



Save the Pine Bush

April/May Newsletter

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Vegetarian/Vegan Lasagna Dinner Wednesday, April 18 2018, 6:00 p.m.

Joe Paparone

from the Labor-Religion Coalition of NYS and

Vivian Kornegay

from AVillage and a former Albany Common Council member will speak about

The Poor People's Campaign: A National Call for Moral Revival

The Poor People's Campaign is taking up the vision and call of Rev. Dr. Martin Luther King's last campaign, challenging the four interconnected evils of systemic racism, poverty, militarism, and ecological devastation. Led by directly impacted communities and moral leaders, the campaign is launching in May with Nonviolent Moral Direct Actions in over 30 states and Washington D.C. Come hear Vivian and Joe describe the campaign, actions planned for Albany, and how members of Save the Pine Bush can get involved.

At the Westminster Presbyterian Church, 85 Chestnut Street (people with cars can park in the lot near the door). All-you-can-eat lasagna dinner, with vegetarian, vegan and gluten-free options, salad, garlic bread and delicious desserts. 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 welcome to attend the program beginning at 7:00 for which there is no charge.

Save the Pine Bush April Walk Saturday April 28, 2018 at 9:30 AM

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: Andy Arthur • For More Information: 518-281-9873

This month, Andy Arthur, will lead a spring hike on Blueberry Hill. We will enjoy the flowers and fauna, views of the Heldebergs and observe the restoration process.

Please wear protective clothing to prevent tick bites. Bring deet 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.

The hike is free and open to the public. Bring your friends!

Neil Gifford Presents A Pine Bush Update

by Tom Ellis

ALBANY, NY: At times speaking poetically, Albany Pine Bush Preserve Commission (commission) Conservation Director Neil Gifford spoke at length about the Karner Blue Butterfly (KBB) at the March 21 SPB dinner.

He began with a friendly joke that "It's Lynne and Rezsine's fault I am here tonight," a reference to the commission being created by state government after many years of SPB advocacy and litigation to protect the local pine barrens known as the Pine Bush.

Mr. Gifford used a PowerPoint and provided much information. He said the KBB is about the size of a quarter coin and KBB like to live in savannas--where the forest meets the prairie. Increasingly, he said, the KBB live in human influenced and dominated habitats.

The KBB has "two complete but separate life cycles" each year. They live 3-5 days and travel no more than a few hundred yards from where they were hatched.

Habitat loss and fragmentation are what

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Steve Downs Tells the Legal History of Save the Pine Bush at SPB's 40th Birthday Party —Part 1

by Lynne Jackson

ALBANY, NY: Lynne Jackson, a volunteer for Save the Pine Bush, gave a brief introduction and described how SPB started. On the night of February 6, 1978, as the "Blizzard of 78" was pounding the Capital District, a couple dozen brave souls nevertheless ventured to the Albany Public Library to speak out at a public hearing on four proposed developments in the Pine Bush. Prior to the hearing, a few people met first at an old fashioned restaurant on Lark Street. The group could not believe the city would actually hold the hearing in this terrible weather, as there was six inches of snow in Washington Avenue

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led to KBB losses in prior decades. Closed tree canopies also lead to KBB population declines and a lack of fires leads to the growth of closed canopies. Bad weather such as a few days of extreme heat during the short KBB lives can severely shrink KBB populations in subsequent years. KBB populations can also crash if the Blue Lupine, upon which the KBB feeds, dies before the KBB are hatched.

Wild populations of KBB now exist in three states: Wisconsin, NY, and Michigan, he said. The Albany pine barrens is the largest inland pine barrens east of the Rocky Mountains.

The KBB was listed as endangered in the Albany Pine Bush by the NYS Department of Environmental Conservation (DEC) in 1977 but it is now fully recovered said Mr. Gifford.

Mr. Gifford said that when natural fires occur, they burn in a mosaic across a landscape. Thus some KBB habitat will survive fires. "It is like a dance of fire of through time and space," he said.

"Albany's pine barrens," he said, "is the best inland pine barrens in the world and is getting better." Albany's pine barrens is home to 76 species of "greatest conservation need." The Pine Bush has 3300+ acres of protected lands and the commission has identified 2000 acres it hopes to add to the preserve.

He said the commission manages lands owned by three municipalities and several state agencies, the commission tries to restore land to pine barrens, and fire is the principal tool of management,

Black locust trees, he said, "completely alter" pine barrens soils, temperature, and humidity. The commission, he said, wants to destroy black locusts. Trees are cut, the roots pulled out, and new sprouts poisoned. The land is then reseeded with three pounds of blue lupine per acre and other native species. Habitat is burned frequently. "Restoration is a dynamic process over time," he said. After ten years, scrub oaks begin growing.

The commission has removed 400+ acres of black locusts with 300 more to go, he said. The scrub oak is sometimes thinned to make room for lupine. The KBB is a savanna animal that can move into and out of shaded areas to their benefit. Some 1100 acres of aspens, he said, have been thinned allowing the pine barrens to thrive. Planted lupine does "exceptionally well" after a fire, he said.

The commission conducts controlled burns no more than 13 days per year; the fires are easier to control than where the smoke disperses. He joked the commission "ripped up a 4-acre parking lot and planted a paradise" in 1996.

In 1997, he said there were ten acres of KBB habitat, today almost 700 acres of lupine exist.

KBB, he said, will avoid "perfect habitat" if there are few or no other KBB there. "They are a party animal," he said; they like lots of fellow KBB to be nearby.

In recent years, the commission has "jump-started" the KBB populations. The commission colonizes each site once. KBB populations are counted on 100+ acres each year. Using a formula, the uncounted KBB populations can then be estimated.

KBB populations can fluctuate naturally and the commission's goal is to keep their numbers well above the desired minimum each year, year after year.

Insects respond to climate, he said. "The conditions where KBB can thrive will shift north," he said, and it is unknown if the KBB can make the shift from south of the Great Lakes to new habitats mostly north of the lakes. KBB, he said, will need human help to successfully make the jump north. The Albany pine barrens, he said, may not be suitable for KBB in 100 years; however, the Pine Bush may be able to host species then that do not now live there.

Speaking in general of the work of the commission, he said, "We use the wildlife to know if we are managing successfully." The commission now works with social scientists to determine human attitudes toward various management practices. The Pine Bush is not a forest, the commission has been burning land since 1991, and most people will accept cutting trees in the pine bush once informed the pine barrens should not be a forest. He said Albany County residents now accept fires because they have gotten used to them are have been educated over many years why fires are done.

"The bigger the preserve of scrub oak pitch pine we can create the more successful we will be," he said. Pine Bush visitors can now sometimes see "a karner blue cloud" of hundreds of butterflies during July.

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and New York State had sent its employees home at 3:00. The snow and lack of ploughing made driving nearly impossible. However, the hearing was held; the developers were given all the time they wanted to speak, about an hour and a half, and then the opponents were allowed to speak. After about ninety minutes of the citizen's speaking against the developments, the Albany City Planner, Dick Patrick said, in the understatement of the year "the weather is getting kinda bad out" and closed the hearing.

John Wolcott told Lynne that one of the participants at the hearing said "That's not fair."

Dick Patrick responded "Life is not fair." When SPB sued the City over the approvals of these developments, that statement was used against the city, winning the lawsuit for Save the Pine Bush.

Steve Downs, SPB attorney, began his talk by emphasizing how important it is for the story of SPB to be told. He said we all have stories of Save the Pine Bush and he wants to record everyone's story. These stories, he notes, that could inspire another generation.

Steve talked about his "four favorite legal legacies." He noted that SPB burst forth on the scene in 1978 all set to go and one of its first acts was to sue the City of Albany. And SPB then proceeded to file about one lawsuit each year in the next 30 years. It is, he said, an astonishing record, unlike anything else he knows about.

This litigation of SPB is particularly odd, said Steve, because most conservation organizations are more genteel about preservation — if they had a motto, it would be more like "Lady and gentlemen conservationists do not sue; we negotiate with willing landowners." Somehow, SPB broke that mold, and went off in a completely different direction. One of the questions that came to Steve while preparing for his talk was what was it about SPB that started them off in such a different direction? Steve described five legal and political factors that set the stage for the SPB to be born.

Read Part II of Steve Downs' Legal History of Save the Pine Bush in the June/July 2018 Newsletter.

Do you have a story to tell about Save the Pine Bush? Please email all stories to Steve Downs at swdowns68@aol.com

Receiving our Newsletter via Paper or Email

Save the Pine Bush turned 40 this year. For 40 years, it has protected the Pine Bush and the Karner Blue Butterfly. For 40 years, volunteers have diligently mailed newsletters out.

As the technology has changed over the past four decades, so have the options of distributing our powerful newsletter. Assuming you have an email account, we can now easily email it to you as a PDF. The advantage of this would be NO paper, no cutting down trees, less cost to the "Save the Pine Bush," and less of a workload to get the newsletter out.

However, we want YOU to make the choice. Do you want to continue receiving a paper newsletter or prefer receiving our newsletter electronically?

Please let us know if you want to receive the newsletter via a PDF by emailing us your name at pinebush@mac.com.

Anerobic digester and the Albany Landfill

by Diana Wright

On March 28, Albany and Saratoga Counties unveiled plans for a jointly funded aerobic digester facility in Menands. It has bi-partisan support in the Albany County Legislature and will save each county \$1 million annually. It will shut down 4 incinerators at the current facility, which spew out toxic chemicals into the air, and will instead create green energy which could potentially power, in part, the Sheridan Hollow facility. (see article in the Saratogian at: <http://www.saratogian.com/general-news/20180328/saratoga-albany-counties-join-forces-on-45m-waste-to-energy-plant>)

The state of the art facility, which could cost as much as \$45 million to build, will primarily take in sewage sludge, but will also be designed to use food waste from area institutions such as

the Albany County nursing Home, Jail hospitals and schools.

PAUSE is in support of this project and needs the help of area environmentalists, planners and recyclers to put pressure on the City of Albany to look at collaborating with the County and the region to solve it's solid waste problem. The City landfill is expected to reach capacity in 2-3 years. At which point the Mayor plans to build a \$30 million transfer station to ship our trash across the state and even across state lines to someone else's "back yard". Basically kicking the can down the road until those landfills close as well. While at the same time creating carbon pollution from the diesel trucks transporting our waste hundreds of miles away.

Solid waste is a global problem. Albany is

currently taking in solid waste from many other communities, expediting the looming closure of the Rapp Road facility by years. The Mayor and DGS have implemented new recycling bins for the single stream recycling center on South Pearl, for which they are to be commended. However, much more is needed to reduce our waste stream. A subcommittee of PAUSE is meeting to come up with a strategy to convince the Mayor to collaborate with Albany County to utilize the new Anerobic digester facility to reduce our waste and present a plan that is sustainable, environmentally and economically beneficial to the city and the Capital Region. Please contact Diana Wright if you are interested in sharing your time and ideas to this project. comphomellc@gmail.com 518-465-9748.

Landfill truck traffic in Rensselaer affecting quality of life for residents.

by Christine Kielb

Each weekday, from 6:30 am to 4:00 pm, up to 100 large tractor trailer trucks (18-26 wheelers) arrive off the Dunn Memorial Bridge onto Broadway Street in the City of Rensselaer. These trucks travel north on Broadway, turn east onto Partition Street and proceed up and down its steep hills through residential neighborhoods to a Construction and Demolition (C&D) landfill situated at the top of the hill to the east of the city. These trucks come from several states in addition to NYS, including Vermont, Massachusetts, New Hampshire, and Pennsylvania.

Many residents wake at 6:30 each morning to the loud roar of these trucks, and throughout the day they endure the noise, vibration, dust and diesel pollution that come with them. These trucks are so big, heavy, noisy and numerous that they ruin the quality of life for the residents on Broadway and Partition Streets and adversely affect local business. The trucks also cause traffic congestion, with residents driving to and from work often stuck behind them. They also pass by schoolchildren waiting for the bus, a potential public safety issue. This constant truck traffic is also out of character with the future vision for the city that includes developing the waterfront.

A truck census conducted on Partition Street in June 2017 counted a total of 99 18-26 wheeled trucks going to and from the landfill. It found that many trucks coming back from the dump were uncovered, and a few were not totally covered going in. This is a violation of the DEC permit. Additionally, records indicate that the landfill has taken in household waste, and asbestos was found at the landfill, both violations of the permit.

This problem began in 2012 when the Department of Environmental Conservation ap-

proved a plan to allow the operation of a C&D landfill on a hill to the east of the city to fill in the cavities created by a gravel mining operation. This approval was granted despite an inadequate noise survey by the DEC. Most of the residences affected by noise from the trucks are on lower Partition Street, where the trucks strain to go up hills with their heavy loads and where the empty trucks bang and rattle on the return trip from the landfill. Despite this, most sampling took place in the areas close to the landfill where few residents live. Additionally, the DEC air study looked only at dust, with no testing or estimation of diesel pollution from these trucks. Furthermore, public input was not taken into consideration, with the DEC responding to each comment that 1) this route has traditionally been a corridor for mining and other operations and 2) the nature of the truck traffic is not expected to change. Previously, smaller tri-axle trucks used to haul gravel from the mine passed through these neighborhoods, whereas the new traffic consists of large tractor trailer trucks. At up to 100 trucks per day, each making a return trip, the neighborhood is burdened with up to 200 truck trips per day, up to 1000 trips per week and up to 52,000 trips per year.

When questioned about this by a local environmentalist at the Green Energy Expo held at Doane Stuart School in Rensselaer last fall, the mayor, Dan Dwyer, replied that no one has complained. It appears the mayor is in denial. Residents issued comments at the time of the proposal going public and have since attended numerous city council meetings to voice their dissatisfaction with the situation.

City Hall defends this activity by asserting

that it brings in money to the city, but it does not acknowledge the cost in repairs to the city streets and other infrastructure for the damage done by these trucks. The \$1,000,000 per year that The city gets in fees from this landfill operation is dwarfed by the many millions made annually by Waste Connections, a Texas outfit who bought the facility in 2014. This landfill operation, larger than the Colonie and Albany landfills combined, is anticipated to continue for many years, possibly until 2036.

The primary goal of affected residents is to lobby for an alternate route for the trucks. Another group is focused on closing the landfill, which threatens a nearby public school, is next to a cemetery, and is probably polluting the nearby Quackenderry Creek.

To date, residents have done the following. 1) Conducted a truck census as described above, 2) circulated a petition in the neighborhood that has been signed by over 40 residents (work on that continues), 3) met with the local Sierra Club executive committee to present information on the problem. The SC recommended obtaining documents from the DEC, 4) met in November with Assemblyman McDonald and Senator Breslin. Among our list of asks were for DEC documents to be obtained, including the permit, any inspections and any citations for violations. A joint meeting with the representatives, the DEC, the DOT and the mayor was also requested. To date we have not heard back except to be informed that the DEC does not consider the affected neighborhoods to constitute an environmental justice community.

A Facebook group was recently created:

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Stop Trucks Assaulting Rensselaer (STAR). The mission of this group is to raise awareness and generate opposition to the landfill truck traffic passing through Rensselaer's residential and small business neighborhoods. Posted on this page are pictures and videos of the truck traffic, including a video of a truck passing by as school children wait for their morning bus. All interested parties are encouraged to join, comment and post on this page.

Future plans for fighting this landfill and its associated truck traffic include following up with the state representatives, another meeting with the Sierra Club, and possibly consulting a lawyer.

Happily this issue is being covered in an in depth investigative article authored by Brian Nearing of the Times Union. Brian has interviewed residents and has acquired documents containing information about how the landfill was planned for as well as details about its operation. The article is appearing in the March 25th Sunday edition of the TU. Brian has offered to share the documents he has obtained with residents. A link to his article will appear on the Facebook page: "Stop Trucks Assaulting Rensselaer (STAR)".

Special mention to Tom Ellis for his help with this issue.

Upper Hudson Peace Action Annual Dinner – Wednesday 05/09/2018 - 05:30 pm

Medea Benjamin will speak at Upper Hudson Peace Action's annual dinner at 5:30 p.m. May 9 at St. Andrew's Episcopal Church, 10 North Main Ave., Albany. Benjamin is one of America's best-known 21st-century peace and social justice activists. Co-founder of CODEPINK and the fair trade advocacy group Global Exchange, she is also the author of numerous books. The latest of them, *Inside Iran* (2018), will be available at the UHPA dinner. In 2012, she was awarded the U.S. Peace Memorial Foundation's Peace Prize. She is also recipient of the 2014 Gandhi Peace Award and the 2010 Martin Luther King, Jr. Peace Prize from the Fellowship of Reconciliation. The holder of graduate degrees in both public health and economics, she is the mother of two children and lives in Washington, D.C. This is a potluck dinner; bring a dish to share. Suggested donation \$25 (More if you can afford it, less if you can't.) Free admission for students. RSVP to 518-595-9324, info@peaceact.net.

Governor Cuomo! Walk the Talk on Climate

Statewide March and Rally

April 23rd - March starts at Sheridan Ave., Albany

- 1) Stop all fracking infrastructure
- 2) 100% renewable energy
- 3) Make corporate polluters pay

Co-sponsored by the Sheridan Hollow Alliance for Renewable Energy (SHARE), Citizen Action of NY, Food and Water Watch, Environmental Advocates of NY, Sane Energy Project, NY Renewables, Powerhouse Residence Community Association, Sierra Club Atlantic Chapter, Stop NY Fracked Gas Pipeline, Save the Pine Bush, Clean and Healthy NY, Solidarity Committee of the Capital District, A Village, PAUSE, and many many more.



Next Dinner Dates

**Wednesday, April 18, 2018
Wednesday, May 16, 2018
Wednesday, June 20, 2018**

No dinner in July

**Wednesday, August 15, 2018
Wednesday, Sept 19, 2018
Wednesday, October 17, 2018**

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