February 25, 2025

Town of Cairo  
PO Box 728  
Cairo, NY 12413

Attn: Planning Board

Dear Members of the Planning Board,

While concerns were raised this time last year, we are again writing to formally express our strong concerns regarding the proposed discharge (whether directly or indirectly) of treated wastewater into the pond shared with Blackhead Mountain Lodge (“Blackhead”) as well as Blackhead’s proposal to utilize water from said shared pond for their irrigation needs. This pond is a natural waterbody situated on our residential property that serves as a private resource for non-motorized boating and catch-and-release fishing and the resorts property as a water feature. This proposal raises significant environmental, non-environmental and public health concerns which we have outlined below.

**Environmental and Public Health Concerns of Discharging Treated Wastewater into Pond**

1. Water Quality Degradation. Even with modern treatment processes, wastewater discharge introduces residual contaminants such as pharmaceuticals, nitrogen, phosphorus, and organic compounds. These substances can contribute to harmful algal blooms, reduced oxygen levels, and long-term ecological degradation.

2. Impact on Aquatic Life. The pond supports a delicate ecosystem, including fish and other aquatic organisms that rely on clean, balanced water conditions. Introducing treated wastewater could alter the ponds pH, temperature, and nutrient composition, potentially leading to fish die-offs and ecosystem imbalances.

3. Human Health Risks. My family and our guests use this pond for recreation, including peddle boating, kayaking, canoeing, and catch and release fishing. Discharged wastewater, even if treated, may contain pathogens or chemical compounds that pose health risks through skin contact or ingestion, especially for children and pets.

4. Cumulative Environmental Impacts. SEQRA requires consideration of cumulative effects. If this project is approved, it sets a precedent for similar discharges in other residential areas, exacerbating environmental strain on local water resources over time.

**Environmental Concerns of Using Water from Pond for Irrigation**

1. Seasonal Water Scarcity. Under prior property ownership, the shared pond served as the main source of water withdrawn for golf course irrigation (according to the prior owner’s water withdrawal permit renewed in 2021, there was a yield of 480 gallons per minute/ or 210,000 gallons per day maximum). Over the past several years, we have experienced increasingly unseasonable warmth, leading to lower water levels during the summer months – precisely when irrigation demands would be highest. By drawing additional water from the pond, the already limited supply could be depleted more quickly, leaving little to no water available for the natural ecosystem it supports.
2. Ecosystem Disruption. The pond serves as a crucial habitat for local wildlife, including fish, amphibians, and other aquatic organisms that depend on a stable water level for survival. Reducing water levels could cause significant harm to these species, disrupt breeding cycles, and lead to habitat loss. Additionally, lower water levels could contribute to higher water temperatures, exacerbating the risk of algae blooms and decreasing oxygen levels, further harming aquatic life.

3. Impact on Natural Water Filtration. As the pond receives water from various natural sources, it acts as a filtration system, helping to maintain water quality before it continues downstream. Withdrawing water for irrigation could alter the natural filtration process, leading to sediment buildup, increased nutrient concentration, and poorer water quality over time.

4. Hydrological Disruption. Removing water for irrigation can alter the natural flow of water through the ecosystem, potentially reducing the amount of water that continues downstream. This could have consequences beyond the immediate pond area, affecting groundwater recharge and downstream water availability for other properties and natural areas.

**Non-Environmental Concerns**

1. Shared Resource, Unequal Impact. The pond is a shared resource between our residential property and Blackhead’s commercial business. Their proposal would allow them to utilize this water for their business needs while we bear the consequences of reduced water levels, diminished aesthetic value, and potential impacts on our property usability and value.

2. Precedent for Future Water Use. Approving this request may set a precedent for further water extraction in the future, leading to increased demands on an already stressed resource. If additional irrigation needs arise as their resort and spa operations expand, this could exacerbate the strain on the pond.

3. Property Value Concerns. As homeowners, the presence and health of the pond contribute to our property’s overall appeal and value. A deteriorating or frequently dried-up pond could negatively impact property aesthetics and, consequently, its market value. Additionally, the potential for foul odors, including sewage-like smells, could arise from organic matter and nutrients in the treated effluent. Even with treatment, the introduction of wastewater into a stagnant pond increases the risk of unpleasant odors, particularly in warm weather or low-flow conditions.

4. Contesting Legality of New Owners Rights to Usage. In the state of New York, a verbal agreement regarding water use from a shared pond would generally be considered a license, which is a personal, revocable, and non-transferable permission rather than a property right. It is our understanding, because Blackhead was sold, my father and I are not automatically bound by any previous verbal agreement unless there was a written agreement recorded as an easement.

**Importance of a Positive SEQRA Declaration**

I urge the Board to issue a Positive Declaration under the State Environmental Quality Review Act (SEQRA). A Positive Declaration under SEQRA ensures that a full Environmental Impact Statement (EIS) is conducted, requiring a detailed analysis of potential environmental, health, and quality-of-life impacts. This process is essential to:

1. Fully assess alternatives that do not involve discharging wastewater into a recreational and ecologically significant pond.
2. Ensure transparency by allowing for public input and expert environmental review.
3. Protect residents and ecosystems from unintended long-term consequences.

For these reasons, we urge the Planning Board to deny the Blackhead owners’ request to discharge treated wastewater into the pond shared with Blackhead (whether discharge is direct or indirect) as well as Blackhead’s proposal to utilize water from the pond for their irrigation needs. The environmental consequences, coupled with the disproportionate impact on our property and the broader ecosystem, make this an unsustainable and inequitable proposal. As discussed above, given the clear risks associated with this proposal, we strongly urge the Planning Board to issue a Positive Declaration and require a full EIS before any further action is taken. The health of our community and environment must take precedence over expedient development decisions.

Thank you for your time and consideration. We appreciate your commitment to responsible environmental stewardship and look forward to your response.

Sincerely,

Thomas J. Pahl

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