

Fresh Air

The Quarterly Newsletter of the
Atlantic Chapter Mid-Hudson Group



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Chair's Corner

Joanne Steele

We WON! Gov. Cuomo banned fracking in NYS. The formal task of actually banning fracking is up to the Department of Environmental Conservation (DEC) which must compose a Final Supplemental Generic Environmental Impact Statement (FSGEIS). Both previous drafts of the SGEIS, since 2008, recommended fracking proceed with various safeguards. Critical to our victory was fractivists' sudden change of direction, having been urged by Walter Hang (Toxics Targeting), to require that a comprehensive "Public Health Impact Study" be conducted. The prior Public Health Review (PHR) had been secretly prepared by the New York State Department of Health (DOH) with no public input. According to Hang, "The PHR documents [indicate] that the Cuomo administration reportedly came incredibly close to permitting shale fracking in late 2012 and early 2013..." adding, "That is exactly what we long suspected." Our quick activism on the DOH resulted in their final document, A Public Health Review [PHR] of High Volume Hydraulic Fracturing [HVHF] for Shale Gas Development, which was released by the DOH on December 17, 2014. Based on that document, Gov. Cuomo banned fracking. On January 29th, Senator O'Mara R-Big Flats, Chemung County (in the "Southern Tier") and Chair of the Senate's Environmental Committee, asked Martens whether the state's fracking ban can be overturned in the future. Martens, appointed by Cuomo in 2011, responded that the decision can be "revisited at any time when new or significant information comes to light." He added, "I don't think it's going to be revisited in the near term because the conclusion was that there was just far too many risks and we couldn't minimize them to protect public health and safety." The FSGEIS, Martens said, will be put together "early next year" (2015). He said, "I will then issue a legally binding findings statement prohibiting [high-volume hydrofracking] at this time." Then a minimum 10-day window is mandated for comments (we environmentalists will ask for a larger window) before Martens puts out a binding order. The process is governed by the State Environmental Quality Review Act (SEQRA) which can trip up the agency legally by its many requirements, but it also grants broad authority. The oil development companies have left NY for the many other shale area "plays", but the New York State Petroleum Council, the state affiliate of the American Petroleum Institute, will be watching carefully each step for legal options. More on this will follow...

We won again! Niagara left the area without any explanation to anyone (harrumph), just an email statement of that fact. Niagara, a California corporation, was planning to take up to 1.75 million gallons a day of the City of Kingston's water supply from Cooper Lake, located in Woodstock. They planned to run the water in new pipes that would run from Cooper Lake to the large plant they planned to build (on prior IBM property) in the Town of Ulster.

The plant would manufacture innumerable plastic bottles to put our water into, and then to exhale the detritus of manufacture (including 342,500 gallons a day) down the Esopus Creek to the Hudson and down to the water intake valves of the Town of Esopus and others. Wrong! We all worked hard for that victory, too. I had barely time before the deadline to email some of you to sign a petition calling for NY to refuse Niagara \$10.8 million in tax breaks, which 67 of you signed, helping tip the balance. Thank you signers-on and all others who did the good work! Tax break denied. Niagara had also asked to be designated as a "Start-Up" business which would have netted them more tax breaks. Denied again! Continuing on, the Woodstock Land Conservancy (WLC) is leading the creation of a Watershed Task Force in partnership with KingstonCitizens.org, Hudson Riverkeeper, Esopus Creek Conservancy, and other organizations (hopefully including Mid-Hudson and/or Sierra Atlantic) to protect local water supplies and improve the policies that govern our watershed. Thanks to the formidable Rebecca Martin (KingstonCitizens.org) and allies, including your Mid-Hudson Sierra Club, including Niagara/Cooper Lake Committee chair, Karin Wolf and Dr. Andi Weiss Bartczak, ... and YOU!

We won again! Here in Ulster County activists working to stop the Pilgrim Pipeline got a resolution submitted to the legislature which had a public hearing on February 17th. Many activists spoke against the pipeline which was planned to be a dual pipeline: one way down for Bakken crude and one way up for processed oil. I read the following statement from Sierra Atlantic, your New York State Sierra Club Chapter: "Atlantic Chapter opposes the proposed Pilgrim Pipeline and calls for a moratorium on any and all planning, proposal, surveying, or construction of the Pilgrim pipeline through New York State. Because this project will traverse and negatively impact numerous significant natural areas and the resources of New York State, the Chapter requests a full environmental review be conducted by the DEC to assess the myriad environmental consequences of the project." After all our testimonies, the Ulster County legislature passed the resolution 22-1. This doesn't end the pipelines (there are several around), compressor stations (needed in fracked gas pipelines about every twenty miles), or Liquefied Natural Gas (LNG) terminals, however, but you can all be proud of our many allies whose efforts were commanding! We continue on!

Thanks to all our diverse members for making the difference you wanted to make when you joined the Sierra Club! Thank you all! Thanks also to Dawn Osselman, and any others I may have overlooked, for contributions to our Mid-Hudson Group. Those contributions keep us viable and ready! Keep On with your activism and your caring for our gorgeous earth!

Want to Get More Involved or Be Informed?

Sign up to receive *Sierra Club Insider*, the flagship e-newsletter. Sent out twice a month, it features the Club's latest news and activities. Subscribe and view recent editions at <http://www.sierraclub.org/insider/>

Learn More About Fracking

The Sierra Club's *Fracking 101* is an animated video featuring narration by Actor Edward James Olmos on the Dangers of Fracking. The video is animated and explains the basics of hydraulic fracturing — or "fracking" — and the dangers that natural gas collection method poses to our environment and our public health. You can find it on the Sierra Club website <http://goo.gl/EGn4k2> and also on YouTube <http://goo.gl/2svrKO>

Trade Agreements

On the Trans-Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP), Stephanie Low (TPP Task Force chair Atlantic Chapter) informs us that later this month Congress will consider whether or not to hand Fast Track authority over to the President, limiting themselves to a simple up or down vote on two extraordinarily complex trade agreements now being negotiated in secret and without Congressional oversight. The TPP with 11 Pacific nations and the TTIP with Europe affect a huge range of laws and programs that govern how our economies work, how we grow and sell food, and who benefits or loses. Stephanie writes, "These trade agreements could set new rules that would: Affect standards on food safety, pesticides, GMOs and patents on seeds, Undermine local food efforts such as farm to school, and Eliminate programs that require food or energy to come from local sources, or benefit local businesses. The new free trade agreements are the biggest ever. Once in place, free trade agreements often supersede state, local and even federal laws. These trade deals are negotiated on behalf of multinational corporations—not farmers, workers or consumers. They are about making it easier for corporations to shift production to where it's cheapest, while undermining local economies and food systems. They could even grant corporations new rights to sue governments directly if their future profits are threatened."

To prevent the latter, on February 19th U.S. Rep. Mark Pocan (D-WI) and 12 House Democrats including Louise Slaughter and Paul Tonko (both D-NY) introduced H.R. 967: Protecting America's Sovereignty Act. This legislation will prevent the inclusion of investor-state dispute settlement (ISDS) provisions in any trade agreement between the U.S. and a foreign country. ISDS rules give foreign corporations a special right to sue a government when a law they deem could affect their business, such as protecting the environment or public health, hurts a firm's current or expected profits. Under ISDS rules, corporations may seek

compensation from a secretive tribunal of corporate international trade lawyers which put investor protections and corporate profits ahead of consumer rights and job protections and outside the U.S. court system. To read the bill, go to <http://goo.gl/ISj4Zj>

Community Choice Aggregation

On the subject of Community Choice Aggregation (CCA), an Ulster County group, Citizens For Local Power, (citizensforlocalpower.org) produced a public forum on Wed., Jan. 28 at 7 pm at Kingston City Hall, Common Council Chambers. For abundant detailed information on their project check out <http://goo.gl/kyQFcx> and continue on from there to their 26 page filing with the NY Public Service Commission (PSC) detailing CCA.

Microbeads

On microbeads, which I mentioned a while ago, news is that Attorney General Eric T. Schneiderman on February 20th, submitted to the leadership of the legislature a program bill that bans a form of plastic pollution that is an emerging threat to New York waters. From his press release, "The Microbead-Free Waters Act would prohibit the production, manufacture, distribution and sale in New York of any beauty product, cosmetic or other personal care product containing plastic particles less than 5 millimeters in size. Microbeads are commonly found in more than 100 products, including facial scrubs, soaps, shampoo and toothpaste, where they replace ground walnut shells, sea salt, and other natural materials as an abrasive. The Act will prohibit the sale in New York of beauty and cosmetic products that contain tiny plastic particles that are often marketed as microbeads. The plastic beads, which have been found in alarmingly high levels in the New York waters of Lake Erie and Lake Ontario as well as in the Finger Lakes and other waters, can persist in the environment for centuries and accumulate toxic chemicals on their surface, threatening fish, wildlife and public health."

Reforming the Energy Vision 2015

by Shelley Bance

Energy reform in New York State has been the focus of statewide public hearings as the Public Service Commission (PSC) accepted testimony from citizens concerning the Reforming the Energy Vision (REV) plan. The plan is intended to speed up the transition to energy efficiency and renewable energy by designing new energy markets through major regulatory reform. So far, the major for-profit utilities have dominated the decision-making process.

The hearings provided an opportunity for rate payers, smaller renewable providers, and others to speak up about the need for the State to enable a diversified system that will give consumers more control over their energy use and engage them as energy producers. The hearing in Kingston had a packed room of participants who provided oral comments on topics from fossil fuel reduction and renewable energy to utilities and smart meters. As a testament to the dedication of Mid-Hudson environmental organizations, the presiding administrative law judge noted that the Kingston hearing had the most public speakers of the four meetings held until then, as well as the most attendees staying until the end of the hearing. Good work, Mid-Hudson environmentalists!

The energy industry is in transition, with technological innovation and competitiveness of renewable energy resources, combined with aging infrastructure, extreme weather events, and system security needs leading to significant changes in how electric energy is produced and consumed. The REV initiative is not a simple matter, but hopefully will lead to regulatory changes that promote more efficient use of energy and more renewable

resources such as wind and solar. The PSC is considering a new business model for energy service providers where distributed energy resources become a primary tool in the planning and operation of the electric system. With the new plan, customers should be allowed more choice in how they manage and consume electric energy.

The REV proposes a market-based approach to the energy questions facing New York, which leaves questions unanswered, including the measures utilized to develop renewable energy and promote energy efficiency. It's unclear whether the plan seeks to reduce only carbon emissions or all greenhouse gases including methane gas obtained from hydrofracking. The ambiguous definition of greenhouse gases leads to questions about sources for "clean energy" and the REV's proposed policy of "fuel neutrality," which implies support for methane gas projects in the state. So while the fracking ban in our state may be one victory, the prospect of methane imported from other regions via a network of pipelines and railways is still an option for the REV.

Methane is a more potent greenhouse gas than carbon dioxide, so the "fuel neutrality" approach to the state's energy future does not address the challenge of climate change. Of the greenhouse gases emitted in New York State, a whopping 35% come from the electricity sector. The definition of "clean energy" sources should not include methane gas or nuclear energy, and must be limited to energy produced only from renewable sources such as solar and wind power, low temperature geothermal and hydropower. The funding of microgrids, utilizing methane gas, contributes to a gas infrastructure build-out and greater utilization of methane obtained from fracking.

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Reforming the Energy Vision 2015 (continued)

Greater public participation is encouraged to prioritize transparency in the REV process. Emphasizing deadlines to reduce greenhouse gas emissions, improve energy conservation and efficiency, and moving as soon as possible to renewable energy are critical. Make your voice heard during this crucial turning point in New York State's energy future, and be part of the solution!

For key points to emphasize or to comment directly to PSC, go

to: <https://atlantic2.sierraclub.org/content/rev-hearings-2015>

You can also submit comments electronically to the Hon. Kathleen H. Burgess, Secretary, at secretary@dps.ny.gov or to the PSC website, www.dps.ny.gov

Call the Commission's toll-free Opinion Line at 1-800-335-2120. Comments submitted by phone or Internet should refer to "Case 14-M-0101 (Reforming the Energy Vision)."

Political Corner

Andi Weiss Bartczak

Our endorsed candidate Didi Barrett won her race for the 103rd Assembly seat. This is called an off year, but for your county it is a year of county-wide elections. In Ulster, Dutchess and Greene counties the county executive and county legislator seats are open. In Columbia and Delaware counties, there is no county supervisor or county legislator. Town supervisors have votes weighted by their town populations; some town supervisors' terms

are over this year. You should be registered to vote in your present residence and getting acquainted with incumbents in your town. Primaries will come later.

If you would like to get involved in environmental action on the political front, please contact: *Andi Weiss Bartczak*, andiwbartczak@yahoo.com, (845) 255-4371

Public Programs

JoyAnn Savino

PROGRAMS ARE FREE AND OPEN TO THE PUBIC. BRING A FRIEND!
Visit our NEW website: sierraclub.org/atlantic/mid-hudson for more details.

Sunday, April 19th, 2015 starting at 10 AM.

Waryas Park Cleanup

We are pleased that we will be joined by members of the Mid-Hudson Chapter of the Adirondack Mountain Club (ADK).

Join us for the start of Earth Week as we clean up Waryas Park in Poughkeepsie, (on the river). Besides cleaning this beautiful park and enjoying the river, there will be food, refreshments, lots of fun games and a walk on the wild side... the Walkway that is. We'll supply the food, please bring, yourself, friends and family too! Also, chairs and gloves. Rain date: Sunday, April 26. Please RSVP: mhsierraprograms@yahoo.com

Directions: The park is at the very end of Main Street. To get to the parking lot by the river drive north on Water Street (turn right at River Station Restaurant), then after passing a couple of parking lots, turn left down a hill to the parking lot at river level (adjacent to the Ice House Restaurant).

Thursday, May 21st , 7pm

Film: *Green Fire*

The first documentary film (1 hour) about legendary environmentalist Aldo Leopold, considered the most important conservationist of the twentieth-century. He is the father of the national wilderness system, wildlife management and ecological restoration. His classic book *A Sand County Almanac*, inspires us to see the natural world as a community to which we belong. The film explores the deep impact of his thinking on conservation projects around the world. "*Wilderness is the one kind of playground which mankind cannot build to order....*"

Location: Boughton Place, 150 Kisor Rd (south of Route 299), Highland

Outings News

Andy Moss

Outings are posted at: meetup.com/sierraclubny. To participate please join the website to receive email announcements. If you are interested in becoming an outing leader, please contact me: Andy Moss, Outings Chair, (845) 336-5446 or andy@hvi.net.

December 13th was a cold day of sun and clouds but the weather did not dampen the spirits of the hikers that joined me for a day of adventure on the trail. We started our hike at the Peterskill Parking area of Minnewaska State Park. The first leg of our journey was along the Awosting Falls carriageway to the Awosting Falls. Not only were the falls beautiful, but we enjoyed a rainbow in the mist of the falls — what a treat. The second half of our day found us on the High Peters Kill Trail. This trail has many scenic spots with great views. We returned to our cars via the Bull Wheel trail. This is a fantastic loop hike that is suitable for most of you that are reading this. I highly recommend it ... any time of the year.



Crossing the Peters Kill

A Special Thanks To Our Sierra Volunteers

We owe a huge debt of gratitude to those 30-odd volunteers who work the tag sale every year, as well as the many who contribute an abundance of excellent items. And we are grateful, as well, to those who participate in such activities as our holiday gift wrapping, staffing tables at festivals, planning our programs and outings, and the numerous conservation and political activities in which Sierra is involved. Because it's our great volunteers who sustain Mid-Hudson Sierra, we are always in need of dedicated individuals who can contribute their time and talents. To see our Group's interesting and varied volunteer opportunities, please visit our website at sierraclub.org/atlantic/mid-hudson or contact me at mariehv@verizon.net or 845-452-9086.

Marie Caruso, *Volunteer Coordinator*

Our Election Results

The results for this year's Mid-Hudson Group Executive Committee election are in. We wish to congratulate **Gerald Davison** (*Chapter Forester*), **Irwin Sperber** (*Alt. Chapter Delegate*), and **Shelley Bance**. (*MHG Publicity Chair*). Thanks to all who sent in their votes.

Mid-Hudson
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Join Us for our Annual, fun-filled

NEW MEMBER PARTY

Friday, March 27th at 7:00 pm

Please come party with us, learn what we do
and the wonderful adventures that await you.
Old members please come and share the fun, food,
and our famous chocolate covered strawberries.

There will be door prizes for all. Please RSVP mhsierraprograms@yahoo.com

Location: Boughton Place, 150 Kisor Road, Highland

Boughton Place is on Kisor Road. Turn south onto Kisor Road off Route 299.
(Look for Raizman Automotive on the corner of Kisor Road and Route 299)

READ YOUR NEWSLETTERS ONLINE

You can help our Group save printing and mailing costs by choosing to read your newsletters online. You may do so by contacting Dave Thomas, our Database Administrator: dave@davidalexanderthomas.com. Be sure to include your full name and email address in the body of the email. At the time newsletters are mailed you will receive an Email with a link to the PDF version posted on our website.

VISIT OUR NEW WEBSITE - sierraclub.org/atlantic/mid-hudson

Our Group website is all new. A new look, easier navigation and more information. Please visit often to see what's new and to find helpful information about conservation issues. We welcome your feedback. Contact our webmaster, Andy Moss, at andy@hvi.net.