



Save the Pine Bush

November/December Newsletter

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Vegetarian/Vegan Lasagna Dinner
Wednesday November 18, 6:00 p.m.

Don Reeb

will speak about

**SUNY Poly – formerly College of Nanoscale Science
and Engineering (CNSE)**

The Good, the Bad and the Ugly

Don Reeb is back! In February of 2014, Don spoke to us on Cities and the Environment. Our audience was so involved and enthusiastic that it was difficult to get people to leave by our 8:30 deadline. This time he will talk about the effects of SUNY Poly on the environment in general and the Pine Bush in particular as well as the effects of SUNY Poly on the surrounding neighborhood.

Don is a retired UAlbany Economics professor. For years, Don has been president of the McKownville Improvement Association. McKownville is adjacent to SUNY Poly.

At the Westminster Presbyterian Church, 85 Chestnut Street, Albany, NY (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. Get It While It's Hot! We start serving dinner promptly at 6:00. Of course, we will be delighted to serve you whenever you get here as we always have. We greatly appreciate your attendance whenever you arrive.

People are welcomed to attend the movie beginning at 7:00 for which there is no charge.

No Hike in November due to hunting season

Save The Pine Bush is in need of more hike leaders.

For the last few years ; the Save the Pine Bush outing leaders have been Andy Arthur, Claire Nolan and John Wolcott. Our outing events are once a month, always on a Saturday and usually the third or fourth Saturday. We three, however, are not always readily available and we've come close to having no hike at all for a given month as happened for the first time ever last month. To prevent this from happening again, we are appealing for more volunteer leaders.

With more leaders we can hopefully have hikes lead by persons with more time and less competing obligations for any given hike date. John and Andy are generally available for going over data about various Pine Bush area and routes. Please e-mail the Newsletter at pinebush@mac.com or call John Wolcott at 465-8930 if you are interested in volunteering for this. Hope to see you out on the trail!

www.savethepinebush.org

Northeast Energy Direct Gas Pipeline Citizens Need to Stand Up to the Power Companies and Stop the Pipelines

by Tom Ellis

ALBANY, NY: Becky Meier and Bob Connors, Co-founders of Stop NY Fracked Gas Pipeline (SNYFGP), made a PowerPoint presentation at the September 16 SPB dinner about the proposed Northeast Energy Direct (NED) Gas Pipeline, that, if constructed, would pass through the Albany County towns of Berne, Knox, New Scotland, and Bethlehem on its 400 mile route from northeast Pennsylvania to Dracut, Massachusetts, near Boston.

They said the pipeline would be 400+ miles in length, 30 inches in diameter, and traverse PA, NY, MA, and NH, before returning to MA. The hydraulically fracked natural gas would be highly pressurized at between 1400 and 1600 pounds

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Flush the TPP

by Tom Ellis

ALBANY, NY: Sue DuBois of the Solidarity Committee of the Capital District and Carol Waterman, anti-tobacco activist and member of Action on Smoking and Health, presented a program on Flush the TPP (Trans-Pacific Partnership Trade Agreement) at the October 21 SPB dinner.

Carol said the TPP would include Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States, and Vietnam. She said the TPP has been negotiated in secret by unelected Trade Ministers from these nations. Fast Track -- approved by Congress last June -- means Congress can not amend it. Congress members have yet to see the text.

Carol showed a John Oliver video about how tobacco companies, using existing international "trade" institutions, are suing Australia, Uruguay, and Togo over their national laws requiring pictures on cigarette packs warning

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Stand up to Pipeline, continued from page 1

per square inch, and nine (or more) compressor stations would be built along the route. For the project to go forward, the NYS Department of Environmental Conservation (DEC) would have to issue water quality permits and the Federal Energy Regulatory Commission (FERC) other permits.

The application is presently in the pre-filing stage. The Tennessee Gas Pipeline Co., a subsidiary of Kinder Morgan, is the applicant. Kinder Morgan asserts the pipeline would eliminate a natural gas shortfall in the northeast US; however, many analysts believe the "shortfall" is not real and the gas is for export to Europe where gas prices are much higher than in the US. No one in NY would get any of the gas.

Natural gas includes methane, a potent greenhouse gas, and any leakage of natural gas will put methane into the atmosphere. The piped gas would contain the hundreds of chemicals used in hydrofracking, some of which are carcinogenic, neurotoxic, and endocrine disrupters. Pipelines wear out, leak, and crack; rubber seals shrink with age. In Rensselaer County, the pipeline would pass underneath electricity transmission lines. Compressor stations also leak. The pipeline would be abandoned after it is no longer in use; thus property owners would be stuck with an unused pipeline, whether they want it or not.

Becky said that seeing as New York State has banned hydrofracking, the state should also ban the transport of fracked gas through New York. She said the American Medical Association has called for a moratorium on fracked gas transport permitting in New York until a comprehensive environmental review is undertaken and completed. She said the three major concerns with gas transport are finances, health, and environmental, and if the pipeline is built, the fossil fuel industry will want to use it for decades, perpetuating fossil fuel use, and thus retarding efforts to limit climate change.

She said compressor stations run 24/7, are noisy, and have stadium lights. A 10,000 horsepower station exists in Malden Bridge in the town Chatham; the one proposed for Nassau would be 41,000 horsepower.

Other safety concerns are explosions and that shut-off valves would be located every ten miles in rural areas and at two mile intervals in urban areas. Thus if there was a pipe breach, explosion, and fire, the considerable quantity of gas in the pipe between the two nearest shut-offs would burn. She said her Internet research

showed Kinder Morgan gas pipes have had 1250 violations with 34 fatalities since 2000.

The NED project has many opponents, including individuals and groups, who increasingly favor blocking the pipeline rather than having it rerouted. Becky said MA and NH opponents are well organized. In Rensselaer County, Stephentown, Schodack, Nassau, and Sand Lake have all passed resolutions in opposition, as have 75 municipalities in MA. If approved, Kinder Morgan would likely use eminent domain to confiscate land from uncooperative owners.

Becky and Bob urged opponents to join a SNYFGP committee, write letters to the editor, contact state and federal elected officials, the Albany County Legislature to pass an opposition resolution, and pressure Governor Andrew Cuomo to prevent DEC from issuing any project permits.

I urged opponents to adopt the successful strategy -- non-violent civil disobedience -- Don't Waste New York, local groups and governments adopted 25 years ago to block the siting of a proposed "low-level" radioactive waste disposal facility in rural upstate New York.

Someone -- I am not sure who -- said another danger is that the highly pressurized pipelines would be constructed along side older or old pipelines; a failure at one could impact adjacent pipes, exploding them all.

Bob said pipeline companies use their vast power to "destroy towns." He asked what will it cost a community if there is a major incident. He said Kinder Morgan has stated that if you are within 1000 feet of a pipeline, you are in the potential impact zone.

Becky Meier said one major problem pipeline opponents have is identifying who to focus their efforts on. She said FERC is "hopeless" to appeal to or try to reason with; FERC is nearly certain to issue the permits.

Flush the TPP, continued from page 1

of the health dangers of smoking. Oliver asked, "How can a company sue a country over a public health matter in an international tribunal?" If TPP is approved, Carol said US corporations will be able to sue governments in other TPP countries for adversely affecting a corporation's "expected future profits."

A second video showed Massachusetts US Senator Elizabeth Warren discussing how Investor State Dispute Settlement (ISDS) tribunals -- "rigged pseudo courts" -- can render decisions on lawsuits brought by corporations versus the

United States government that the US and its courts cannot appeal or challenge.

Sue DuBois, in agreement with Carol, said the Fast Track approval established a process for review by Congress. Congress can vote either yes or no, no changes are allowed, and with limited debate. She said President Obama worked very hard to win Fast Track approval, perhaps as hard as he has worked on any legislation; he leaned on many Democrats to win them over, and Obama, Republicans House Speaker John Boehner and Senate Majority Leader Mitch McConnell worked closely on winning Fast Track.

Sue said that the US's country-of-origin meat labeling laws have already been challenged under another trade agreement. She said an anti-TPP group, Flush the TPP, has described the vote on Fast Track as "choreographed corruption."

Secretive negotiations held in Atlanta supposedly finalized the TPP text on October 5. President Obama is selling TPP as being "wonderful" without letting any of the critics see the text.

Regarding the recent Canadian national election, Sue said the new prime minister, Justin Trudeau, supports TPP, but not as strongly as the ousted Stephen Harper.

She said Malaysia was on Tier 3 of the US State Department's list of human rights violators, thus "making it ineligible to be part of a "Fast Tracked" trade agreement with the US, but suddenly the Obama administration made it a Tier 2, despite continuing its human rights abuses such as human trafficking."

Sue said free trade is a big issue in many nations (Germany and New Zealand) but is mostly ignored by the mainstream US press although it is becoming an issue in the presidential campaign.

Sue and Carol distributed a handout with recommended actions people can take to block TPP. Sue said the AFL-CIO is encouraging the enactment of anti-TPP local government resolutions. She distributed an April opinion column from the NYS Attorney General warning that enactment of TPP may make it difficult or impossible for NYS to enforce some of its laws. Sue said one concern some members of Congress have is that TPP contains no mechanism to deal with nations manipulating their currencies.

During the discussion, Mark Schaeffer said Lori Wallach of Global Trade Watch has reported that corporations have won 34 of 35 challenges they have made to laws. Sue said Trade Watch has a chronology with a detailed timeline explaining how and when the Congress will deal with TPP once it is finally submitted to them. She

said many environmental groups including 350.org vehemently oppose TPP.

Sue said TPP is reportedly a “docking agreement” meaning other nations -- possibly China -- could join it after it is ratified.

I asked Sue and Carol if TPP is as bad as you say it is, and nearly all the Congressional Democrats oppose it, what is the real reason Obama champions TPP. Sue responded saying she could only speculate but maybe he thinks it will increase US power in Asia, one of his priorities.

Published October 8, 2015 in the Albany Pine Bush News

Mowing for a Healthy Pine Bush

ALBANY, NY- The Albany Pine Bush Preserve Commission is protecting and managing the globally rare inland pitch pine – scrub oak barrens known locally as the “Albany Pine Bush.”

For the fifteenth consecutive year, during the months of October and November, the Albany Pine Bush Preserve Commission will continue improving the overall health of Pine Bush habitat by mowing selected areas of the Preserve with large, heavy duty equipment. The 80 acres scheduled to be mowed this fall are located in the region of the Preserve east of Old State Road between Siver Road and East Lydius Street.

By mowing areas of high priority for restoration, the Albany Pine Bush Preserve Commission continues to expand the number of acres it can manage and restore annually. Stewardship Director, Joel Hecht said that “mowing these areas is designed specifically to expedite restoration efforts. By mowing areas of dense pine barrens vegetation, the wildlife habitat is enhanced while it is also preparing these areas for future prescribed burns. Areas mowed are then easier to safely manage with fire since the vegetation size is significantly reduced.”

Mowing is expected to take about a month to complete. Due to the large size of the equipment used and its ability to throw debris, a portion of the Preserve’s purple trail between Madison Avenue Extension and Old State Road will be closed while the mowing is taking place. Hecht continued, “Visitors are encouraged to explore other areas of the Preserve during this time such as trailhead #11 located in DiCaprio Park off of East Lydius Street.” Several large signs will be temporarily placed along Old State Road to alert motorists that this mowing benefits wildlife and

Using Art to Stop a Pipeline

By Tim Truscott

I recently received interesting information (below) on how to use artwork to throw a monkey wrench into the eminent domain process used by pipeline companies to take private property to use as a pipeline right-of-way. Basically, trees or other characteristics of the private property along the proposed right-of-way are deemed by the property owner to be part of a work of art and thereby eligible for copyright protection and certain special protections under a U.S. law protecting works of visual artists. Perhaps this technique could be adapted to use for protecting other environmental threats and intrusions which are done in the name of “progress” and “for the public good”.

Here’s the story as it was sent to me:

Canadian artist, Peter von Tiesenhausen, effectively stopped oil corporations from putting a pipeline through his property by covering it with artwork and copyrighting the top six inches of his land as an artwork. Realizing that mining companies can legitimately lay claim to any land underneath private property to a depth of six inches, van Tiesenhausen contacted a lawyer who drew up an intellectual property/copyright claim that said that if the oil company disturbed the top six inches in any way, it would be a copyright violation. The copyright can drastically increase the remuneration pipeline companies must pay for “artistic property disturbance”.

Now, an American eco-artist, Aviva Rahmani, is working with a group of New York State residents to stop the abuse of eminent domain by creating a copyrighted work of art that can be duplicated along proposed pipelines. This effort is called the Blued Trees Symphony. Trees slated to be chopped down to install pipelines are marked with a sine wave, a musical note, in non-toxic buttermilk paint. Together, the “notes” form a symphony, which is copyrighted and afforded legal protection under the Visual Artists Rights Act (VARA).

The Visual Artists Rights Act of 1990 (VARA), 17 U.S.C. § 106A is a federal law granting certain rights to artists. Under VARA,

works of art that meet certain criteria cannot be destroyed by moving. Creation of a Blued Trees Symphony in our area will test the rights of corporations to take land through eminent domain in the name of “public good” and could impede the proposed Kinder-Morgan NED pipeline.

If you are along the route of the Kinder-Morgan NED pipeline, HELP MAKE WAVES! The more trees that get painted, the more visible and powerful this artwork will be. Already, others have started painting trees on their property. Any willing landowner may join the Blued Trees Symphony, by painting a sine wave “note” on one tree or more. At the very least, this will make a very visible public statement.

If you are a property owner on the path of the NED pipeline and would like to participate please contact us. We are scheduled to start our painting next weekend on Sunday, November 1st. We will need to identify three trees on your property that are large and close together, and that if kept in place, would hinder the heavy machinery of Kinder Morgan!

Steps for participating:

1) Contact Kathy High (highk@rpi.edu), cell (518) 209-6209, or Libby Reilly (reillysfarm@aol.com).

2) We will provide the materials you need and a team of people to paint your trees. We welcome your help.

3) We must document the process and gather the GPS coordinates of all the Blued Trees painted. We will also have photographers who can document if needed.

A photo of your “blued” tree with exact GPS coordinates will be sent to the artist, Aviva Rahmani (ghostnets@ghostnets.com), who will continue until fall 2016 to gather and map all the Blued Trees. FERC will be notified of the “Blued Trees” work of art along the current proposed pipeline path and the need to find an alternate route that does not violate the VARA laws.

Please help us fight corporate greed! Thank you!

is helping to keep the Pine Bush healthy.

For more information on all Preserve management activities please visit www.AlbanyPineBush.org, the Albany Pine Bush Discovery Center located at 195 New Karner Road in Albany or call (518) 456-0655 x1213.



To the Editor:

Over the past two years, Albany County residents have heard much about the threat to the environment and the public safety posed by Bakken crude oil trains at the Port of Albany. Not much has been said about even greater numbers of crude oil trains which pass through southern Albany County, specifically through the towns of New Scotland, Bethlehem, Selkirk and Coeymans. These communities are traversed by multi-million-gallon unit fracked-oil trains on CSX coming from the Bakken oil fields of North Dakota and going to refineries in South Philadelphia and New Jersey.

But New Scotland and Bethlehem, as well as Knox and Berne, also have the dubious distinction of potentially hosting a huge fracked gas pipeline which has been proposed to be built between northern Pennsylvania and eastern Massachusetts, crossing through a large part of eastern New York including southern Albany County. This pipeline, dubbed the Northeast Energy Direct (NED) pipeline has been proposed by energy transportation giant Kinder Morgan, Inc, of Houston, Texas. The NED pipeline would have a diameter of 30-36 inches and a high operating pressure (1,400 pounds per square inch, about 5,000 times the pressure of the gas line coming into your home) while cutting a wide swath through the towns of Knox and Berne, before reaching New Scotland and Bethlehem.

The NED would not serve gas custom-

ers along its path through New York, which is why the word "Direct" is in its name: It will go directly from Pennsylvania to the east coast of Massachusetts.

In fact, much of the gas in this pipeline is intended for export to foreign countries where the price of gas is high, much higher than anywhere in the United States. Export facilities on the east coast of Massachusetts and eastern Canada would liquefy the gas so that it can be pumped onto large ships and transported overseas.

Property owners along the path of this proposed pipeline really have no say in its construction through their land. If landowners don't agree to the terms of Kinder Morgan (which are not very favorable to the landowners), the company can acquire their land through eminent domain proceedings and there is nothing they can do about it. Such land-grabbing tactics seem un-American and unfair.

Property owners would receive a pittance for the inconvenience and danger the pipeline would bring. When, in the future, Kinder Morgan decides it no longer needs the pipeline, it will be free to abandon it in place without removing it or restoring the land which was disturbed by construction of the right-of-way, leaving an unsightly and environmentally undesirable landscape.

What are some of the dangers of this project? A right-of-way several hundred feet wide will be cleared, groundwater will be disturbed, water wells could be affected, aquifers are in danger of contamination and gas leaks culminating in fires and explosions are always a possibility. If a fire starts, there is no way to extinguish it

but to let it burn itself out. Since safety valves are located only every ten miles, so even if the valves are turned off, there is still ten miles-worth of gas in the pipeline. That's a lot of gas to burn off before the fire goes out. What will happen to people and property while this uncontrollable burn occurs?

There are health threats, as well: When there are leaks in the pipeline, as well as when a section of the pipeline is vented in order to make repairs, the toxic chemicals used in the fracking process in Pennsylvania will be released into the air which Albany County residents breathe. Some of these chemicals are very potent.

So what's in it for residents of Albany County and the towns of Knox, Berne, New Scotland and Bethlehem? Very little, really. Like the CSX oil trains, it is mostly risk and little reward for our citizens. Very few people will be employed along the several-hundred-mile route of the NED. Property taxes will not be much. We will not be able to use the gas. We don't need the NED coming through our communities.

It's time we got off our energy addiction by reducing our energy consumption and using more renewable energy. Kinder Morgan's NED is not the answer to our energy future.

Tim Truscott, Albany, NY

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