



Save the Pine Bush

October/November Newsletter

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Vegetarian/Vegan Lasagna Dinner Wednesday, October 17, 6:00 p.m. Steve Downs, Esq. and Dr. Shamshad Ahmad

will speak about

Civil Rights and Wrongs: Targeting and Entrapment of Muslims and the State of Civil Liberties Today

Eight years ago, Yassin Aref, the Imam of the Masjid As-Salam Mosque, and Mohammed Hossain, owner of the Little Italy Pizza Shop, were arrested in an FBI sting operation. After national publicity for their arrest, trial, conviction and sentencing, many questions remain about the case. Many people in Albany, knowing the men are innocent, organized to support them and their families. Both men are currently serving their sentences in federal prisons. Mr. Downs and Dr. Ahmad will provide an update on the case, and describe the state of civil liberties today, including the targeting of Muslims, environmentalists, peace activists and members of the Occupy movement with the same type of entrapment tactics. In addition, they will briefly describe their encounter with the "Albany Speech Police." Dr. Ahmad's book about the case "Rounded Up — Artificial Terrorists and Muslim Entrapment After 9/11" will be available for purchase.

New Location: At the Westminster Presbyterian Church, 85 Chestnut Street (people with cars can park in the lot near the door). All-the-vegetarian-and-vegan-lasagna-you-can-eat, garden salad, garlic bread and homemade pies. Only \$12 for adults, \$6 for students, and \$2 for children. People who make reservations are served first. For reservations, please leave a message for Rezsine Adams at 462-0891 or email pinebush@mac.com. Interested people are welcomed to attend the program beginning at 7:00 for which there is no charge.

October Save the Pine Bush Hike Saturday, October 20, 2012 9:10 AM

Meet at: Columbia Circle Trail Head. The end of the first roadway off of the south side of Washington Ave., west of Teresian House; **Bus Access:** Columbia Circle is Bus Stop #4 on the new CDTA route 612; **Leader & For More Information:** John Wolcott -465-8930

Those who don't have cars or simply don't wish to use them for everything can use this new bus route. For this 9:10 meet up time, take either Bus 10 or Bus 12 to the Crossgates parking lot and catch the 612 at 9:00 A.M. (which takes ten minutes to get stop 5 Columbia Circle). Or, if convenient, take the Schenectady Bus in either direction, get off at Route 155, go to Bus Stop #5 for the 612, which leaves at 8:30 A.M. and arrives at Columbia Circle at 8:43 A.M. This is the new route that Andy Arthur was telling us about a few months ago and asked for letters to CDTA urging a stop at the Discovery Center. CDTA is doing nothing for the Pine Bush except this one incidental stop at Columbia Circle. CDTA doesn't even know

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Lyme Disease: A Growing Epidemic

by Tom Ellis

ALBANY, NY: Holly Ahern, an Associate Professor of Microbiology at SUNY Adirondack in Queensbury, was the guest speaker at the August 29 SPB dinner. She discussed Lyme Disease: A Growing Epidemic.

Ms. Ahern began saying the US Center for Disease Control (CDC) and the NYS Health Department (DOH) have a definition of Lyme disease - you see a tick and get a rash - that differs from the "other" more common form of the disease. With the "other" Lyme Disease, there is no visible tick or rash, the victim begins getting aches and pains, physicians and specialists run numerous tests costing up to \$10,000, no definitive diagnosis is made, they conclude the illness must be psychological, medications are prescribed, and the symptoms worsen.

She said ticks can grab onto hosts if they brush by them but do not jump. They are called

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Final Karner Blue Habitat Along Wood Road in Clifton Park Approved for Clearing, Grading as "Shovel Ready"

by William Engleman

CLIFTON PARK, NY: At the Wood Road "south" habitat site of the Karner blue butterfly in the Town of Clifton Park in 1978, there were thousands of Karner blues, according to a study done by researchers John Cryan and Robert Dirig, who discovered this site in 1975. In 1989, Dr. Dale Schweitzer estimated that these two sites plus another nearby site located south of Ushers Road which he discovered, contained about 600 Karner blues that year. He thought there would be several times as many in a better year, and said the three sites: Wood Road west (also known as south), Wood Road east (also known

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insects but are more closely related to spiders with eight legs. Larvae ticks hatch from eggs and quickly latch onto small mammals in their vicinity, typically mice or chipmunks. The larval ticks pick up bacteria and viruses from their first blood meal. After eating, larvae drop off the rodents, then grow into the next stage, called nymphs. Nymphs typically feed in the summer months, on whatever warm blooded animal they can find. Once they feed, they molt into adult ticks. Adult ticks have therefore fed on at least two prior hosts. The adult ticks feed on new hosts, which may include horses, deer, humans, as well as companion animals.

Ticks can freeze solid in winter, thaw and thrive like they were never frozen. Ticks are very hardy, difficult to kill. Both the nymph and adult ticks can transmit bacteria (such as *Borrelia*, *Bartonella*, *Ehrlichia*, and *Mycoplasma*), viruses (including the Powassan virus and tick-borne encephalitis virus), and other parasites (*Babesia*) to their hosts. Tick-borne viruses may cause encephalitis like the better known West Nile Virus, but little money is being spent researching tick-borne encephalitis.

When a tick bites, it injects bacteria into the host animal. Bacteria can then enter the human body. A human may not experience any symptoms for years after a bite. An immense variety of symptoms can result including facial palsy and heart palpitations. In later stages of many of the tick-borne infections, a short course (3-4 weeks) of antibiotics may not effectively eliminate all of the bacteria, permitting chronic symptoms to develop. Chronic Lyme Disease (CLD) can occur in some people although the term CLD remains controversial. Obtaining Lyme Disease diagnosis is vital for receiving health insurance coverage for the illness.

Lyme disease may be difficult to diagnose because the two diagnostic markers for the disease, the "bull's-eye" rash and the blood test for antibodies against *Borrelia* are poor indicators for the disease. Ms. Ahern cited several studies that appeared in peer-reviewed scientific and medical journals; one reported that bites by an adult tick do not cause a rash, but can still cause Lyme disease. Contrary to popular thinking, a tick does not need to latch on to a person for 24 hours to transmit bacteria; four hours may be sufficient.

The characteristic rash is only seen in a third of people who later are diagnosed with Lyme disease. The first tier of the "two-tier" blood tests is only 50% accurate. Ms. Ahern said her thesis is the CDC and DOH definition of Lyme disease is so flawed that there is significant under-diagnosis by physicians and under-reporting to CDC and DOH.

Lyme Disease is diagnosed at far higher rates than HIV, West Nile Virus, and Hepatitis C, but these three illnesses get far more attention. Several studies concluded Lyme Disease rates are many times higher than reported. Among these are a Mercer University School of Medicine in Georgia 2002 report of a 40 times higher rate, a 2011 University of Massachusetts study of 40 times higher, and a 2011 Vermont Department of Health report that 16 percent of Vermont dogs have Lyme antibodies. She concluded saying, "Physicians must recognize Lyme disease is not just endemic to certain parts of the country, but an epidemic and truly an emerging health crisis."

During the questions and comments, she said Deet, despite its other problems, deters ticks; spray your clothes with Deet and ticks will not attach to the clothes. She declined to discuss the relationship between Lyme disease and Climate Change saying she is not a geologist or climatologist, but warmer weather this winter certainly led to an increase in the number of ticks this year.

One woman said she was recently diagnosed with Lyme Disease, took the antibiotics but wonders if she still has the disease or will it recur. Ms. Ahern said it is impossible to predict her long-term health impacts.

Lynne Jackson said there were few or no ticks in the Pine Bush until 1990. Ms. Ahern said Lyme disease has been here for many decades but was probably not diagnosed in the past. She said the Alps Ice Man who died 5000 years ago and was found about twenty years ago, had Lyme disease.

There is no vaccine today for Lyme disease. One was taken off the market because the vaccine sometimes caused dormant Lyme disease to reactivate. She said ticks can be tested to ascertain the specific type(s) of bacteria they contain. She said *Babesia* can be transmitted via blood transfusions; not all but some types of bacteria can be transferred by blood transfusions.

In response to my question as to why the USCDC and NYSDOH are unwilling to acknowledge that Lyme disease is far more complex than they say, Ms. Ahern said these agencies face legal and financial pressures to maintain their stance. To admit an error might invite lawsuits. Some of the people involved in decision-making processes concerning what constitutes a case of Lyme disease and how to diagnose and treat it make considerable profits manufacturing treatments and diagnostic tests.

John Wolcott asked if citizens groups could create a certification process for competent Lyme disease specialists and physicians similar to the organic certification processes that exist in many states and regions. Ms. Ahern thought this an interesting idea and concluded urging people to

educate their physicians about the disease.

Ms. Ahern also distributed copies of a two-page handout of the Lyme Action Network <http://www.lymeactionnetwork.org/> titled, It Might Be Lyme or Babesia...or Bartonella...or Ehrlichia...or...

Editor's note: Save the Pine Bush very much appreciates Ms. Ahern's speaking at our dinner about this extremely important topic and sharing her research with us. We are in complete agreement with Ms. Ahern about the importance of taking steps to prevent contracting Lyme Disease. However, SPB also notes the existence of "chronic lyme disease" is controversial; the Wikipedia article on lyme disease states "The term "chronic Lyme disease" or "post-Lyme disease syndrome" is not recognized by mainstream medicine, and most medical authorities advise against long-term antibiotic treatment for chronic Lyme disease." SPB makes no recommendations regarding the diagnosis and treatment of lyme disease or chronic lyme disease and urges anyone with a health issue to consult a physician.

Composting of Food Waste in Charleston, South Carolina

by Tim Truscott

A common stereotype of the South by people in the Northeast is that the folks "down there" are generally backward and not progressive.

But that's simply not true in Charleston County, South Carolina, where their Food Waste Composting project is years ahead of anything in the Capital Region or in New York State.

In September of 2010, the South Carolina Department Health and Environmental Control (DHEC) approved Charleston County's application to implement a pilot project for composting food waste. This was the first approval ever granted in the state. By the end of August 2011, 1,859 tons of food waste had been processed (that's 3,718,000 pounds of food). In June of 2012, South Carolina DHEC granted permanent approval and modified the facility's permit to process up to 1,000 tons of food waste per week.

Both pre- and post-consumer food waste is accepted, including cooked meats and fish, egg and dairy products, food prep and plate scrapings, fruits and vegetables, bread/dough/bakery items and pasta/grains, as well as waxy produce boxes, food-soiled paper, coffee grounds and consumable liquids.

All of this would be possible in New York State and the Capital Region if there were only the political will to do it. It's time for change!

Press Release from Sierra Club and Save the Pine Bush

Notice of Intent to File Lawsuit Issued by Environmental Groups and Concerned Residents Regrading Significant Ongoing Harm to Karner Blue Butterflies in Clifton Park Industrial Project Alleged

Two Capital Region environmental groups and local citizens have issued a letter to the Secretary of U. S. Department of the Interior, the Commissioner of the New York State Department of Environmental Conservation and other parties providing notice that they intend to bring a lawsuit under the federal Endangered Species Act (ESA) if activities that they say amount to a “take” of endangered species are not corrected within 60 days. The letter requests that the Town of Clifton Park Planning Board refrain from any further consideration of the DCG Development application for approval of its site on Wood Road in Clifton Park. The ultimate goal of the environmental groups and local citizens is to protect the endangered Karner Blue butterfly by protecting the area in Clifton Park in which it is found and previously flourished at the site in Clifton Park.

The “Notice of Intent” letter or NOI was sent by the Sierra Club Hudson- Mohawk Group and Save the Pine Bush, Inc. along with eight individuals to Federal and State officials and the town supervisor and planning board chair of the Town of Clifton Park, along with DCG Development Company’s president, Donald C. Greene. The letter maintains that recent actions including a pending project along Wood Road in Clifton Park on land DCG owns are causing

“take” of the endangered Karner blue butterfly, a federally protected species. The Karner blue was put on the state endangered species list in 1977 and has been federally listed as endangered since 1992. A “take occurs when, among other actions, an endangered species is harmed due to significant habitat modification or degradation that negatively affects its essential behavioral patterns.

The letter was issued under the Citizen Suit provision of ESA, which allows “any person” to bring suit alleging a taking of an endangered species is occurring.

The 60-day notice period allows time for the purported violations to be addressed by those to whom the letter is sent, including the US Fish and Wildlife Service and the NYS Department of Environmental Conservation. The letter claims that the Town of Clifton Park, DCG and the NYS DEC have allowed a “take” of Karner blue butterflies to occur in conjunction with their habitats along Wood Road in the Clifton Park’s northeast corner. The Karner blue butterfly was discovered in the landscape at Wood Road in Clifton Park in 1975 in large numbers, but has severely dwindled, due to the ongoing violations according to the groups signing the NOI letter.

Sierra Club Hudson-Mohawk Group Chair Peter Sheehan noted that although the NOI letter

was sent to the parties on September 21, the Town of Clifton Park Planning Board provided approval to the DCG plan for its 16 acre “shovel-ready” industrial site at a 35-acre parcel off Wood Road at the Board’s September 25 meeting.

“We believe many of the concerns that we and other advocates for the Karner blue presented to the Board during two public hearing sessions were dismissed and not heeded. Our efforts to aid the Town and DCG by involving an independent expert were ignored”, Sheehan said. “Our members don’t want the beautiful and fragile Karner blue, an endangered species, to be extirpated by the actions or inactions of those who want to profit by severely altering its habitat for an industrial park”, he added.

Lynne Jackson, a volunteer and Secretary of Save the Pine Bush, Inc. said that the Board’s agreement to DCG’s plan to set aside just 1.85 acres of land on the overall site for the Karner blue was inadequate. “The approval to develop this site by the Planning Board demonstrates that the Town of Clifton Park has no interest in preserving unique, unusual endangered species such as the Karner blue butterfly”, she said.

The letter was issued for the listed groups and individuals by attorney Michael Englert of Saratoga Springs, NY.

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as north), and Ushers Road south, contained as many Karner blues as then existed in the entire Albany Pine Bush preserve. In 1987, these lands, all zoned light industrial, had been acquired by DCG Development Company. Between 1988-1991, the Town conducted a Generic Environmental Impact Statement (GEIS) of the impacts of buildout of this area.

In summer 2012, DCG reported to the Town Planning Board that its own paid monitors had last seen a Karner blue butterfly at this Wood Road west/south site in 2006, when just one butterfly was seen there. However, DCG representatives claim it is premature to say the species has been extirpated from the site. The developer’s “management plan” adopted for the east/north site of Wood Road in 2006 to allegedly manage it for Karner blues and blue lupine has not been implemented by anyone for 6 years. Now, in 2012, DCG, in conjunction with its new plan to make another 16 acres of the landscape along Wood Road - the west/south site - “Shovel Ready,” has proposed to create a

mere 1.86 acre-size “management area” across the street for the Karner blue, which is no longer seen there either.

This new “management” proposal will surround two small patches of wild lupine that remain on the west/south site (after decades of being shaded by aspens and other fast growing trees) with 50 foot minimum buffers, and supposedly create habitat “connectivity” between this area and the 0.91 acres set aside in 2006 on the east/north site, which had resulted in a Negative Declaration from the Planning Board for that project. The 2 areas’ boundaries overlap on either side of Wood Road by a miniscule 7 and 1/2 feet.

In August and September of this year, a number of Town residents as well as other Karner blue supporters and members of Save the Pine Bush and Sierra Club attended and spoke at two public hearing sessions held about this shovel ready site. The two hearings totaled 5 hours of testimony and Board comment and discussion, including rebuttal of citizen comments provided by the applicant’s attorney at the first hearing.

On September 11, 2012 the Planning Board issued a State Environmental Quality Review Act (SEQRA) Negative Declaration, saying there would be no potentially significant adverse impacts to the environment resulting from the plan to carve away and denude the portions of the site outside the tiny 1.86 acre area set aside for the butterfly. On September 25, 2012 the Planning Board unanimously voted to approve the site plan for this project.

In some press accounts which followed, Town officials claimed the Town is requiring a private developer to do things that take place on public land such as the Pine Bush Preserve. This neglects the fact that most of the Pine Bush preserve *was* originally private land, and many development projects there faced restrictions or conditions as a result of containing habitat for rare and endangered species. A press article also stated that Pine Barrens habitat was being protected and restored by the Clifton Park approvals, when in fact, the remaining knoll at the site which contains a pitch pine community

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Editor's note: Sally Cummings forwarded this email from Dyan Boyce describing a land bank.

Proposed Land Bank in Albany County

I would like to direct everyone's attention to a campaign to create a land bank for Albany County.

"A land bank is a public entity whose purpose is to allow a community to make intentional decisions about the use of its land—from side lot sales to neighbors to rehabbed homes to urban agriculture to assembling property for economic development. It diverts tax foreclosed properties from the auction block to a more strategic disposition process, employing powers to clear title and back taxes to help make properties viable again."

A land bank will give our area the ability to fix the current auction process for vacant properties, which for those unfamiliar with the issue, sells to the highest bidder without regard for the communities these properties exist in. This allows for endless speculation and results in many of these properties deteriorating beyond repair.

There have been many studies done on the effect of vacant properties on their surrounding neighborhood and the people who reside in them. Whether in a poor or wealthy community, none of the effects are good.

A land bank has the power to acquire properties through foreclosure or purchase, prepare them for resale to industry or non-profits or neighborhood residents and get them back in use and on the tax rolls. This has the potential to revitalize neighborhoods as well as creating and providing jobs, job training and affordable housing. There are also myriad possibilities for greening and food production on vacant land.

I believe that a land bank is a significant opportunity both to correct the unjust and poor economic and social design of our current system.

For more information and to get involved, please visit albanylandbank.com and contact your county legislator to advocate for the creation of a land bank in our county. Sample letters and legislator contact info is on the site.

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will be destroyed and completely eradicated by the plan submitted by DCG's consultants and approved by the town. There is no scientific basis for the Town to conclude that a 50' buffer can or will create favorable conditions to sustain the Karner blue butterfly, which it seems had disappeared from a much larger area by 2007, before much land was cleared and graded. Save the Pine Bush speakers presented testimony supporting a 200-meter buffer as needed to sustain Karner blues. Sierra Club attempted to involve independent experts, who submitted a letter noting that the developer's habitat management plan doesn't plant any lupine and pays a trifling sum of \$1,000.00 in escrow, when a recommended amount is 1/2 of 1% of the value of all real estate transactions at the site.

DCG legal counsel Whiteman, Osterman and Hanna LLP claim that the Town's 1991 GEIS Findings requirement for this area that there be a plan to reintroduce the Karner blue to the site, will be achieved by waiting several more years and doing additional monitoring to see if the butterfly turns up again once the "shovel ready" site clearing, vegetation removal, construction, etc., of unknown industrial projects is underway, before being actually reintroduced. It was stated that this will be the first time in NYS that any private party has reintroduced the Karner blue. There was no exploration by the Planning Board of whether the area the Town has deemed sufficient for the "habitat management plan" will suffice, or even permit the possibility that an attempt to reintroduce this federally endangered species where it was once abundant could succeed.

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there's a trail a few yards south of their stop and couldn't care less. We need to get CDTA to care by letters, phone calls and asking in person at the monthly Riders Group meetings at the Albany Public Library.

Another new feature for hikes now is also the new trail system worked out by the Commission. It's not bad and has some good features.

We absolutely do not any longer recommend bushwhacking due to the increasing danger of Lyme disease from tick bites. A problem for now is that the Commission hasn't mowed most of the new trails. Some of our member may want to call the Commission to see if they would accept clearing and mowing volunteers.

Our hike on the 20th will be south and eastward from the Columbia Circle Trail Head to Blueberry Hill. Depending on whether the additional trails are mowed by then we may hike along the former 1764/1800 boundary line of Albany with a lecture on Colonial Albany's needle point unwise fanwise still and ever bizarre boundary history.

If mowed enough we can show you some of the 1936 boundary markers that were supposed to accurately mark the treaty designated 1800 City Bounds.

The Walk is free and open to the public!

Mark your Calendars!

Next Save the Pine Bush Dinners:

Wednesday, October 17

Wednesday, November 14

Wednesday, December 12

Wednesday, January 16

at our new location,

*Westminster Presbyterian Church,
85 Chestnut Street, Albany*

Return Service Requested

Save the Pine Bush
A Project of the Social Justice Center
33 Central Avenue
Albany, NY 12210



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