

The Quarterly Newsletter of the Sierra Club Atlantic Chapter, Mid Hudson Group Winter 2017 | Vol. 49 | Issue 4 Welcome to the first Mid-Hudson Group Email newsletter. We have tried to make it as easy to read as

possible. Don't forget that it will permanently be posted to our website along with all previous newsletters. If you have a comment or suggestion on how we can improve this newsletter please contact our webmaster/editor, Andy Moss at andy@hvi.net. In This Issue Chair's Corner | Conservation | Energy | Legislative Outings | Fundraising | Calendars

[Note: Because of differences in Email programs, the links above and the "back to top" links below may not work.] Chair's Corner by Joanne Steele

It is clear that the effects of human-caused climate change has been affecting "the weather" for a while now and will be affecting it to a greater and greater extent as time goes on. It

will affect those of us now living, harder on our children, and especially hard on our grandchildren. It is our children and grandchildren that are now fighting hardest for us all. In our Summer 2016, newsletter, I reported that in Kain et al. v. Massachusetts Department of

Commonwealth of Massachusetts to create and implement regulations to meet its carbon

emission reduction mandates. In the opinion by Justice Cordy, the Court sided with

Environmental Protection decision, the Massachusetts Supreme Judicial Court affirmed the State's obligations under the 2008 Global Warming Solutions Act (GWSA) and ordered the

Conservation Law Foundation (CLF), Massachusetts Energy Consumer Alliance, and four teenage plaintiffs in asserting that DEP failed its legal obligation to enforce the GWSA. At about the same time as the Massachusetts lawsuit was filed in April 2015, twenty-one young people from around the country, including the Earth Guardians organization, filed their constitutional climate lawsuit, called Juliana v. U.S., against the U.S. government in the U.S. District Court for the District of Oregon against the Obama administration, accusing the federal government of violating their rights by contributing to climate change through the promotion of fossil fuels. The plaintiffs were organized by Our Children's Trust, an Oregon-based nonprofit that has spearheaded climate-related lawsuits in all 50 states. (Earth Guardians is a Colorado-based nonprofit that hopes to bring atmospheric carbon levels down to 350 parts per million which is currently 410 ppm.) The kids sued for themselves but also for "future generations," the latter group whose "guardian" is listed as James Hansen, the renowned former chief climate scientist for NASA. Hansen joined the

major civil rights decision. The complaint listed numerous defendants, including President Barack Obama, Secretary of State John Kerry, the Department of Energy, the Department of the Interior, the Department of Transportation, the Department of Agriculture, the Department of Defense and the Environmental Protection Agency. In November 2015, representatives of ExxonMobil, BP, Shell, Koch Industries, and trade groups including the National Association of Manufacturers (NAM), American Fuel & Petrochemical Manufacturers (AFPM) and the American Petroleum Institute (API), groups which collectively provide most of the nation's energy and, directly or indirectly, produce most of America's carbon pollution, filed a joint motion to intervene as defendants. They called the lawsuit "extraordinary" and "a direct threat to [their] businesses" and stated that they feared "massive societal changes" and an "unprecedented restructuring of the economy." They asked U.S. Magistrate Judge Thomas

lawsuit on behalf of his granddaughter, Sophie, in what will eventually pave the way for a

Coffin in Eugene, Oregon to let them join the Obama administration to fight the lawsuit. The Obama government requested that the kids' case be dismissed. In April 2016, Judge Coffin recommended denial of both motions to dismiss. U.S. District Court Judge Ann Aiken upheld Judge Coffin's recommendation, with the issuance of an historic November 10, 2016 opinion and order denying the motions. When the defendants sought an interlocutory appeal of that order, Judge Aiken denied their appeal in June 2017. Further, Judge Coffin issued an order releasing the fossil fuel industry defendants from the case. A trial date was set for February 5, 2018 before Judge Aiken at the U.S. District Court of Oregon in Eugene. The landmark lawsuit has by now passed on to the new administration, and accuses Trump's federal government of violating their constitutional

rights to life, liberty and property by promoting fossil fuel production and by failing to take

action to combat climate change. The suit asks the court to decide whether children have a constitutional right to protection from fossil fuel policies that "knowingly create dangerous climate change." The answer may yet be "Yes." On this past April 27th, they brought their call for a healthy environment to the steps of the U.S. Supreme Court, which could ultimately hear their case. "We are suing because none of us and none of you have time to wait," plaintiff Kelsey Juliana said. In July 2017, the Ninth Circuit Court of Appeals requested attorneys for youth plaintiffs submit a response to the government's petition for "writ of mandamus" (Generally, such an order is made to compel a judicial or government officer to perform a duty owed to the petitioner.) and invited the District Court to respond as well. The District Court responded via letter and the youth plaintiffs filed their answer. Further, eight amicus briefs were filed with the Ninth Circuit in support of the youth plaintiffs. A three judge panel of the Ninth Circuit, made up of Chief Justice Sidney Thomas, and Circuit Justices Alex Kozinski and Marsha Barzon heard oral arguments on December 11, 2017. Youth plaintiffs, now age 10 to 21, and their attorneys look forward to the panel decision. Eric Grant, representing the Trump administration and the U.S. government,

Senators Jeff Merkley and Ron Wyden joined the kids along with Our Children's Trust, an Oregon-based advocacy group leading the lawsuit. You, too, can join the lawsuit as I have

All of which brings immediately to my mind the high cost of legal defense! Your Mid-Hudson Sierra Club accumulates funds from your generosity, memberships and our fund raising efforts. Given Sierra Club's current campaign to encourage our switching to E-cars, we are wondering what's going to happen to your old gas car? Or maybe you have right now an old clunker blemishing your yard. At some point we hope many of you will switch

argued that the case be dismissed. All three judges were skeptical.

done: https://petitions.moveon.org/sign/kids-v-us-government

to a hybrid car or an all-electric car (E-car).

Conservation Corner by Joanne Steele

not up to that, employ a real, natural tree!

On November 16th Sierra Club released its Interactive Map of Gas Pipelines Across America. Doug Jackson said of his team's work, "It tracks projects that are in operation, under construction and proposed." He added: "I think it will be a great resource for reporters, activists, organizers, communities and anyone interested

in stopping these pipelines," and added,"We would really

instead in a sustainable future." Read more.

Belleayre Developments by Kathy Nolan

arguments to be heard in February 2018.

In the second case, the CHA challenged Crossroads Ventures and the Shandaken Planning Board over permits that would allow the project to construct various multifamily dwellings (condos) in zoning districts that permit only single-family or duplex residences. The New York Supreme Court in Kingston initially agreed this was a

awaiting construction off the tip of

further addition to conserve energy. Read More

half of 2017. Watch this video

comment.

and model, too. Then go to the Sierra Club Foundation's Vehicle Donation page or call the company at (855) 33-SIERRA. (Note: trucks, motorcycles, trailers and boats and more! are accepted.) Thank you, in advance. Tell your friends and family! Don't forget to Vote. You should have received your ballot card in the mail. Instructions for voting are on the card. We have two board members up for election. In addition you may write in a name of someone you know who would like to join our Executive Committee. Please mail your card back so we receive your votes by December 31st. Contact us if you have any question. If you did not receive a ballot, click here to view a copy of the ballot.

Know that synthetic Christmas trees are not recyclable. To make them worth it to Earth requires you to re-use them, depending on materials, from eight to twenty years! If you're

NYS DEC informs us, "You can contact local big box hardware stores, your municipality or the manufacturer for information on proper disposal of broken holiday strands. Broken light strands don't belong in curbside #recycling as they tangle and damage recycling facility

appreciate amplification on this project." Read more The Trump administration and Republican Congress have been a disaster for our climate. They have pulled us out of the Paris accords, started rolling back the Obama administration's Clean Power Plan, are trying to slash renewable energy tax credits, and have even deleted climate change language across government websites. In the Good News department, over 400 organizations called on world leaders: End new fossil fuel development. Their letter stated: "Therefore, we, as over 400 civil society

organizations from more than 60 countries, representing tens of millions around the world, call on world leaders to put an immediate halt to new fossil fuel development and pursue a just transition to renewable energy with a managed decline of the fossil fuel industry. To live up to the goals set forth by the Paris Agreement and to safeguard our climate for this and future generations, fossil fuel production must enter a managed decline immediately,

conveyed CLP's concerns with the proposed plan and made a number of recommendations to the Commission for changes: Click Here. "Central Hudson's fixed charge of \$24.00 a month for residential customers...should be lowered, not raised. This high fixed charge unfairly shifts utility costs to lower-usage customers, including low- and moderate-income households and is incompatible with New York's clean energy targets and Reforming the Energy Vision (REV) objectives" concluding "CLP proposes a step down in this charge over three years to \$10, which would be more consistent with regional and national rates." (For information about REV, see CLP's "Backgrounder". CLP urges us to respond directly to the PSC on PSC's website by clicking on the "Post Comments" button on the top right of the page and submit comments for case numbers 17-E-0459 and 17-G-0460. Bone up on

CLP's arguments, and then comment! Tell the others! Visit the PSC website and post your

Over the past three years, the Catskill Heritage Alliance (CHA) has advanced two legal actions against Crossroads Ventures related to its mega-development, now proposed for the western side of Belleayre Mountain. In one case, the CHA is challenging the way in which the New York State Department of Environmental Conservation conducted its review of the project under the State Environmental Quality Review Act. In a very brief decision at the end of last year, the New York State Supreme Court ruled against CHA. The CHA quickly

decided to appeal, and all legal filings on the appeal have been submitted, with oral

in this case scheduled for March 2018. Once oral arguments are complete, there is no fixed time frame for each appeals court to review the issues and render its decision. Now, over 18 years after Crossroads Ventures initially proposed its resort, the CHA continues its work to protect Belleayre Mountain and the surrounding Catskills communities. The mid-Hudson Sierra Club has supported CHA's work, with your kind financial support, and has been a Party to the challenge to the The energy sector of our economy is undergoing disruptive change as the cost for renewable power is reduced relative to fossil fuels and the world begins to realize (and to act) that global warming is an existential threat to its modern way of life. The detrimental effects are truly frightening, from sea level rise to disruption of climate patterns, to increasingly powerful storms and severe droughts, to impacts to agricultural production, to devastation of ecosystems that result in species extinction. Yet humans have the technology to reign in the greenhouse gas (GHG) emissions by using renewable energy production systems. Think of it: the solar and wind energy are free (the cost is in the equipment to harvest the energy)

Long Island called Deepwater Montauk. The Cuomo administration has committed to 2.4 Gigawatts of offshore wind power production. (For an indicator of the potential of wind power, one can look to Germany, where 35% of electricity was wind-generated in the first

A study of NYS GHG emissions indicates heating accounts for about 33% of this pollution. A start-up called NY-Geo is offering the possibility to combine the use of the geothermal energy underground with heat pumps to warm and cool our homes and businesses. It is estimated that for each 1 watt expended in running the system, 3-5 watts are extracted for heating or cooling buildings. Renewable Heat Now is an organization promoting this technology. Read More Remember to have your building/house sealed up prior to any

The worst effects of climate change can be blunted if we take the path to end our use of fossil fuels. It is unfortunate that as a nation we in the U.S.A. stand alone on Earth as nonparticipants in the Paris climate treaty, because of our votes (or failure to vote at all) to elect an anti-environmental administration in our federal government. We are not only regressing; we are relinquishing our position as a force for good in the world. The remedy is for "We the People" to stop being complacent. Support organizations working for the good, become informed, be vocal, express an opinion against fossil fuel use, choose to use renewable energy sources, pressure government to enact renewable energy policies, and VOTE for advocates of them. We must each do our part. Save Money and Move Away from Fossil Fuel with Locally Generated Solar Power Community Solar is now available to Central Hudson and Orange & Rockland (O&R) ratepayers. A community solar farm is a large array of photovoltaic panels that makes solar available to many more people: not only homeowners, but renters, condo dwellers, small businesses, nonprofits, churches and other institutions. By subscribing to a share of the solar project, you will get credit on your electric bill, saving money and supporting clean energy! The subscription offer Solarize Hudson Valley is

back to top **Legislative Corner** by Bob Heinemann Update: Legislation Signed to Study "Tanker Avoidance Zones" on the Hudson River

You can contact New York State's Department of Environmental Conservation (DEC) at their Bureau of Public Outreach at http://www.dec.ny.gov or public@dec.ny.gov or by

You may also contact your Congressional Representative to urge support of bill number H.R. 2619 which would prevent the Coast Guard from allowing any new anchorage grounds on the Hudson River without a report to Congress that details the potential impact on critical

Sierra Club partner, Riverkeeper has two articles which provide information. The article "Hudson River Anchorages: What you can do" can be found here. This article includes a detailed sample comment letter to write your representatives in Congress. If the Coast Guard decides to move forward with a new anchorage proposal it is imperative that you ask for a comprehensive environmental review including a full environmental impact statement.

to the utility (the 10% discount). The amount of credits varies through the seasons/sunlight —but over the course of 12 months, you should receive enough credits to cover all or nearly all of your annual costs. No matter what, you will pay only \$0.90 for every \$1.00 credit • If you already have solar on your rooftop, then you can't do this in addition (a utility rule).

To request more information, simply go to the Solarize Hudson Valley website and submit your contact information. You will receive a thank you email from Solarize Hudson Valley

makes a wonderful appointment book.

and encourage you to consider providing financial support for our efforts.

Contact us:

If you want to donate your old gasser, Sierra Club has created a way for you to do so. It will benefit our (Mid-Hudson Group of the Atlantic Chapter) *foundation account* and you will receive a tax-deductible donation credit. However, your Mid-Hudson Group will receive nothing if you fail to contact our Treasurer before you fill out the Sierra Club's donation form. Our Treasurer's email address is <u>ralphpollard@verizon.net</u>. Be sure to tell him the year, make

equipment."

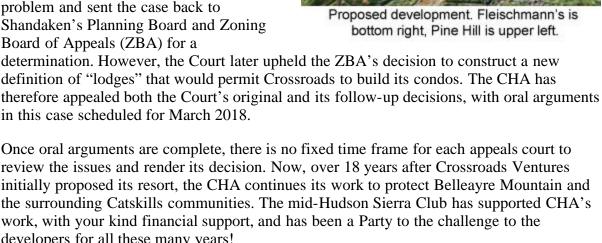
and renewable energy must be advanced to swiftly take its place in the context of a just transition." Read the letter. More Good News: scores of leading global economists recently demanded an end to the funding of fossil fuel projects and called for a massive increase to investments in renewables, saying "it will take unprecedented actions to limit the worst consequences of our dependence on oil, coal, and gas." The declaration was released ahead of the One Planet summit, convened by French President Emmanuel Macron, taking place two years after the historic Paris climate accord. The declaration states: "Thus, not only are new exploration and new production incompatible with limiting global warming to well below 2°C (and as

close to 1.5°C as possible), but many existing projects will need to be phased-out faster than their natural decline. Simply put: there is no more room for new fossil fuel infrastructure and therefore no case for ongoing investment. If our leaders remain hesitant to put their full support behind green investments, despite it making economic sense," said signatory Tim Jackson of the University of Surrey, "I would like to remind them that they have enormous public support. It's time to stop wasting public money on dirty fossil fuels and invest it

Central Hudson services almost the entire 6-county area that is represented by your Mid-Hudson Group. Central Hudson's proposed rate plan for 2018-2019 is being challenged by

Metzger. In their "Backgrounder" they explain: "As a regulated utility, Central Hudson is required to submit a rate-plan to the NYS Public Service Commission (PSC) for review and approval. This plan sets the level of revenue (\$\$) that Central Hudson can collect from its customers through electricity (and gas) rates to run its business and also earn a PSCapproved rate of return (profit)," which is currently 9%! On November 21st, CLP filed testimony with the PSC on Central Hudson's proposed rate plan for 2018-2019. It forcefully

Citizens for Local Power, a Rosendale (Ulster County) organization, led by Jennifer



An upbeat report by the International Energy Agency lists the top 10 findings for solar power and its future. Read More To maintain our awareness of an important energy issue, information is now available in the form of an interactive map of pipeline locations throughout the U.S. which is searchable by zip code and pipeline name. Read More As the most destructive inhabitants of this beautiful planet, it is our responsibility to act.

requirement, no credit check, no "escalator." Low to moderate income households are as eligible as anyone else. What if I already have an agreement with an ESCO (energy services company)? It's okay if you already have an agreement with an ESCO (Viridian, Green Mountain, Ethical Energy, etc.)—you will still receive credits to offset your total electric bill, and

Will this lock me into a long-term agreement?

What will this cost me? Do I have to qualify?

representing in this initiative brings a 10% discount off your total electric bill over 12 months. (You generate more solar credits in the summer than in winter, and spend down the summer credits during the

Here are answers to some frequently asked questions:

How did this offer and this company get selected by Solarize Hudson Valley? Through our NYSERDA-mandated RFP process, we selected Nexamp, a Boston-based company that has built 22 solar farms in Massachusetts. They are building two new solar farms in the Hudson Valley. One in Wappinger for Central Hudson customers; another in

No. Nexamp is guaranteeing the 10% discount for 20 years, but you don't have to make the same promise—you can exit the agreement at any time with 3 month notice, no termination

With this subscription there is no cost—only savings. There is no sign-up fee, no income

winter). This is the best offering we have seen.

Wawayanda for O&R customers.

receive the 10% discount.

The Sierra Club and our partners all oppose any new anchorages on the Hudson River. back to top **Programs** by JoyAnn Savino This past year featured many very interesting Mid-Hudson Group programs including: electric vehicles, wetlands, Native American trail systems, raptors, and gardening for beneficial insects. We hope to have more exciting programs in 2018. If you have a

We would have skipped holding our tag sale this year, but for a small but strong cadre of volunteers who were committed to carrying on this 35-plus-year tradition of our group. The

worth continuing. back to top

Sierra Club The Calendars are available at Barner Books in New Paltz (3 Church Street/845-255-2635)

of December is when the majority of national and international trips are posted. You will find a wide variety of enjoyable trips that include lodge, backpack, base camp, kayaking, bicycle, canoe and many other types. Don't forget there are also low-cost, all-inclusive service trips that provide opportunities for service work with time for sightseeing and leisure. Contact the trip leader if you would like further information about your suitability to participate. **Fundraising** by David Friedman It' That Time of Year! The 2018 Sierra Club Calendars are among the most beautiful in the world! The rich color photography coupled with the fact that the calendars benefit our Mid-Hudson group make them a wonderful gift for anyone on your list — including you!

There are two options. The Wilderness Calendar is a wall calendar with a large image for displayed for each month. The Desk Calendar has separate images for each week, and

Visit our Mid-Hudson Group Website Visit our Facebook Page Visit our Meetup website for Programs and Outings

The work of the group takes Sierra Club volunteer effort, and of course funds. We hope that you will consider making a gift to the Mid-Hudson group of the Sierra Club. In these turbulent times it's vital that we all do what we can to speak out and work for the protection of our environment and the future of our world. We welcome and appreciate your support,

To speak about specific opportunities, or with any questions, please contact David Friedman, Friedman_David@msn.com or our Treasurer at ralphpollard@verizon.net. Our mailing address below. Kudos to our Tag Sale Volunteers! by Marie Caruso

suggestion for a program topic please contact me. Our next program is our Member Party in March. Watch our website for the date, usually a Friday evening near the end of March. This is the time of year to plan your 2018 vacation on the Sierra Club website. The month

or at Barner Books online. Make A Gift - Make A Difference Our local group depends on the support of volunteers and the generosity of our membership.

and a follow-up email from Nexamp. Or call program manager John Wackman (a Mid-Hudson Sierra Club member) at (646) 302-5835 Legislation (S.5197b/A.6825) which passed the NYS Senate and Assembly by overwhelming margins on June 21, 2017 was signed into law by Governor Cuomo on October 24, 2017. The U.S. Coast Guard's Hudson River Ports and Waterways Safety Assessment (PAWSA) is now underway. Hudson Valley stakeholder participated in PAWSA workshops in November, 2017 to identify and determine appropriate measures to mitigate navigation risks. It is extremely important that all Hudson River waterfront towns and municipalities and residents of the Hudson Valley provide comments encouraging strict regulations to prohibit new anchorage grounds where they would pose a direct threat to the

environment and our quality of life.

habitats and sites listed on the National Priorities List.

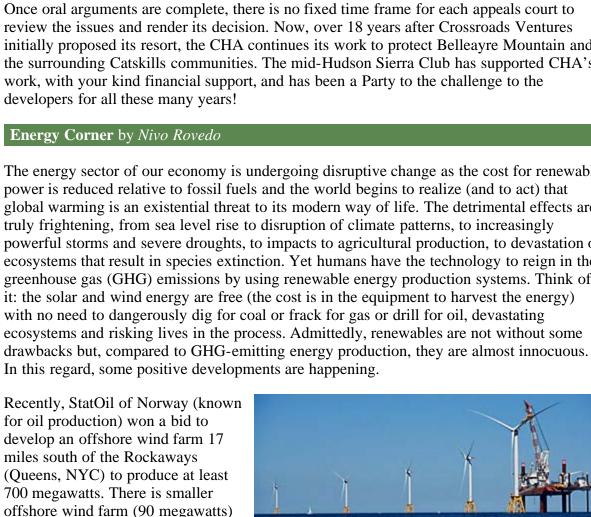
Please call, write or meet with your representatives in Congress.

calling 518-402-8044.

Email: midhudsonsierra@twc.com

sale was quite successful, despite proceeds being less than in recent years. Not surprising, given the later-than-usual organizing, last-minute publicity, and the lack of a drop-off the day before. Most people had to bring their donations starting at 7 am the very day of the sale. Sierrans do love to reduce, reuse, and recycle! And it's fun working together for a common cause. We are extremely grateful to all of you who contributed to the success of this sale, through your labor and/or your donations. Given that many of our volunteers have been doing this for decades, however, the future of the tag sale is somewhat in question. Look for an e-mail survey in the forthcoming months asking your opinion of whether the tag sale is a tradition

Mail: Mid-Hudson Sierra Club, PO Box 1012, Poughkeepsie, NY 12602 You can find the names of our Executive Committee members on our website: Go to our Contact page If you no longer wish to receive our Newsletter by email you can unsubscribe by sending an email request to Dave Thomas at dave@davidalexanderthomas.com.



Nexamp is able to build the solar project and put clean electricity into our local grid because of you. As a subscriber, you are paying Nexamp for the value of the electricity at a 10% discount—directly supporting the project. Nexamp can afford the 10% discount because solar is valued higher than the wholesale rate of electricity. The solar farm is a "long term asset"—the company's investment will pay off over the life of the installation. And of course, the fuel (sunlight) is free. There are no pollutants to contain and no moving parts to repair. What are the down sides? • This is a first come-first serve opportunity. Each of these solar farms will serve 250 - 350 homes when fully subscribed. • There is a wait: you would be reserving your place now, but the farm won't start producing till mid-summer. • You will receive two bills: one from your utility and one from Nexamp (this is a PSC requirement). The utility bill will show your solar credits from Nexamp—which are deducted from what you owe the utility. Your Nexamp bill, the bill you pay (not the Central Hudson nor O&R bill), will show just \$0.90 for every \$1.00 you would have otherwise paid

How does Nexamp make its money?

Outings by Andy Moss