

STATE OF NEW YORK
CONSERVATION DEPARTMENT
DIVISION OF WATER RESOURCES



WATER RESOURCES COMMISSION

Water Supply Application No. 2189-D

SPRING VALLEY WATER WORKS
AND SUPPLY COMPANY

M O D I F Y I N G
D E C I S I O N

OFFICIAL RECORD

TO REMAIN IN THE CUSTODY OF THE WATER RESOURCES COMMISSION

State of New York
Department of Conservation
WATER RESOURCES COMMISSION

Water Supply Application No. 2189-D

In the Matter of the Application

- of the -

SPRING VALLEY WATER WORKS AND
SUPPLY COMPANY

for the approval of the acquisition
of land and the construction of a
dam for an impounding reservoir in
Rockland County, New York.

Eighth Application

FOURTH MODIFYING DECISION

Application filed	September 26, 1951
Original Decision	July 23, 1952
Fourth Modifying Decision	January 3, 1963

MODIFYING DECISION ON WATER SUPPLY APPLICATION NO. 2189-D

PROCEEDINGS

Henry L. deForest, Vice President of the Spring Valley Water Works and Supply Company, acting in the name and on behalf of that company, on September 26, 1951 filed an application with the Water Power and Control Commission, a predecessor of this Commission, for approval of the plans of the said company for the acquisition or taking of an additional water supply, the taking or condemnation of lands for such new source of water supply and for the construction proposed in connection therewith. This application was approved by that Commission by a decision dated July 23, 1952 and was then later modified by three supplementary decisions.

The original decision was approved subject to certain conditions, one of which reads as follows:

"M. Unless the works authorized by this decision shall have been fully completed by January 1, 1958 or within such extended time as may have been applied for and granted by the Commission, then and on that date this decision shall be deemed to have lapsed and to be of no further force and effect."

The last supplementary decision (Water Supply Application No. 2189-C) modified the above Condition "M" and extended the time limit in which to complete the project to January 1, 1963.

On December 26, 1962 the Spring Valley Water Works and Supply Company filed a petition duly verified by George H. Buck, its President, requesting an extension of the time limit in which to complete the project to August 1, 1963.

After due study of the information contained in this most recent request and of a further study of the papers filed with the original application, the Commission finds as follows:

FINDINGS OF FACT

1. This application involves the creation of a storage reservoir on the Hackensack River near the junction of the east and west branches of that river, in the town of Clarkstown, Rockland County, by the construction of an earth dam and concrete spillway and the installation of a mechanical gravity filter plant and pumping station immediately adjacent to and

south of the dam. The capacity of this treatment plant ultimately is to be 10 million gallons per day but, under the original decision, only sufficient construction was to be undertaken to provide for a capacity of about 5 million gallons daily until the additional capacity appeared to be warranted.

2. The construction of the dam and reservoir were completed prior to 1958 but the Spring Valley Water Works and Supply Company considered it uneconomically desirable to commence with the construction of the filter plant and pumping station until the demands for water in this area increased sufficiently to warrant the construction of these additional facilities. There also were unavoidable delays in starting the project due to litigation and the necessity of obtaining certain lands and zoning approvals.

3. Plans for the filter plant and pumping station have been approved by the Commission and contracts for construction were then let by the company on May 17, 1962. The construction work was started in June of 1962 and is presently proceeding towards completion.

4. The contractor has encountered some unanticipated problems and delays and therefore has been unable to complete this construction work by January 1, 1963. It is reported, however, that the contractor will be able to complete the work during the summer of 1963.

5. In consideration of the foregoing facts, a further extension of the time limit imposed by Condition "M" of the Commission's original decision of July 23, 1952 can be granted.

DETERMINATION

Therefore, Condition "M" of the original decision of July 23, 1952 can be and hereby is revised to read as follows:

- M. Unless the works authorized by this decision shall have been fully completed by January 1, 1964 or within such extended time as may have been applied for and granted by the Commission, then and on that date this decision shall be deemed to have lapsed and to be of no further force and effect.

In all other respects the said decision shall remain as originally written.

MODIFYING DECISION

WHEREFORE, the Water Resources Commission does hereby modify the original decision of the said application, maps and plans of the Spring Valley Water Works and Supply Company as indicated herein.

IN WITNESS WHEREOF, the Water Resources Commission has caused this determination and modification to be signed and has caused its official seal to be affixed hereto and has filed the same with all maps, plans, reports, and other papers relating thereto in its office in the city of Albany, this 3rd day of January, 1963.

WATER RESOURCES COMMISSION



J. Montanari

Assistant Commissioner for Water Resources, Alternate - Acting Chairman

Attest: *Robert A. Cook*
Secretary to the Commission