



Save the Pine Bush

March/April Newsletter

Mar/Apr 16 No. 130 • 33 Central Ave., Albany, NY 12210 • email pinebush@mac.com • phone 518-462-0891 • web <http://www.savethepinebush.org> • Circ. 600

Vegetarian/Vegan Lasagna Dinner Wednesday March 16, 6:00 p.m.

Dan McCoy

Albany County Executive
will speak about

Environmental Accomplishments and Agenda for the Future

Dan McCoy is starting his second term as Albany County Executive. During his first term, he had a number of environmental accomplishments including, in 2014, banning the use of Styrofoam containers in chain establishments and months later issuing an Executive Order banning the use of e-cigarettes on County property with the same regulation that applied to other tobacco products. In addition to discussing his environmental record, he will talk about his environmental agenda for the future.

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 Rezsins 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 presentation beginning at 7:00 for which there is no charge.

Save the Pine Bush Hike

2016 Equinox Celebration Hike to Blueberry Hill Sunday Afternoon, March 20, 2016 at 2:00 pm

(For late sleepers, afternoon hikers, and those attending morning Palm Sunday observances)

Meet at: Pine Bush Preserve Parking Lot at the dead end of Columbia Circle Dr. West. Closest address to use for GPS is 13 Columbia Circle, Albany, NY

Leader: Andy Arthur • For More Information: 518-465-8930

Andy will describe the early success in gaining this block of Pine Bush for the Preserve and what also was lost then. He will also give a good update on it. A good hike route withal with splendid views.

The first Earth Day as organized by John McConnell was on the Vernal Equinox, and that's still when it's observed by the U.N. In the U.S., the Equinox was

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Former Albany County Legislator Tim Nichols: Politics & Tobacco

by Tom Ellis

ALBANY, NY: Carol Waterman introduced former county legislator Timothy Nichols at the January 20 SPB dinner saying Tim sponsored a bill vetoed by Albany County Executive Dan McCoy that would have blocked pharmacies in Albany County from selling tobacco products.

Tim, who was also Chairman of the legislature's health committee, and lost a bid for a fifth term in November, said he might have won had he "been a little more savvy" but the defeat opens new possibilities for him.

Tim said he has been an "anti-tobacco crusader" and is *continued on page 2*

Are Cuomo's Oil Spill Trailers a Fix for Spilled Oil?

By Tim Truscott

The following is an interesting, though brief, article by Alan Woods of the Toronto Star on the findings of a study done by a Quebec provincial agency regarding fish in the Chaudiere River at Lac-Megantic following the disastrous oil train fire of July 6, 2013.

The impression given to the public by politicians and the New York State Department of Environmental Conservation is that if the Bakken crude oil floating on the surface of bodies of water following an oil train spill is simply contained with booms and is then cleaned up, then Bakken crude is not a problem for the environment. Alan Woods' article suggests otherwise.

Some of us have heard retired DEC Wildlife Pathologist Ward Stone tell us a number of times that one of the greatest benefits of studying wildlife pathology is get clues as to what is potentially dangerous to humans. If birds or insects or fish are being damaged by something in the environment, then that something is probably a danger to humans, as well.

The Governor says he is ordering 23 new crude oil cleanup trailers to be strategically located and is *continued on page 2*

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sader” since he was a child when he often walked into smoke-filled banks. As a child at school, after being shown photos of a smoker’s lungs along side those of a non-smoker, he destroyed his mom’s cigarettes, explained why, and was not punished. He said his mom quit smoking after her physician told her, “It has been good knowing you” because your life will be shortened due to your smoking. His mom died of emphysema about 15 years ago.

Shifting focus he said House Speaker Newt Gingrich discontinued tobacco hearings. In New York, the tobacco lobby routinely kills off anti-tobacco legislation. A national law suit, he said, eventually resulted in a \$100 billion settlement that New York still collects revenues from. Millions of internal tobacco industry documents, he said, show an industry “gone wild” tampering with nicotine levels to addict people and faking health studies.

Tim said the Price Chopper Golub family has been involved with the tobacco lobby for years and “you have to move a mountain to get even a tiny tobacco control measure enacted.”

The tobacco industry did not mind if kids stole cigarettes from vending machine because the kids would get addicted and become lifetime customers. He said the tobacco lawsuit settlement has funded anti-tobacco initiatives including the Clean Indoor Air Act. Erie and Westchester counties, he said, are in the forefront of enacting local laws, creating pressure for state laws.

Tim said that when his proposed legislation to ban the sale of tobacco products in Albany County narrowly passed the county legislature, Mr. McCoy vetoed it and did not attend the public hearing on the bill he had scheduled. Tim later learned McCoy had received \$10,000 from tobacco industry fronts and held a private meeting with those opposed to the law.

He said the county Board of Health looked at the issue of tobacco addiction and recommended raising the purchase age from 18 to 21 -- the same as a community in Massachusetts did in 2005 with a resulting significant reduction in youth beginning to smoke. He said New Jersey Governor and Republican presidential candidate Chris Christie had just vetoed a bill to raise the tobacco purchase age to 21.

Tim said such legislation is needed because “adults do not start smoking; kids do. It is a pediatric problem. Raising the age will reduce adult smoking rates.” It costs the United States \$170 billion annually to treat the medical consequences of smoking. He said the Restaurant Association is a tobacco front.

Tim said Paul Miller, who defeated Mary Lou Connolly, may sponsor his (Tim’s) legisla-

tion this year in the county legislature. Tim said he sponsored every environmental bill that came through the county legislature while in office.

Tobacco, he said, seems to be treated differently than other toxic products due to its longevity in use. He said 480,000 people die each year in the US from tobacco related illnesses. The US Supreme Court’s 2010 Citizens United decision emboldened the tobacco industry because running for office is now more expensive. “Running boils down to money,” he said, “and money played a big role” in the defeat of his 21 purchase age bill. The tobacco industry, he said, “confuses, delays, [and] buys. We should work closer together in environmental and public health issues.”

He said the Michigan governor “should be arrested and thrown in jail” for the Flint water poisoning and some e-cigarettes contain nicotine. He finished with “I do have hope” and “Never give up.”

During the Q&A, Lou Ismay asked if we should frame environmental issues as public health matters to advance their cause. Tim responded saying it can be argued that guns and poverty are public health issues. John Wolcott said climate change is the ultimate health issue. Tim was asked about US Senator Kristen Gillibrand and the tobacco industry; he said “I’m sure she has received tobacco money.”

Lynne Jackson said we have made huge anti-tobacco progress in the last thirty years. Russell Ziemba agreed saying that “as a kid,[he remembers that] most adults smoked. There has been a big change in the past fifty years.” Sylvia Barnard said tobacco is also a gendered issue. High school boys had smoking areas but not girls.

A question concerned military personnel and PX stores. Soldiers can buy cigarettes on a base at age 18 but not in an off-base store in states where the purchase age is 21. Someone said soldiers can often go into bars and be served alcohol at age 18 with a military ID.

Tim said his dad, a World War Two veteran, died too young about 30 years due to his smoking habit. Lynne said her dad, also a Second World War soldier, received cartons of cigarettes as part of his rations, and traded them because he did not smoke.

Tim said that when California became the first state to ban tobacco smoking in bars and restaurants, he realized that it could be done in New York too.

Cuomo’s Oil Spill, continued from page 1

cated around the state to be ready for use in case there is a crude oil train derailment and spill. If there is a massive spill and the cleanup trailers are pressed into service, will the cleanup make the environment good again? Woods’ article seems to say “No”.

Apparently, cleanup efforts are only a partial fix. A better idea would be to not transport crude oil through New York in the first place.

Fish deformities spiked after Lac-Mégantic oil spill, report says

Scientists have recorded an “unprecedented” spike in the fish deformations in the wake of the deadly 2013 train derailment and oil spill in Lac-Mégantic, Que

By: Allan Woods Quebec Bureau, Toronto Star, Published on Wed Feb 10 2016

MONTREAL—Scientists have recorded an “unprecedented” spike in the fish deformities in the wake of the deadly 2013 train derailment and oil spill in Lac-Mégantic, Que., according to a provincial government report.

The report into the effects of the disaster on the 185-km-long Chaudière River, which begins in Lac Mégantic, found that in some parts of the river as many as 47 per cent of the fish they collected had an external deformation.

The rate of deformations greatly surpassed that recorded in a similar fish population study in 1994. The study also found a “marked drop” in the river’s fish biomass, or total weight.

“There is no hypothesis other than the oil spill of July 6, 2013 that can explain these results,” says the report, which got little attention when it was released last November. It was brought to wider attention Wednesday when resurrected by Montreal’s *Le Devoir* newspaper.

The derailment and ensuing explosion, in which 47 people were killed, decimated the picturesque small town in eastern Quebec and turned its downtown strip and waterfront into an oil-soaked wasteland.

The 72-car train was carrying nearly 8-million litres of highly combustible crude oil that was bound for a refinery in New Brunswick. An engine fire that occurred when the train was left unattended on the main tracks about 11 km from Lac-Mégantic resulted in the air brakes failing and the unattended train hurtling into town. It derailed near a popular bar, the site where most of the dead were found.

About 100,000 litres of crude oil is estimated to have washed into the Chaudière River and settled as contaminated sediment on the riverbed. The expert committee’s report said there are some

Henry Diamond, First DEC Commissioner, Dies

by Tim Truscott

encouraging signs that the worst contamination is limited to the first 10 km of the river, whereas traces were found some 80 km away in testing conducted right after the incident.

About 100,000 litres of crude oil is estimated to have washed into the Chaudière River.

But a whole ecosystem has been affected. The insects, worms and other organisms that live on the sediment and upon which fish feed were affected by the oil spill but are showing signs of recovery after testing conducted in 2014.

Crude oil coming to rest on the riverbed can prevent fish from accessing food and can result in the death of fish eggs or embryos. The population drop could also be attributable to other factors such as more active predators or lower reproduction rates, the report noted.

But the contaminated sediment is the most likely explanation for the alarmingly high rate of external deformities recorded among the sample of 900 fish collected for study. The most common problems were lesions and infection-induced breakdown of the fins, which can occur when a fish comes into direct contact with the sediment, leaving it vulnerable to bacteria, fungus and parasites that eat away at the tissue.

Among the more common deformities found in fish taken from the Chaudière River was the erosion of the fins, which can occur after a fish comes into direct contact with contaminated sediment.

The widely held standard is that if more than five per cent of fish in the sample show signs of external deformities, the habitat is considered to be contaminated by toxic substances.

Perhaps as a result, fish populations are estimated to be 66 per cent smaller and the biomass — the total weight of the fish stock — is down 48 per cent.

“The weak biomass observed in 2014 is difficult to attribute to anything other than the oil spill,” the report concluded.

Scientists have now set their sights on a longer-term monitoring plan and a fish-population survey they hope to carry out in 2016. One of the things they will be looking for are skeletal malformations — a widely recognized consequence of exposure to petroleum hydrocarbons.

Their interest in this stems from a laboratory study in which the eggs of two types of fish — the fathead minnow and the brown trout — were exposed to contaminated sediment from the oil spill.

The exposure had no effect on mortality rates or the time it took for the eggs to hatch. But the eggs of the brown trout that were exposed to the most contaminated sediment showed a higher rate of scoliosis, an abnormal lateral curvature of the spinal column.

Henry L. Diamond, New York State’s first environmental conservation commissioner, who was appointed by Gov. Nelson A. Rockefeller on the inaugural Earth Day in 1970, died on February 21 in Washington at age 83.

Mr. Diamond recalled in a recent article in *The Environmental Forum* that, at the time, in the early 1960s, “ecology was thought to be for eccentrics.”

“Conservation was an afterthought on political platforms,” he continued

However, by 1970, the environmental movement had gathered momentum, prompting activists to declare April 22 of that year Earth Day and to promote it as a day of national consciousness-raising about environmental threats.

Governor Rockefeller chose that day, April 22, 1970, as the day to sign legislation creating the New York State Department of Environmental Conservation and to name Mr. Diamond, at age 37, to lead it, months before Congress established a comparable federal agency, the EPA. The governor went so far as to declare that people were “ready to slow down the pace of economic progress to protect the environment.”

As DEC commissioner, Mr. Diamond biked 533 miles from Niagara Falls to his home in Port Washington on Long Island in 1972 to promote a \$1.2 billion state bond issue to pay for water and air pollution controls and to purchase and protect pristine private land. The bond referendum passed.

Diamond resigned the post in 1973 to become executive director of the Commission on Critical Choices for Americans, a body created by Governor Rockefeller to set goals for the nation and to keep him in the limelight for a potential presidential campaign.

During his more than three years on the job, New York was in the forefront of efforts to ban certain pesticides, eliminate polluting phosphates from detergents and protect vast swaths of the Adirondacks.

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thought too early and too chilly and so changed the date till later in the year. But we can’t count on that anymore. Join us for a good time celebrating the wonders and beauty of nature.

In 2011 John McConnell published his autobiography entitled “Earth Day, Peace, Justice and Earth Care. My Life and Thought at Age 96.” Like Albert Schwietzer, John McConnell has a profound spiritual reverence for nature, according to John Wolcott.

It would certainly be interesting to learn what led up to the creation of New York State’s Department of Environmental Conservation and Henry Diamond’s appointment as its first commissioner, to learn what the thinking was and to learn who did the thinking.

Not to take away from Nelson Rockefeller, but I’m sure the ideas were not all his and that others were key in this venture. That was one of Rockefeller’s great strengths: He knew how to solicit thinking from other bright minds and incorporate it into what he wanted to do for New York. His younger brother, Laurence Rockefeller, a conservationist, was probably instrumental in the creation of DEC, as was Henry Diamond himself (Diamond had worked several years for Laurence Rockefeller in his conservation projects).

Diamond was very charismatic and a great force in developing an agency that didn’t exist in any other state. He brought a fervor to the emerging environmentalism that was similar to the fervor of the Civil Rights movement. Diamond also set the standard for all the DEC commissioners who followed.

What would Henry Diamond say today about crude oil trains running without ever having had environmental review? What would he say about industrial contamination of drinking water supplies, as we have witnessed in Hoosick Falls? What would say about the agency he created being gutted by politicians promoting half-baked ideas sold with half-truths?

We’ve come a long way since Henry Diamond and Nelson Rockefeller created DEC. Unfortunately, it’s all been downhill in recent years.

It’s time to reflect on what was intended in protecting the People of New York and their Environment in 1970, and to focus again on moving forward.

Sources: New York Times, Albany Times Union.

Be wise and be ready for anything weather-wise and climate changewise. Note: Please wear appropriate protective clothing for the danger of ticks, Bring deer or insect repellent to spray on you before beginning the walk. Check carefully for ticks right after the walk and again as soon as you get home. We have discovered that these ticks are subject to transmit a lesser known disease called erlichiosis. We want everyone to be safe as you enjoy the outdoors!

**Free and Open to the Public! • Save the Pine Bush Equinox Hike
Sunday March 20, 2016 at 2:00 pm • For info, call 518-465-8930**

40 Karner Road Clean Up

Saturday April 19 at 9 AM

Meet at Albany Pine Bush Discovery Center

Please RSVP to Mark Platt at 462-4062 or email mplaat1@nycap.rr.com

Located just south of Pinehurst Boulevard, 40 Karner Road is a key parcel that links Karner Meadows and Pine Valley portions of the preserve. It also protects the headwaters of the Kiakout Kill and provides a scenic buffer along New Karner Road.

40 Karner Road is the largest remaining but unprotected portion of Pine Bush within city limits. It remained undeveloped thanks to Save the Pine Bush successfully suing the city in 1992, preventing the rezoning requested by the developers of the Karner Pines Executive Office Park.

The county foreclosed on 40 Karner Road in the late 2000s. The county sought to dedicate the property for conservation purposes, but its future remained up in the air until this year when the Mohawk-Hudson Land Conservancy stepped up to take title and add it to the preserve.

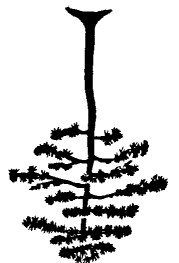
Like many unpreserved portions of the Pine Bush, decades of debris dumping and fire suppression has diminished the beauty and habitat value of the land. The first step in restoring this land is removing the debris. Recognizing our group's commitment to this parcel over the years, the Albany Pine Bush Commission (APBC) has requested our help in the clean-up effort.

If you are interested in volunteering, please contact Mark Platt at 462-4062 or email mplaat1@nycap.rr.com. Lunch and required equipment will be provided. Your RSVP will help the commission know how much food and supplies are needed for the clean-up.

Next Dinner • Wednesday, March 16 at 6:00 PM
Albany County Executive Dan McCoy to Speak
85 Chestnut Street, Albany, NY

Return Service Requested

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



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