

— PETITION —

Filed in office of Water Control Commission
July 6, 1928.

TO THE CONSERVATION COMMISSION, THE ATTORNEY
GENERAL AND THE STATE ENGINEER, AND OR THEIR
RESPECTIVE DEPUTIES, CONSTITUTING THE WATER
CONTROL COMMISSION UNDER ARTICLE VII-A OF THE
CONSERVATION LAW OF THE STATE OF NEW YORK.

The Petition of the undersigned residents of, or owners of
real estate within the district herein proposed to be organized, and
public corporations whose boundaries lie wholly or partially within
such district, for the creation of a river regulating district, under
and pursuant to the provisions of said Article VII-A, respectfully
shows:

FIRST: The proposed name of said district is the "Hudson
River Regulating District."

SECOND: The necessity for the organization of such district,
the purposes to be accomplished thereby and the benefit to inure from
the exercise of the powers are as follows, viz:

A. The Hudson River is the largest and most important river
in the State. Said river and its principal tributaries rise in the
Adirondacks and empties into the Atlantic Ocean at the City of New
York. Its length from its source to its mouth is about three hundred
miles and from its source to the City of Troy is about one hundred and
fifty miles. It is navigable and extensively used commercially for
the transportation of property and persons from the City of Troy to
the City of New York, a distance of some one hundred fifty miles.
The Adirondack region in which the upper Hudson and its tributaries
find their source is a high mountainous region. Within this region
there occurs annually a very heavy rainfall. A great part of this

precipitation takes the form of snow, the melting of which in the spring causes great floods. There is a great variation of flow of this river owing to such floods and to droughts. Such variation differs from year to year between an observed maximum and minimum flow during spring freshets of over one hundred thirteen thousand (113,000) cubic feet per second at a given point, and in the same year at the same place a minimum flow of less than seven hundred (700) cubic feet per second. That such variation is not necessarily the limit but floods to a greater extent have occurred and may be expected to re-occur, and in extraordinarily dry years the river has and may shrink to even smaller proportions. That such freshet flow of water cannot be contained within the normal banks of the river and during the years of such freshets the banks of the river have overflowed causing extensive damage. In a single year such damage in the City of Albany and vicinity has been upwards of a million dollars and a total property damage of upwards of two million dollars.

That the cities of Albany, Watervliet, Rensselaer, Troy and Mechanicville and the villages of Castletown, Green Island and Waterford are all adjacent to said river and within such proposed district as are other villages and towns, and during such freshets large areas thereof are flooded and inundated with water, rendering such flooded areas unsanitary and unsafe to health, and cause sickness and death and do great property damage and inconvenience to the inhabitants thereof, and cause great public and private damage.

That the New York Central Railroad and the D. & H. Railroad are for many miles constructed along and adjacent to the banks of said river and during the times of such freshets the flow of water in said river interferes with and stops traffic on said railroads, suspends transportation of passengers and freight, and inflicts great

public and private injury.

That many of the municipalities located along said Hudson River from the village of Corinth to the City of New York empty raw sewage into said river, and during the periods of low flow of water in said river said sewage contaminates this water and the same becomes a menace to the general health and during the periods of lowest flow such contamination approaches the stage of an actual nuisance and renders habitation along said river unsanitary and the condition of the river at such times is a menace to the public health.

That at the times of the low flow of said river sea water is found as far north as Poughkeepsie and it is impossible to take water from the river below said place for domestic purposes.

That from the Village of Fort Edward to the City of Troy said Hudson River is in part canalized and used for navigation and during the period of natural minimum flow there is not sufficient water for continuous navigation.

That during the periods of low flow of said river it has at times been difficult for boats carrying persons and property to pass up and down said river for several miles below the city of Troy and because of the low level of water in said river resulting from drought.

That there are at present on the Hudson River and within the district herein asked to be created many developed water power plants, some of which are used to generate electric energy which is utilized for public purposes in lighting streets and public and private buildings in municipalities and operating street railroads, and that more of such energy is needed for public uses. Other water power plants are now in course of construction on said river. It is impossible for these plants to use waters coming from freshets and to the extent not used the flow is economic waste; during the periods of the low flow a

large part of this installed power capacity is idle and throws out of employment a great many men and suspends in whole or in part operations in said power plants resulting in lack of electric energy needed for public uses and in hardship to industries and to communities along said river and the inhabitants of such communities.

Said variations in the flow of said river are detrimental to public and private interests in many respects not above enumerated.

B. The topography of said Adirondack region is such that large storage reservoirs can be constructed in which the spring freshet floods may be restrained and impounded and thus prevent floods and thereafter the waters thus impounded can be released when the flow of the river is naturally at minimum and such minimum flow be very materially increased. That extensive surveys and investigations of the possibilities of such reservoirs have been made by the Conservation Commission of this State and by private interests, and it has been determined and the fact is that two thirds of the maximum flow can be restrained and impounded in reservoirs and that by so doing said river will not overflow its banks so as to impair or injure health or do damage to persons or property. The water thus restrained and impounded can be released during the times of natural minimum flow and such flow raised from less than seven hundred cubic feet per second to fifty six hundred cubic feet per second or better.

By the creation of such district storage reservoirs can be provided which will regulate the flow of such river eliminating the now maximum flow thereof and by properly operating such reservoirs increase such minimum flow. This will increase by about a foot and a half the depth of water in the Hudson River below the City of Troy and benefit navigation; and also supply ample water for navigation between Fort Edward and Troy; it will prevent loss and damage to life and property;

it will greatly improve the dangerous unsanitary conditions along said river; and the consequent impairment of health; it will greatly diminish the danger of interference and suspension of railroad operations (and the transportation of persons and property) and the obstruction and washing out of bridges and highways and thus facilitate public travel and intercourse; it would permit the cities along said river to draw their supply of water from the river for domestic and other purposes and would even permit the City of New York to obtain its future water supply by taking water from the river in the vicinity of Poughkeepsie, it will give a more continuous and uniform flow of water for use of said power plants and increase the power or energy therefrom for both public and private purposes and keep labor more uniformly and continuously employed and be a great benefit to the cities along said river and the inhabitants of such cities and will also be a great benefit in producing hydro-electric energy and in building up communities and creating values and will accomplish other public and private purposes. That such additional energy is needed for public uses.

THIRD: The territory to be included in the proposed district constitutes the watershed of the Hudson River and its tributaries within the State of New York above the intersection of the southerly boundary lines of the counties of Albany and Rensselaer with the Hudson River, excepting therefrom the Mohawk River and its tributaries. The extent of the proposed district is approximately five thousand square miles. The reason why the Mohawk River is not included in the proposed district is because this river is a canalized stream and controlled and supervised by the Superintendent of Public Works. That the counties that lie wholly or in part in the proposed district are Albany, Columbia, Rensselaer, Saratoga, Washington, Warren, Fulton, Hamilton, Essex, Greene, Schenectady and Schoharie.

FOURTH: That as your petitioners are informed and believe through the construction and operation of reservoirs two thirds of the maximum flood flow can be restrained, and a maximum flow of 113,000 cubic feet per second can be cut in half, and that a minimum flow of 650 cubic feet per second can be raised to 5,600 cubic feet per second.

FIFTH: Both state and private lands will be required. The amount of state lands required will not exceed 9,000 acres and together with all other state lands which may be required for reservoir purposes on other watersheds will not exceed 3% of all the state lands within the Forest Preserve. The amount of private lands required cannot be determined accurately until all proposed reservoirs are located and the high flow lines thereof surveyed, but private land necessary for such reservoirs will be inconsiderable when compared with the great public benefits to be derived from the regulating of the river.

WHEREFORE your petitioners pray that your honorable Commission will create the regulating district herein petitioned for pursuant to and for the accomplishments of the objects provided for in said Chapter VII-A of the Conservation Law.

Dated, July 6th. 1922.

City of Glens Falls, N. Y.
By C. W. Cool, Mayor.

Village of Corinth, N. Y.
By Maurice T. Jones, President.

Town of Corinth, N. Y.
By J. Harry Dunmore, Supervisor.

Village of So. Glens Falls
By John Fridge, President.

Village of Fort Edward
By Millard Robinson, President.

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Village of Hudson Falls
By George S. Drome, President.

Adirondack Power & Light Corporation
By Elmer J. West, Vice Presdt.

Frank L. Bell

Elmer J. West

Village of Schuylerville, N. Y.
By E. D. Naylor, President.

City of Mechanicville, N. Y.
By John W. Burke, Mayor.

Albert E. Cluett, Troy, N. Y.

A. E. Roche, Engr., Troy, N. Y.

City of Watervliet, N. Y.
By M. L. Walsh, Mayor.

City of Rensselaer
By Henry Meurs, Mayor.

City of Albany, N. Y.
By Wm. S. Hackett, Mayor.