



Save the Pine Bush

May/June Newsletter

May/June 16 No. 131 • 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 May 18, 6:00 p.m.

Neil Gifford

Conservation Director, Albany Pine Bush Preserve Commission
will speak about

The Karner Blue

The Albany Pine Bush Commission continues to study the Karner Blue butterfly and works to keep the population of the Karner Blue and other animals in the Pine Bush healthy. Conservation Director, Neil Gifford, will speak about the state of the Karner Blue, how last spring and summer went for our favorite butterfly and new and innovative techniques to recover the butterfly.

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 Rezsina Adams at 462-0891 or email pinebush@mac.com.

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

Save the Pine Bush Spring Flower Walk Sunday Afternoon, May 22, 2016 at 2:00 pm

Meet at: Pine Bush Discovery Center parking lot, east side of Route 155, opposite Old State Road. For GPS - 195 New Karner Road, Albany NY 12205

Leader: Amy Reilly • For More Information: 518-465-8930

The duration of the walk will be approximately one and a half to two hours. We expect fine weather and a pleasant informative flower walk with Amy who is a wonderful guide and hike leader. There should be a rich array of flowers to see. The walk destination is, tentatively, the high hedge of apparently 18th Cent. escape lilacs derived from the garden of the Isaac Truax Jr. Tavern. This hedge also locates the original beginning of "The State Road" as described in the 1790 Acts of the NYS Legislature. Though the theme is wild flowers, this location, reached safely via the Hikers Underpass, is one of the richest for history in the Pine Bush. There is a mid 19th. Cent. map of with this tavern site labeled "Spook House" John Wolcott says he hasn't yet tracked this appellation down. If any of our readers know the rest of the story about this Spook House; please email pinebush@mac.com.

Note: Please wear appropriate protective clothing for the danger of ticks, bring deet or insect repellent to use before beginning the walk. Please take the usual cautions against ticks, and take the diseases they can cause seriously. Wear long pants, long sleeves, high boots or tuck pants in socks. Please stick to middle of paths as much as possible. Special garden gaiters have been found by Amy to be best. She always wears them and will be glad to tell how to order them. Check carefully for ticks right after the walk and again as soon as you get home. We want everyone to be safe as you enjoy the outdoors!

Hydroelectric Power from Canada: Bad for the People of Labrador; Bad for Climate Change

by Tom Ellis

ALBANY, NY: Jim Learning of the Grand River Labrador (GRL) and Annie Wilson of the New York Environmental Law and Justice Project (NYELJP), spoke at the April 20th Save the Pine Bush dinner about existing and proposed hydroelectric projects in Quebec and Labrador, and their health, environmental, and financial impacts on Canadians.

Jim, 78, a GRL board member and Nunatu-Kavut ("Our Ancient Land") councillor, was

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Dan McCoy Speaks at Save the Pine Bush

By Tom Ellis

ALBANY, NY: At the March 16 SPB dinner, Albany County Executive Dan McCoy spoke about Environmental Accomplishments and the Agenda for the Future. Mr. McCoy began with, "There is so much we've done" and "You're organization -- Save the Pine Bush -- has been the rock of our community." Mr. McCoy grew up in Albany and still lives in the city. He said his love of nature and being out in it resulted in part from his taking the bus to Thatcher Park as a kid to go swimming. "Kids today do not have this opportunity to swim at Thatcher Park and run the trails," he said. He joked that while out on the trails, he and his friends were "keeping the police busy."

Mr. McCoy clearly enjoyed discussing the initiatives he has taken. He said the county owns 421 acres at Lawson Lake that includes many hiking trails. Free transportation for kids is provided from Albany, Cohoes, Watervliet, and Green Island to the site where kids can study piano, arts & crafts, and computers. Kids learn how to use a compass and read a map. People can snow mobile and ice fish in winter. He said all improvements to the site were made without using taxpayer

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at the first stop of a ten-day tour of NY, New England, and Nova Scotia building support for Canadian native peoples to block the \$9 billion Muskrat Falls project, under construction on the Churchill River in central Labrador.

He began saying the indigenous peoples of Canada [also called First Nations or Indians], “haven’t been conquered but have been absorbed.” Canadian taxpayers, he said, subsidize electricity from Canada sold in the US and “anytime they build a dam they take out a river.” Jim said the “head honcho resigned yesterday and the board today” of Nalcor Energy Corp, the provincial government corporation established to oversee the construction of the massively over-budget and delayed project that has been described in the Canadian press as a “megaboondoggle”.

Using a PowerPoint, he said, “I am begging you. Push back on taking our electricity.” He said “dams [hydro stations] produce about 23 percent of the world’s methane; “it is not clean. Dams starve the sea of nutrients. We need a front to tell our government not to do this. I want to create a liaison between our group and your group.”

Jim, who was arrested three years ago and endured a six-day hunger strike while jailed protesting the Muskrat project, said the concerns are environmental first and then the price. He said the Muskrat project would “stifle nine rivers.” Methyl mercury, he said, is created in reservoirs behind dams from drowned rotting vegetation. The “hydro companies are poisoning our thousands of year’s old food chain.” He said the North Spur section of the Muskrat project would put a community of 60 people 90 minutes downwind of a massive flash flood should the dam burst. He said water would rise 30 meters behind the dam and the river-bed is made of “quick clay” that can give way without warning.

“First nations all across the country,” he said, “are being victimized by the dams. We are being marginalized but fighting back,” He said one thing he likes about the United States is that “you challenge government. We tend to acquiesce.”

Annie Wilson, NYELJP senior energy policy advisor, said the Rupert River that drains into the southern tip of James Bay in Quebec has now been reversed due to massive hydro development by Hydro Quebec, the provincial utility. She said a fourth dam is now under construction on the formerly free flowing Romaine River, that flows south into north coast of the Gulf of St. Lawrence, about 600 miles east of Montreal. “The only reason for the Quebec and Labrador projects,” she said, “is for export to the USA.”

Annie briefly described the proposed Champlain Hudson Power Express (CHPE) project, a one-way south, 336 mile, direct current extension cord from Quebec to New York City. The electric line would enter New York State at Rouses Point, be buried in trenches under Lake Champlain, come ashore in Washington County and be buried along side or under roads and railroads in Washington, Warren, Saratoga, Albany, and Greene counties, enter the Hudson River from Greene County, be buried in trenches under the Hudson River to Rockland County where it would come ashore through two towns, re-enter the Hudson and East Rivers and come ashore in Astoria, Queens where the direct current would be converted to alternating current and fed into the NYC electrical grid. Annie said there has been no opposition from the Cuomo administration on this project and two NY environmental groups, Riverkeeper and Scenic Hudson, have endorsed this project even though it would disturb more than 20,000 acres of lake and river sediment.

Jim said, “The big part of this is you; if you shut it down, we are saved.” He agreed with Annie that NY and New England are the potential markets for these river-wrecking projects.

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money and unions help repair the roads.

He said when the highest elevation in the county -- the 500 acre Buddhist property in Berne -- became available for sale, he decided the county had to purchase it. The county and the Town of Berne now own it, and the site is being transformed into a retreat center with trails under development.

Regarding crude oil shipments through the county to the Port Of Albany, he said the county imposed a moratorium [two years ago as a public health measure preventing any expansion or increase in current operations at the port]. Mr. McCoy said the trains pass through several municipalities in the county including Menands and Voorheesville. He said the developer, Global Partners “is terrible to work with.” He has met with many people on this matter and, having worked a fire-fighter for 21 years, he is aware of the dangers. Regarding a catastrophic explosion, he said the “trains are near houses all over the country. It is not if it happens but when it happens. It is just a matter of time.” He said air quality near the trains on South Pearl Street in Albany is “terrible.”

McCoy said the 310,000 Albany County “residents are my boss” and “Good citizens elect bad politicians by not voting.” He said he desires Albany county to be the greenest county. Solar panels, he said, are being installed on

county buildings and energy efficiency is being enhanced in the same buildings.

Regarding the rail trail, he said the county has invested \$3 million so far, bridges are being repaired, and walkers and bikers can now travel from the Port of Albany to New Scotland. A link from the port to the Hudson River still needs to be completed. He said, “You have to invest in your own future” and he likes to complete projects without taxpayer money by being creative with partnerships.

Mr. McCoy said he was offended by comments made by former county legislator Tim Nichols that he (McCoy) had taken \$10,000 from the tobacco industry. He said he was instrumental in having supermarkets in the county remove cigarettes from the isles and cigarettes “are still in the store but you do not see them.” He said kids are “puffing on e-cigarettes in a big way now.” He said that while he believes 18- to 20-year-olds should be able to drink alcohol and smoke because they can vote and serve in the military, he has “no issues with raising the tobacco purchase age to 21.”

Speaking of Save the Pine Bush, he said “You [SPB] are the experts. Not me. Educate us. Let us know what works {and} what doesn’t.” He said we are not recycling to the best of our abilities in the City of Albany, you must educate and frequently, and “we have to get info” about the best solid waste practices “into these kids’ schools or we lose them.”

During the Q&A, he suggested bicycle safety be taught to kids in schools and in response to a question from Lynne Jackson, said he would “love to reopen” the Bath House No. 2 closed a few years ago by former Mayor Jerry Jennings. He said the county has tight finances and cannot do take all the initiatives some would like and the county has 47 unfunded mandates.

Lynne urged Mr. McCoy to write to President Obama urging him to stop bombing other countries and redirect funds to improve the US. Mr. McCoy responded saying at Albany High School, we lost a music program and a year later we had an ROTC program. He continued, “I want to work with you even if I don’t like you. Isn’t it better to work together than against each other? We have lots of hungry seniors and kids in the hill towns. They are expensive to serve.” He said he gets along better with Albany’s current mayor than her predecessor but when he and Kathy Sheehan disagree, “we keep it between us.”

Mr. McCoy continued. He said the county will soon have a mental health court. The “cops do not want to arrest them,” he said. The “courts can help them instead of jails, with a better outcome.” He said the county has a free dental

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Pipeline News

by Tim Truscott

There has been plenty of energy pipeline news in the Capital Region of New York during the month of April. Here is some of it:

Northeast Energy Direct Pipeline “Suspended”

On April 20, Kinder Morgan, the developer for the Northeast Energy Direct (NED) 30-inch diameter natural gas pipeline, announced it was “suspending” the 400-mile, \$3 billion proposed project, which would have run from the fracking fields of northern Pennsylvania to Dracut, Massachusetts, near Boston. The NED would have paralleled the Constitution gas pipeline through New York from the Pennsylvania border to the Town of Wright, in Schoharie County, then continued east through Albany County, crossing the Hudson River and passing through Rensselaer County on its way to the Massachusetts state border. Locally, the pipeline would have had huge, noisy, air polluting compressor stations in the Town of Wright and in the Town of Nassau, Rensselaer County, perhaps near Burden Lake.

The project was said by its developers to have been suspended because of low gas prices and “insufficient contractual commitments from customers in the New England market”. However, despite Kinder Morgan’s announcement that the project has been “suspended” or “shelved”, the Federal Energy Regulatory Commission (FERC) has stated it has received no notification from Kinder Morgan that it is withdrawing its proposal. The FERC also states that they have no project status classification akin to “suspended”, “shelved” or “on hold”. So the precise status of the project is uncertain at this point.

KM was said by a company spokesman to have secured commitments for roughly half of the pipeline’s capacity. Planning a project to the point of actually surveying the right-of-way, as KM apparently has done, yet having only as much business lined up as is needed to make the project successful, seems like a major error. Or evidence of a major gamble. There were assertions by environmentalists, months before the project suspension took place, that the major purpose of the NED was to carry fracked gas to export terminals. The NED would have been able to connect to another pipeline near Boston and carried the gas north to Canadian ports, probably in Nova Scotia.

It appears that the NED (and probably other proposed gas pipeline projects) were being developed under the guise of serving domestic residential and electric power generating customers, but were really planning and making most of their profit on exporting LNG overseas.

Constitution Pipeline

Water Permits Denied by DEC

On April 22, Earth Day, the Cuomo administration denied the water quality permits for the proposed Constitution natural gas pipeline, which would have run from the Pennsylvania border south of Binghamton, to the Town of Wright in Schoharie County, paralleling the proposed Northeast Energy Direct (NED) pipeline. The water quality permits are needed by the pipeline developers in order to begin to begin construction. Most of the pipeline’s federal permits have already been approved and the project developers have already shipped all of the pieces into the state. In Pennsylvania, they’ve even begun clearing trees.

The Constitution would carry gas from the fracking fields of northern Pennsylvania through parts of Broome, Delaware, Otsego and Schoharie counties in order to connect with existing pipelines in the Town of Wright. While it was billed as a pipeline which would have served domestic customers, at Wright, the Constitution would have been able to connect to a pipeline (the Iroquois pipeline) which could have carried fracked gas to export terminals proposed to be built on the east coast of Canada.

The DEC’s chief permit administrator, John Ferguson, wrote in the rejection that the Constitution pipeline application did not contain adequate information to determine whether it would meet water quality standards.

Predictably, DEC’s decision angered business. According to Heather Briccetti, president The Business Council of New York State, rejection of the Constitution will cost New York jobs and put further strain on the state’s energy grid. Even top Cuomo Administration officials, including Public Service Commission Chairwoman Audrey Zibelman, have said the energy grid will need more pipeline capacity in the future.

What’s Been Happening Here With Gas Pipelines?

While it’s good news that both of these gas pipeline projects have been cancelled (or at least delayed), I think these events have come about for slightly different reasons. The Constitution Pipeline project was stopped because of citizen opposition resulting in heavy pressure being placed on the Cuomo Administration. The Administration would have faced thousands of angry environmentalists, had the DEC approved the water permits.

Similarly, the NED faced heavy and growing opposition across New York, Massachusetts and New Hampshire (the proposed NED route would have entered New Hampshire from Massachusetts then crossed back into Massachusetts

again before reaching Dracut). In addition to ordinary concerned citizens, pipeline opponents had organized both Republican and Democratic opposition among political representatives on the local, state and federal levels. Opponents had also started zooming in on specific local environmental issues, such as the effects of compressor stations, the issue of eminent domain and illegal trespassing by contractors of the pipeline company.

Perhaps more importantly, the entire project (or the entire fracked gas industry) has been based on shaky financial footing, making it a gamble. It appears that this industry has been based on the premise that fracked U.S. natural gas will be exported to other parts of the world, which is potentially a huge market, as liquefied natural gas (LNG) carried on large ships. The liquefying facilities, to be located at ports on the west coast of the U.S. and Canada, and on the east coast of Canada, would be terribly expensive to build (costing in the billions for each one) and would require numerous permits, resulting in numerous lawsuits. Local opposition to these port facilities has caused permitting to drag on for as much as ten years, with each year making the proposed projects more expensive. The skyrocketing costs of port facilities projects, along with escalating costs of the pipelines themselves and a weaker than expected demand of LNG overseas, resulted in most of these projects becoming infeasible.

As an example of what is happening with LNG proposals, the city of Warrenton, Oregon, have been fighting a proposal by Oregon LNG to build a \$6 billion LNG export terminal. The fight came to an abrupt halt on April 15 when Oregon LNG notified city and state officials that the company would withdraw the proposal. The holding company behind the project, Leucadia National Corp., was apparently no longer willing to bankroll the effort. The announcement ended a long period of acrimony over a controversial project that galvanized residents to protect the Columbia River and caused political upheaval

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clinic that serves more than 5000 children. He said Albany County has had an influx of refugees who are getting free first-time dental care and the county has a domestic violence court. He said “go to legislators and speak up,” we should be able to vote on-line, “keep us honest,” and “take a tour of the Pine Bush and you will appreciate it.”

He said “knocking Madison Ave from four to two lanes is crazy. It is one of the main thoroughfares into the city.” He said in Albany “the mayor has all the power. She does not need the council. I need to negotiate with 39 legislators.”

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in Clatsop County.

The provincial government of British Columbia had set a goal of having three LNG projects in operation by 2020. That goal was said to be “a generational opportunity to ship B.C.’s natural gas to Asian markets to reduce climate change.” But, like Warrenton, Oregon, LNG developers have met crippling opposition. And now, with no LNG projects confirmed, British Columbia’s once booming gas fields are now one of the worst places in the province to find work. Like the Bakken crude oil boom, poor planning, deceit, cutting corners and excessive hype have led to desperate times for many people.

There is no doubt in my mind that fossil fuel projects, such as pipelines, have come about because the developers were allowed to take shortcuts and were given unfair benefits (such as eminent domain). But, what can we expect from an industry which is “regulated” by a federal agency (the FERC) which is financially supported by the industry members it regulates and is not answerable to the citizens it is supposed to protect. We need to make sure all fossil fuel projects follow the rules, pay the full costs and don’t end up being subsidized by the citizens. We also need to change state law so that eminent domain is not permitted for projects of this nature.

Pilgrim Pipeline

Opposed by Citizens and Municipalities

The proposed Pilgrim Pipeline, which would actually be two parallel pipelines, would run from the Port of Albany to the Phillips 66 Bayway refinery at Linden, NJ. One of the two pipes of the Pilgrim would carry crude oil from Albany to NJ, while the other pipe would carry finished petroleum products (such as heating oil and gasoline) from the New Jersey refinery

back to Albany for distribution throughout the Northeast. Of course, there is nothing to prevent Pilgrim from carrying crude oil from Albany to NJ through both pipelines and not carrying any finished products back to Albany.

If tar sands crude oil were to be shipped from Global in the Port of Albany to a New Jersey refinery (remember Global still wants to build a heating facility in Albany), the tar sands would be diluted with petroleum distillate before it is placed in the pipeline. Something would need to be done with the petroleum distillate diluent once it reaches New Jersey, and more petroleum distillate would need to be brought into Albany. It seems logical to me that one pipe could be used to move diluted tar sands to New Jersey, while the second pipe could be used to move petroleum distillate from New Jersey back to Albany.

The Pilgrim Pipeline has the potential to carry far more crude oil from Albany to New Jersey than is currently being carried by water transportation. This means, of course, that there will potentially be much more crude-by-rail traffic traveling over the rail lines coming into Albany, resulting in far greater dangers than New Yorkers and Albanians are already subjected to.

For a large part of its course going south, the Pilgrim is proposed to be installed along the right-of-way of the NYS Thruway.

Initially, the NYS Thruway Authority (NYSTA) sought to be the lead agency for the environmental review (SEQRA). Environmental groups vehemently opposed this proposal, asserting that NYSTA was not equipped to conduct an environmental review, and that only DEC was qualified to take on this responsibility. Further, the environmental groups pointed out the potential conflict of interest brought about by NYSTA being the lead agency for its own project, for which it would reap financial gain.

The Cuomo Administration sought to assuage the concerns of the environmental groups by proposing that DEC and NYSTA share co-lead agency status. This proposal has also been rightly opposed by environmental groups because of the conflict of interest potential, and because DEC’s own rules forbid co-lead agency arrangements for purposes of environmental review. The groups, of course, also oppose the pipeline proposal because of the environmental and public safety danger which would be brought by the project.

A unique situation has developed after environmental attorneys researched NYS pipeline transportation law. It has been revealed that, according to an 1800’s provision of the New York State Transportation Corporations Law, non-gas pipelines passing through cities and villages (but not townships) need to be approved by a two-thirds vote of the residents of those municipalities. Crude oil pipelines are not regulated by the Federal Energy Regulatory Commission, as are gas pipelines. Therefore, federal regulation would not pre-empt local control and approval.

The pipelines would cut through 31 towns, villages and cities in Albany, Rensselaer, Greene, Ulster, Orange and Rockland counties. The Pilgrim Pipeline has been formally opposed by the environmental groups Catskill Mountainkeeper, the Natural Resources Defense Council, Riverkeeper, Scenic Hudson and the Sierra Club Atlantic Chapter. The groups urge the Thruway Authority and DEC to either direct that Pilgrim withdraw the application or suspend review until Pilgrim demonstrates the project’s feasibility and submits all other necessary permit applications and supporting information. Resolutions opposing the pipeline have been adopted by a number of municipalities and county governments. A Resolution is currently under consideration by the Albany Common Council.

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