

# Fresh Air

The Quarterly Newsletter of the  
Atlantic Chapter Mid-Hudson Group



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Mid-Hudson Sierra Club  
P.O. Box 1012  
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## Chair's Corner

Joanne Steele

Thanks to all, reportedly three thousand, of you who were able to show up at the People's Climate March On the Walkway 4.29! You may not have known that it was presented by (meaning we paid for and/or took responsibility for) your Mid-Hudson Group — Sierra Club and March On! NY and March On! New Paltz, the latter of which spectacularly organized our collective event in just under a month! We witness again that the people united can never be defeated: we must remember our having witnessed. Yes, put that silly grin on your face!

All together we will save our beloved Earth! Remember we are now Citizens and we are going to our City and Town halls, our County Legislatures and our State Houses to inform our (surprised) representatives that we shall have our proper piece of our pie. If you are unsure of why it's important that we go, read on the following pages Alison White's Political Corner! We can go alone to attend the various governmental meetings, but we can also go with others. Here's a list of most of the People's Climate March On the Walkway co-sponsors, these are our allies, join with us all: Citizen Action of the Hudson Valley, Citizens for Local Power (Rosendale), Clearwater (Poughkeepsie), Community Voices Heard, Disability March, Food Not Bombs New Paltz, Interfaith Earth Action, Move Forward NY, New Paltz Climate Action Coalition, New Paltz DeFacto Community Center Project, New Paltz Feminist Collective, New Paltz Action Network, New York 19 Votes, Riverkeeper, Sierra Club, New Paltz NYPIRG (New York Public Interest Research Group), U-Act, Unitarian Universalist Congregation of the Catskills (UUCS), Wallkill River Watershed Alliance, Wappingers Climate Action, Wild Earth (New Paltz). I can also recommend Ulster People for Justice and Democracy, Mid-Hudson Progressive Alliance, Dutchess County Progressive Action Alliance, and many more good Americans! You can DO this!

As part of the program, scheduled for after the March, were speakers of which I was one. If you want to see and hear the speech, you can find it at: <https://drive.google.com/open?id=0B7cC0kfwmm79bWtZFd1LXJEdWs>.

*Here is the speech:*

Greetings from your Mid-Hudson Sierra Club! Your donations and memberships have enabled your Club to finance this March. Thank you! There are some helpful flyers on electric cars and a short list of 100 things you can do to get started to going Green or Greener at our table.

As we know, our Climate is Changing—our sliver of time on our ONLY planet is now called the Anthropocene. Meaning that we humans have changed Earth's climate. James Hansen, the world's leading climate scientist said in an interview in Rolling Stone, "We

have not hit the disastrous level, which would knock down global economies and leave us with an ungovernable planet, but we are close."

We are daily urged to consume, to consume more and to consume faster, all with the approving glow of relentless advertising. What we are consuming is the planet beneath our feet, the air and the water, almost all of which are degraded, barren, or polluted. May the Anthropocene be the age of slowdown and real democracy! We must acknowledge, each of us here now, our complicity. I am as guilty as you are, and, looking around, more because I'm older. Today, we forgive ourselves our past ignorant consumption. We pledge now to consume LESS. We pledge to ask ourselves: "Do I really NEED that?" We slow down, yes in driving too, we slow down. We hear the spring peepers. The selfish veil is now lifted. We notice the people around us more, we join the rest of the public as the caring humans we ARE. AND WE ORGANIZE!

We need government to discipline and TASK greedy corporations and people who put profits before people, the "money-addicts". The as-long-as-it-makes-us-money-it's OK people. The I-don't-care-if-you-can't-afford- my-medication people. The I-don't-care-if-you-and-your-kids-get-sick-from-the-fumes people. The as-long-as-it-makes-us-money-it's-OK people. Well, we know how to treat ADDICTS! We take away their OVER money, we TAX them, leaving them ENOUGH money! Our government under President Franklin Roosevelt did just that in 1943 and Congress set the tax at 97%. Congress then understood that people work for the betterment of ALL society. To encourage us and appease our baser tendencies, they agreed we be enabled to keep a little of the earnings for ourselves, knowing that in a short time another person would start up where the 97% taxpayer might leave off. The ethical premise has not changed over the decades, but selfishness and greed have slowly been made acceptable, desirable even. We here are also responsible for having allowed that.

Our current UN-democratic government is proposing to tax our billion-a-year people only 15%! They want to further inflate the Military Budget which is now already over HALF of our total appropriated spending and supports nearly ONE THOUSAND U.S. Military Bases (highly polluted locations) all over our Earth! They want to decimate the budget of OUR Environmental PROTECTION Agency. Only now, we're AWAKE! AND HERE WE ARE!

To a good extent, we will have to strengthen our NYS laws and increase the budget of our NYS Department of Environmental Conservation to make it our NYS Department of Environmental PROTECTION. We can make that happen. Do I hear a YES? Louder! We can Enforce Democracy! YES WE CAN! JOIN US!

## Conservation Corner

Joanne Steele

### Statement by Catskill Heritage Alliance

by Kathy Nolan

Lawyers for the Catskill Heritage Alliance (CHA) are hard at work this month perfecting (completing) the filing of an appeal in the CHA's Article 78 suit against Crossroads Ventures and the New York State Department of Environmental Conservation (DEC). The laborious and expensive appeal process

challenges the ruling of Albany Supreme Court Judge Christina Ryba that accepted the flawed process by which the DEC approved Crossroads' proposed huge resort development west of the Belleayre Mountain Ski Center in Highmount, New York. The review of the 739-acre, 629-unit resort had stretched out over years but was truncated as it neared its conclusion, leaving the  
*continued on page 3*

The State Environmental Quality Review Act (SEQRA) adopted in 1975 established a means to consider environmental factors during the planning stages of actions initiated, funded or approved by local, regional or state agencies. SEQRA requires the approving governmental body to identify and mitigate significant environmental impacts of a proposed activity. The legislation is self enforcing. The lead agency determines the significance of the environmental impact. If the agency fails to undertake a meaningful review, citizens or groups who demonstrate they may be harmed are permitted to take legal action against the agency under Title 78 of the New York State Civil Practice Law and Rules.

The Department of Environmental Conservation (DEC) provides informal guidance about the use of SEQRA. DEC does not provide legal opinions. NYS hosts a very useful website, [www.dec.ny.gov/permits/6188.html](http://www.dec.ny.gov/permits/6188.html), that includes a printable version of the SEQRA Handbook in a PDF format. A second DEC web page provides forms to start the process and other useful information at [www.dec.ny.gov/permits/357.html](http://www.dec.ny.gov/permits/357.html). The PACE Law School Library also provides a useful SEQRA flow chart and quick links to several other useful online information sites including Riverkeeper's *A Citizens's Guide to SEQRA*.

An understanding of the SEQRA process is important in particular now because an effort is underway to amend the regulations that implemented SEQRA, presently codified at Title 6 NYCRR Part 617, in a misguided effort to streamline the SEQRA process. The comment period on proposed final regulations closed on May 19, 2017. DEC has indicated that final regulations may be promulgated by October 23, 2017, but that date may be changed to three months after the date any change is adopted.

**What Changes are Proposed to SEQRA**

The DEC has posted a FACT Sheet that highlights four of the proposed amendments. These changes are:

1. Expanding the number of actions not subject to further review (known as Type II actions);
2. Modifying certain thresholds for actions deemed more likely to require the preparation of an environmental impact statement (known as Type I actions);
3. Making scoping of draft environmental impact statements (DEISs) mandatory;
4. Making the acceptance procedures for a DEIS more predictable.

The proposed changes may be well intended but the attempt to be more expedient will provide less time to review problematic projects, and foreclose further review at a very early stage before the most significant issues may even have been discovered or disclosed by a developer.

The Sierra Club Atlantic Chapter is on record objecting to amendments to SEQRA.

Roger Downs, the Conservation Director for the Sierra Club Atlantic Chapter provided testimony before the NYS Legislature opposing the proposal to amend SEQRA in its entirety.

**Why Sierra Opposes Amendments to SEQRA**

The most objectionable amendment is the change to scoping at the start of the review process which requires only one chance to identify all issues before adequate information about a development project is known. Downs testified that limitations on the introduction of new information "...is unnecessarily weakening the thoroughness of reviews, and creating an incentive for applicants to withhold concerning information about a project until after the final scoping document is complete... suggesting that withheld information could be later captured in a Supplemental EIS is simply not practical and creates an undue burden on lead agencies and an uphill battle for citizen enforcement of SEQRA in the courts". The proposed scoping period is limited to 60 days, and all relevant topics must be identified in that very constricted and early stage of the EIS process.

A second problematic amendment permits additions to the Type II list of environment concerns exempted from any review. Under the umbrella of facilitating urban redevelopment, the possibility of any review now would be prevented. Downs also testified that "Negating the possibility of an environmental review for relatively large developments in an undefined "municipal center of a city" can lead to unmitigated issues of traffic, toxic exposure, noise, public health concerns and community character". In summary, the position of the Sierra Club as expressed in Downs' testimony is that "DEC should take the "no action alternative" for this proposal in it's entirety".

I urge all environmentalists to become familiar with SEQRA using the information provided online by DEC in the links above. An Environmental Assessment Form (EAF) in a PDF format that can be filled out and saved is available on the DEC site. Individual citizens or groups may take direct legal action in a reasonable time frame whenever new, relevant information about a proposed project becomes publicly known. The proposed amendments to SEQRA will significantly shorten the time to utilize that important right by front loading objections at the start of the EIS process before all environmental impact information or disclosed. This important regulation in effect in New York State for more than four decades must not be weakened especially now when federal EPA regulations are under attack and being rolled back without regard for the negative and often permanent consequences.

Sign up for outings announcements at: [Meetup.com/Mid-Hudson-Sierra-Club](https://www.meetup.com/Mid-Hudson-Sierra-Club)

In April I led an easy hike through the Platte Clove Wilderness Preserve. The trail features identifying signage for many of the trees we passed along the beginning of the trail. On our way back, we tried to recall the names and features of these trees. Our hike passed several streams, waterfalls, and a lean-to. Our destination was one of two old quarry's with views of the Hudson Valley below.

*Hikers relaxing at the quarry. Thanks to those who built the "thrones".*



*One of the falls of the Plattekill Creek*



**Your County Legislature – Why Should You Care?**

Many people are thinking about our government these days. A lot of us think about it at the city, state and federal levels. Most of us are familiar with what a mayor, governor or the president does in his or her job.

But what exactly happens at the county level? Quite a bit, as it turns out.

Roads, tax collection, trail building, community planning, public safety, public health — county government impacts the day-to-day lives of us all. We may not recognize it, however, because we’ve become accustomed to receiving those services from the government without paying much attention to which level of the government is providing them. Without county government, public services we may take for granted, would not be delivered.

Have you noticed bridges on county roads being rebuilt recently? Do you use the county bus service? Do you take your kids to county parks? Do you think your county health services should be expanded? The county legislature is the governing body that makes decisions on these areas and more.

In November of this year, elections for county legislators will be held. There are several good reasons to get out and vote, or even to run for office, especially if your local representative is running unopposed. First, as noted above, our lives are impacted daily by decisions that the county legislature makes.

Another reason is more abstract but still important. We might ask how we ended up with a president who apparently regards climate denial as a prerequisite for cabinet appointees, and a U.S. Congress intent on rolling back environmental and public health protections. One way that people get elected to Congress is to begin by holding positions at the local level such as town councils, school boards, and county legislatures. Those in local elected offices form a pipeline of potential candidates for state and national office. By paying attention to local issues and local politicians, we gain familiarity with elected officials who may eventually end up asking to represent us at the national level.

The next time you hear about the monthly meeting of your county legislature, head over and inform yourself about the governance of your county. And, don’t forget to vote in November.

**Catskill Heritage Alliance, continued from page 1**

most environmentally and economically sound “one hotel, one golf course” alternative incompletely reviewed and ultimately inappropriately rejected by the DEC. The CHA seeks to return the review of the project to an independent Administrative Law Judge, as is required under the New York State Administrative Code and Executive Orders governing the actions of New York’s agencies. The CHA will complete additional legal filings later this summer, putting the case before a 5-judge appeal panel.

Meanwhile, the CHA has placed its action against Shandaken’s Planning Board back in front of the New York Supreme Court in Kingston, this time including Shandaken’s Zoning Board of Appeals (ZBA), which in February had misapplied the

zoning law to reach a tortured determination that 15 detached, habitational buildings proposed as part of the resort did not violate Shandaken’s Zoning Code, which they clearly do. In effect, the ZBA usurped the legislative role of the Town Board and rewrote Shandaken’s zoning law rather than focus on complying with existing zoning law, as an earlier decision of the same Supreme Court had ordered it to do.

Both of the CHA’s legal challenges address the excessive size of the proposed resort, with its two hotels, 18-hole golf course, spa, conference center, and 15 multiple-family dwellings, all proposed for residential zones sprawling across hundreds of acres of thin soils and requiring blasting into the side of Belleayre Mountain.

**PROGRAMS ARE FREE AND OPEN TO THE PUBIC. BRING A FRIEND!**

*Visit our website: [sierraclub.org/atlantic/mid-hudson](http://sierraclub.org/atlantic/mid-hudson) for more details.*

**Thursday, June 15, 7:00 pm**

**Ancient Trails, Old Roads & Paths to the Future**

*A talk by Dave Holden*

The discussion of ancient trails and old roads in the Mid-Hudson region is a multilayered one and each layer will have different aspects — all of it rich in history. The role of roads in post-settlement New World was important for commerce and for uniting divers political entities, which were sometimes spread over what were great distances for the time. What is not so obvious is that the settlers soon discovered that there was a ready-

made road system that had been used for untold centuries — the Native trail-system. Learn how many of these trails became the roads we all use today. Also, many of our railroads followed old trails and that with the passing of the railroad these same paths are now pointing to our future as viable, healthy means of recreation. As natives built their trails to course with the land, going gently across slopes or otherwise working with the land, our challenge now is how we can take that same ethos and apply it to how we sculpt the landscape, so that our children and grand-children can continue to find easy ways to access the liberating beauty, freedom and joy of the outdoors.

**Please RSVP for programs: [mhsierraprograms@yahoo.com](mailto:mhsierraprograms@yahoo.com)**

**Location:** Boughton Place, 150 Kisor Road, Highland 12528. **Directions:** From the NYS Thruway at New Paltz, drive East on Route 299, 2.7 miles. Turn right onto Kisor Road. From Route 9W, drive West on Route 299, 2.5 miles. Turn left onto Kisor Road.

Visit our website at: <http://www.sierraclub.org/atlantic/mid-hudson> | Join our meetup at: <http://www.meetup.com/Mid-Hudson-Sierra-Club>

**We Need Volunteers!**

We are seeking individuals who would like to help us Protect Our Environment! As you know, our environment is under greater threat than at any other time in recent history. We are

looking for volunteers to help with Energy, Population, and Transportation issues among others. If you can spare a few hours a month please email or call our Volunteer Chair, Marie Caruso at [mariehv@verizon.net](mailto:mariehv@verizon.net) or (845) 684-7058.

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## Our Printed Quarterly Newsletter “*Fresh Air*” is Changing to Email Format in December

We are very proud of our Mid-Hudson Group’s (MHG) quarterly newsletter. It has been a wonderful method for us to communicate with you, our members. However, as Bob Dylan wrote, “the times they are a-changin’”. Your Executive Committee, after much deliberation, has decided to switch our quarterly news from its quarterly printed format to a bi-monthly email format. The impetus for this change is multi-faceted:

1. We spend approximately \$3,800 a year on printing/mailing costs for the four newsletters. This money could be better spent to support our environmental and conservation goals as well as our public programs. In addition to saving paper (read that as trees).
2. The email format will allow more articles, greater depth of content, and links to article sources and related information.
3. In addition to the bi-monthly email newsletter, we will use the same format for monthly updates as events warrant in order to keep you informed in a timely manner.
4. In addition to the articles, footnotes will contain useful contact information including: our mailing address and internet addresses (email, website, Facebook, Meetup), and an option to unsubscribe.
5. We may opt to use a cost-effective, targeted mailing, such as a postcard on occasion.

### The Details

The email will contain a headline and brief summary for each article along with a link to the full article which will be posted on our website so you don’t have to read the full article in the email itself. Once posted on our website, the articles will be permanently available for reading at any time. Of course, if you prefer to read an article as hard copy you can print it out.

For those of you who have not provided an email with your Sierra Club membership, or have requested not to receive emails, you will be able to access the articles on our website at any time. If you decide at some future time that you would like to receive the email newsletters at home you can send your request to our database manager Dave Thomas at [dave@davidalexanderthomas.com](mailto:dave@davidalexanderthomas.com).

We believe it is in our collective best interest to make this change to an all-email format for our communications. We will repeat this announcement in our summer newsletter. The email newsletter will debut in December.

Thank you for your membership and support. We hope that in the future you will consider participating, volunteering, or taking action to help us fulfill our mission to protect our environment.

Sincerely,

*Your Executive Committee*

Joanne Steele, David Friedman, JoyAnn Savino, Gerald Davison, Shelley Bance, Andy Moss,  
Alison White, Helga Klessen, Robert Heinemann  
[www.sierraclub.org/atlantic/mid-hudson](http://www.sierraclub.org/atlantic/mid-hudson)