



Save the Pine Bush

October Newsletter

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Virtual Vegetarian/Vegan Lasagna Dinner

Wednesday, October 21, 2020, at 7:00 p.m.

(Please logon between 6:30 and 7:00)

Bill Reinhardt

Albany County Legislator

Barbara Heinzen

Self employed, helping people imagine the future
will speak about

Grass Roots Victory For Cleaner Air

It takes a village to make a law. It also takes hard work, a lot of time and sustainable passion. The victory to pass Local Law B for clean air in Albany County took two years to accomplish and began in August 2018 when Doug Bullock sponsored a bill to ban tire burning by Larfage Holcim. When Doug was not reelected, Bill Reinhardt took over as the sponsor along with four other legislators. After many discussions and strategy sessions, banning the burning of PFAS by Norlite was included as was the burning of other toxic chemicals. Numerous people from the grass roots often spoke, made phone calls, wrote letters and e-mails and sent out action alerts. In August 2020, Dan McCoy signed Local Law B into law.

People can join using their computers or phones. **Join the call to test your connection and chat between 6:30 and 7:00 p.m. Please join early, so the program can begin promptly at 7:00. People can join using a computer, iPad or phone.** Join the online meeting by computer using this link: <https://join.freeconferencecall.com/lynnejackson9>. Or, by phone, dial-in number (US): (712) 770-4104; use the access code: 878906#. Everyone is welcome! If you have problems signing on, please email lynnejackson@mac.com.

See you online at 6:30! • Everyone is welcome! • Easy to Join!

No Save Pine Bush Hike

However, the Pine Bush is open for social distancing hikes and walks. The Discovery Center and the outdoor rest rooms are open for limited hours. The ecosystem is open to visitors. Please practice social distancing, and take precautions for ticks, and enjoy the great outdoors!

www.savethepinebush.org

Rezsins Adams is Remembered

by Tom Ellis

ALBANY: Save the Pine Bush President Rezsins Adams, who died August 13 at age 93, was lovingly honored and remembered at a September 16 virtual Save the Pine Bush meeting facilitated by Lynne Jackson.

Carol Waterman said Rezsins had a wonderful sense of humor, could be hilarious, and once allowed herself to be all dolled up as part of a Ladies Against Women guerrilla group skit; Rezsins posed and preened like a fashion model. Carol, who knew Rezsins for 52 years, said "Rezsins got into every cause I got into," "Rezsins is the mother of us all" and "her memory an eternal flame that will always light our way."

Pat Beetle knew Rezsins sixty-plus years. Pat said Rezsins was the secretary of the Women's Legislative Forum that lobbied at the NYS Capitol in the 1960s. She said Rezsins's mimeograph machine "should be in a museum. It is a sacred

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Pyramid Submits Inadequate Final Environmental Impact Statement

*Science Experts find errors throughout the
EIS for the Rapp Road Residential/Western
Avenue Mixed Use Redevelopment Projects*

By Grace Nichols

GUILDERLAND: Save the Pine Bush science experts have reviewed the FEIS for the Rapp Road projects and found it lacking. This article will outline some of the main issues discovered by scientists in the FEIS.

There are many reasons to oppose further development in the Guilderland Pine Bush from a standpoint of community defense from overdevelopment, when the hope of profits and tax revenue has overtaken a sense of reason in urban planning.

Pyramid Corporation's Environmental Impact Statements filed with the Town of Guilderland seek to rationalize this sprawling development in rare habitat. Save the Pine Bush

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thing.” Pat recalled the peace calendars Rezsins created, mimeographed and distributed every month for many years. Rezsins was “the mother of the peace movement” in our region. Pat said Rezsins and her husband Ted were very generous, were involved in efforts to buy the Social Justice Center, and was “an icon and we miss her very much.”

I (Tom Ellis) said Rezsins was already a local legend when I first met her in November 1978 when we distributed radiation and health informational flyers to workers entering and departing work at the Knowles Atomic Power Laboratory in Niskayuna. I said I often observed that Rezsins always noticed the work people did and personally thanked them for doing it. Anita Thayer said Rezsins and Ted always had money for bail and other things.

Gregg Bell said Rezsins and Ted “made our community strong in so many ways.” He said his first memory of them was at Page Hall in 1967; he recalled Ted’s mittens were tied together with a string so they would not get separated and lost. Rezsins, he said, was a part of countless neighborhood association activities, and “Rezsins set an example for two-to-three generations of activists.”

A woman from Westminster Presbyterian church said Rezsins attended Africa programs at the church, made sandwiches for these events, and walked all over Albany. She said it “was a privilege to know her.”

Paul Rosenberg said that as soon as he met Rezsins in 1980, he began seeing her everywhere. He said Rezsins mimeographed the Honest Weight Coop’s Coop Scoop for many years, Paul saw Rezsins at the Peace Breakfasts, and he remains honored to have been invited to call a dance a few times at SPB holiday dinners. Rezsins was a “very inspiring person,” he said.

Kathy Manley met Rezsins in 1981 when Rezsins was involved with the Peace Breakfasts. Kathy said Rezsins mimeographed the newsletters of the Committee in Solidarity with the People of El Salvador (CISPES) and the Pledge of Resistance. She recalled Rezsins’s participating in a big demonstration of more than 1000 at the O’Brien Federal Building in 1991 when the first Gulf War started. At another demonstration, many high school students were arrested along with Rezsins and Pat Beetle. Rezsins spent eight nights in jail. Kathy said Rezsins was “a great mentor and icon.”

Susan DuBois said she met Rezsins at a SPB garage sale in 1982 shortly after moving to Albany. She said some of Rezsins’s mimed documents are in the Swarthmore Library Peace Collection.

John Cutro met Rezsins in the late 1970s.

He recalls his daughter seeing a photo of Rezsins, Pat Beetle, and Liz Pearson in a social studies text book used at the Ravena-Coeymans-Selkirk public schools.

Chris Colarusso said Rezsins lived near her in Albany and was often out and about in the neighborhood. Chris sang a song in honor of Rezsins.

Pat Beetle said Rezsins was very active for years with the Social Justice Center’s Peace Offerings store and believes she and Ted were greatly involved with the purchase of the store. Lynne Jackson said Rezsins staffed the store for years, and after the store closed, sold Peace Offerings left-overs at SPB holiday dinners.

Dan Wilcox said he was a SUNYA student 1966-1969 and his girlfriend took courses from Ted. When he returned to Albany in 1987, Rezsins was one of the “elders” Dan “looked up to.” He said Rezsins often attended the annual May 31 Walt Whitman celebrations held at the Robert Burns Statue in Washington Park.

Russell Ziemia said Rezsins is in a few films, she had a WRPI radio show for about twenty years, and he and Cynthia Pooler are now making a documentary about Rezsins. Russell said Rezsins connected so many people through the mimeograph machine. He said Rezsins was part of the No Spray Coalition in 2003 during heightened concerns about the West Mile Virus and personally blocked spraying in Colonie by standing directly in front of the sprayers.

Nancy Benedict said Rezsins often helped David Murphy who now lives in a nursing home. Rezsins cooked food for many parties for David and his friends. Rezsins, Nancy said, was also a strong supporter for Citizens For Public Transportation.

Steve Redler said Rezsins was “a defining figure” and “a great example of what one person can do.” Rezsins was active in the Grape Boycott, the anti-nuclear movement, and she was honored at the same Jim Perry award dinner that he was. Steve said it was a pleasure to know Rezsins, “we owe a debt of gratitude to Rezsins,” she was “quite an inspiration”, and was “pivotal to my involvement and continuing involvement.”

Anne Litsky recalled seeing Rezsins at many parties at the Friends Meeting House on Madison Avenue.

Harriet Seeley said she “is in awe of hearing what others are saying,” and saw Rezsins and Ted at every Bard Music Festival, Rezsins wearing a sweatshirt, and said Rezsins “touched the city of Albany in many ways.

Mark Schaeffer said he met Rezsins at the 1986 Pinksterfest, he soon began attending SPB dinners, and said “Rezsins fed me more times than anyone else other than my mother.”

Sandy Dollinger, a neighbor of Rezsins’s,

saw Rezsins give quarters to people who needed them to ride a bus, Rezsins delivered food to needy people, helped a neighbor with disabilities buy a new tricycle after his was stolen, and was “the saint of the neighborhood.”

Lynne Jackson said she misses Rezsins “very much,” Rezsins was “part of my life,” and Rezsins “called me every day during my nine months of cancer treatment.” Lynne said she has Rezsins’s 1940s-model telephone.

Rezsins, Lynne, and Sandra Camp protested George W. Bush’s 1991 inauguration in Washington, DC in “horrible weather.” When a police officer searched Rezsins’s bag, Rezsins offered him her food for the day: a sandwich and apple. Rezsins also protested in Washington in “frigid weather” when the Second Gulf War began in 2003.

Lynne said that during the first ten years of Save the Pine Bush, Rezsins ran everything, performing very difficult work, that Lynne gradually began to take over. Lynne said Rezsins knew how to welcome new people into the cause and bring them along. Lynne said, “We need to bring young people along. We need to welcome them into these social justice causes.”

Lynne concluded the event recalling Rezsins’s comment to a news reporter when asked about what assets SPB possessed to fight a \$15,000,000 SLAPP suit filed against SPB. Rezsins said, “I think we still have about 200 ‘I’ll Never Shop Crossgates’ bumper stickers.”

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arranged for independent scientists to review the plans, the Environmental Impact Statements and examine the sites themselves. In detailed reports, scientists describe major objections to the project and to the studies Pyramid provided. This is an outline of some of their findings.

This Land is Pine Bush Habitat. Sites 1, 2 and 3 are valuable in their current state as vibrant habitat for diverse species, and also restorable to Pitch Pine-Scrub Oak barrens. Soils expert, Dr. Carl Stager states that the soils of Sites 1, 2 and 3 are Colonie and Elnora series with closely related Granby and Stafford types. All are fine-grained, sandy soils deposited by the de-Glacial Lake Albany after the last Ice Age. They comprise an acidic, nutritionally poor soil is typical of pine barrens, physical disturbance has not changed this. This land can be restored to pitch pine/scrub oak barrens. It can support pine bush plant species and many, including pitch pine have been found throughout the site. The contention that this land is not pine barrens is ludicrous.

Incomplete and Inaccurate Species Assess-

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ments and Conclusions:

With respect to birds; techniques and times of surveys weren't included in the FEIS. Impact of window strikes weren't assessed. Status of avian vulnerability not considered. Climate change impacts on birds not assessed. Effective habitat restoration not considered.

Dr. Naima Starkloff found six bird species not listed on the survey for Site 1 in just a 10 minute walk through the site. In a 45 minute walk through sites 2 and ; Dr. Starkloff found eight species which were not found by the Pyramid scientist, according to the FEIS. She also found mistakes in species identification in their report. Dr. Starkloff pointed out that 63% of birds in Eastern Forests are in decline, and the Atlantic Flyway — for which these areas are stopover points — has had a more significant drop in bird abundance than any other region of the country. In addition, of the 54 birds found in the development sites only 22 of the 54 would be expected to have a stable range in 2080. She noted that the Wood Thrush, which is a “Bird of Conservation Concern” in the Migratory Bird Act according to the USFWS, as being a bird on its way to becoming endangered is present on the site. In closing, Dr. Starkloff recommends that habitat use and reproductive output of all birds needs to be more clearly delineated. Bioacoustic studies of bird diversity should be done.

With respect to Karner Blue Butterfly habitat: The insect survey methods were not delineated whereas the time of year, time of day and weather conditions are critical to the validity of the studies. If the studies were not conducted in the right seasonal window they could not tell us the presence or absence of the federally protected Karner Blue Butterfly and the Frosted Elfin butterflies on site, according to Dr. Cynthia Lane, an expert in Karner Blue habitat. She found nectar species for these rare butterflies onsite; she said that rare plant surveys were not done and grasses and sedges, hallmarks of pine barrens habitat, were not assessed. Traffic impacts on wildlife were not assessed. The Heat Island Effects of the buildings on the microclimate were not assessed, but these can be expected to negatively impact the Karner Blue breeding site 200 feet away at Butterfly Hill.

With Respect to Mammals: Pyramid's species surveys had no bats at all found in these development sites, whereas independent bat bioacoustic surveys analyzed by Dr. Conrad Vispo on Sites 1 and 2 found five bat species, one of which is a Myotis species, either the NYS imperiled species, the Little Brown Bat or Federal and State Endangered Indiana Bat. In the last decade and a half, due to White-Nose Syndrome, all Myotis species have declined dramatically.

County Executive McCoy Signs Local Law B

by Tom Ellis

ALBANY: Albany County Executive Dan McCoy signed the anti-incineration Local Law B into law on September 10. The Albany County Legislature (ACL) had passed the bill after nearly a year of debate on August 10 by a 32-7 vote.

During the hour of public comment prior to the ACL vote, nearly all speakers endorsed the bill. The lone dissenting voice was a Lafarge cement factory manager.

Lafarge has a large cement factory in Ravena and had tried for the past fifteen years to begin burning perhaps millions of tires per year in its cement kiln, an activity prohibited by the new law. Lafarge is across Route 9W from the Ravena-Coeymans-Sellirk Middle and High schools. Despite Lafarge's high emissions and proximity to two schools, the NYS Department of Environmental Conservation (DEC) decided in 2005 to not require Lafarge to produce an environmental impact statement (EIS) for the tire burning.

The new law will also prevent Norlite in Cohoes from resuming incinerating toxic fire fighting foam in its hazardous waste incinerator. DEC allowed Norlite to burn two million pounds of toxic fire retardants from 2018 through Febru-

ary 2020. Many think it insane to try to burn fire retardants anywhere. Norlite is located right next to public housing and upwind of thousands of Cohoes and Troy residents.

The new law will prevent the construction of any new trash incinerator in Albany County. None is currently proposed but they are often talked about by politicians and waste industry officials. Operations at the 12-year-old filthy state-owned ANSWERS trash incinerator in the Sheridan Hollow neighborhood in Albany were ended in early 1994 soon after black soot twice coated the snow in Albany.

Former ACL legislators Doug Bullock and Rick Touchette initiated the county legislation immediately after Lafarge-backed candidates took control of the Coeymans Town Board in elections last November. Doug believes the fine tuning of the legislation over the past year resulted in a much stronger and better law.

Hundreds of Albany County residents and many others, forged an effective coalition that won this important public health victory. Hopefully other county governments will examine the new Albany County law and enact similar legislation.

All five bat species found are dependent on forested land for summer habitat, roosting from tree branches or under bark. There has not been a careful evaluation of bat fauna to delineate the impact of the development.

With Respect to Plants: Dr. Erik Kiviat found seven live and two dead pitch pine on Site 2, despite the statement of the Draft Environmental Impact Statement that there were only 2 planted pitch pine on the site. There were many more botanical inaccuracies found by Jack Magai (arborist), Dr. Erik Kiviat, and Dr. Cynthia Lane. Trees were misidentified, species were left out. The EIS used an outdated rare plant species list when the most recent NY Natural Heritage Program list should have been used. The methodology was not delineated and what was given was not sufficient.

With Respect to Reptiles: No reptiles were found on site which is suspect given that the Eastern Worm Snake, the Hognosed Snake and many more common snakes have been found in the area. No indication that appropriate methods such as coverboards were used to find reptiles. With respect to Amphibians, there is no indication that they looked at the right time of year.

With Respect to Moths: Night lighting from artificial night lighting has strong negative effects on Pine Bush Moth species according to moth researcher Dr. Timothy McCabe.

“New surveys for all species of bats, worm snake, hog-nosed snake, wood thrush, prairie warbler, other wildlife Species of Greatest Conservation Need, and rare plants (S1, S2, and S3-ranked species) should be conducted by independent, experienced field biologists at the appropriate seasons and with appropriate techniques and adequate survey effort.” -- Dr. Erik Kiviat, Hudsonia, Executive Director.

Buffer lands are not adequate protection for wildlife: The proposed 200 feet of “buffer” land proposed by Pyramid is a random number with no reason to believe it is an adequate buffer for any of the species present. No scientific rationale has been given for why 200 would be adequate.

Mitigation is inadequate: Pyramid has proposed to donate 8.4 acres of current Pine Bush classified as “Full Protection” to the Albany Pine Bush Preserve Commission as mitigation for constructing the apartments, the Costco and the undefined development. Dr. Lane writes that trading the destruction of 19.6 acres of habitat at Site 1 with protection for 8.4 undeveloped acres is not justified in the EIS. She states that no new habitat would be created by this arrangement. Dr. Starkloff agreed that the ratio of mitigation must be at least 1:1; meaning

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for each acre destroy, an acre of suitable habitat should be created.

Dr. Lane proposes the construction of an overpass over Rapp Road. to accommodate Karner Blue butterflies and other species who use them, and an underpass for reptiles, amphibians and mammals that use them.

The Value of Greenspace in Urban Habitat: Dr. Erik Kiviat of Hudsonia writes "Sites 1, 2 and 3 are part of an extensive network of preserved and non-preserved greenspaces in the Town of Guilderland and neighboring urban and urbanizing areas. These greenspaces have great importance for biodiversity, water resources, carbon storage, microclimate, and amenity. Clearing and development of these sites would cause further fragmentation and degradation of habitat for many common and uncommon wildlife and plant species. Operation of the proposed gas station (Site 2) would pose a high risk of groundwater contamination from spills and leaks in the highly permeable Colonie soils."

No Invasive Species Plan: Though many invasive species such as Japanese Knotweed were found onsite, there is no invasive species management plan to show how they will be controlled through non-chemical means. Knotweed attacks building foundations, so this is a safety concern as well.

Undelineated Wetlands: Dr. Kiviat found evidence of wetlands that have not been delineated in the official report. An independent wetlands assessment must be done.

Air Quality Study is incomplete: The proposed development does not properly apply the New York State Department of Transportation (NYSDOT) air quality analysis procedures. It does not recognize the importance of minimizing exposure of the public and wildlife to air pollut-

ants that will be generated by this project. It does not address parking lots, which are expected to be the highest source of emissions in the project area with 1700 parking spaces proposed. It does not address all air pollutants that will be emitted as a result of this project. The traffic study is insufficient for a project of this scale and magnitude.

In his comments on the FEIS, John Zamurs of Zamurs and Associates Air Quality Experts lists Carbon Monoxide, Nitrogen Dioxide, a range of particulate matter and Mobile Source Air Toxics which include benzene, 1,3-butadiene, formaldehyde, acrolein, acetaldehyde, and diesel particulate matter as hazardous emissions that have not been adequately studied, predicted or mitigated.

Climate Impacts Neither Described or Mitigated: The requirements of the New York State Climate Leadership and Community Protection Act are not met.

Some of the climate impacts stem from: Attracting new vehicle trips (cars and trucks) to the project area; Increasing congestion on nearby and upstream roadways; Using diesel-powered construction equipment during project staging and construction; Using building materials, fixtures, interior materials, etc. that were not sustainably sourced.

Traffic Study Inadequate: The traffic study does not address regional impacts to the transportation network and to local roads and streets upstream from the project area.

In many cases, the studies themselves were so shoddy that the impacts of the project couldn't be assessed. However, what we do know points to grave dangers for the ecosystem, the species currently present on these sites, the climate, the air quality for all residents, and the groundwater from the total and permanent destruction of land that supports pine barrens habitat, carbon sinks and a buffer for an important Karner Blue breed-

ing population. Some rare species have been found on these sites and others are likely to be there when competent studies are done.

Save the Pine Bush firmly believes the FEIS for this project is inadequate. Pyramid should be required to go back to the drawing board, and do a thorough environmental impact statement. This land is too important.

Status of the Rapp Road Residential/Western Avenue Mixed Use Redevelopment Projects

By Lynne Jackson

GUILDERLAND: The Town of Guilderland Planning Board has adopted the Final Environmental Impact Statement for this project proposed by Pyramid. However, the Planning Board has not approved the site plan yet.

Next steps include: a review of the project by the Albany County Planning Board; the Zoning Board of Appeals reviewing the proposed Costco site and the Planning Board approving the site plans.

There has been no resolution regarding the traffic and roads. According to the FEIS, if the City of Albany does nothing, then, Rapp Road will be closed. A few weeks ago, the City did temporarily close Rapp Road just south of Gipp Road. This closure had quite an impact on Albany residents living in the area.

There is no solution to the traffic issue that does not harm someone. Closing Rapp Road is good for the Rapp Road Historic District, which bears the brunt of the huge amount of traffic generated by Crossgates. However, closing the road places a huge burden on other area resident and impacts delivery of emergency services. There is no good solution. I encourage everyone to follow the project by going to the website here: <https://www.townofguilderland.org/planning-board/pages/environmental-impact-statement-rapp-road-residentialwestern-avenue-mixed-use>

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