion, which plans were prepared by Dufresne-Henry Engineers and Landscape Architects in August 2002. The 2002 public water supply expansion plans show that the Town could more than double the size of its existing water district at some point in the future. Additional sources of water would need – and still need – to be determined to support such an expansion. Kiryas Joel's application fails to adequately demonstrate that their taking would be of no impact on the Village and Town's water resources. It says nothing whatsoever about the impact on our future needs. And for this reason alone, the application fails to meet the requirements of Environmental Conservation Law § 15-1503(2)(c).

Given our concerns, and those of our consultant hydrogeologist, we recommend the following:

1. That Kiryas Joel, as SEQRA lead agency, rescind its prior negative declaration for the water supply expansion and conduct a new, full environmental review of the water supply expansion, addressing all of the environmental concerns raised during the DEC's legislative hearing; or
2. That Kiryas Joel address those comments fully, with detailed analyses, now, during its annexation DGEIS process.

These steps are necessary to protect the environment, including the current and future water supply needs of the Village of Cornwall on Hudson and the Town of Cornwall.

Respectfully Submitted,

Village of Cornwall on Hudson

Town of Cornwall

By: Brendan G. Coyne
Brendan Coyne
Mayor

By: Randy Clark
Randy Clark
Supervisor