



Save the Pine Bush

April/May Newsletter

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Take-Out or Delivery Vegetarian/Vegan Lasagna Dinner

Wednesday, April 21, 2021, at 6:30 p.m.

Yes! Full Lasagna Dinner for Take-out or Delivery!

Neil Gifford

Conservation Director of the Albany Pine Bush Preserve Commission

The Pine Bush and the Pandemic: Update on the Preserve

Neil will give us an update on land protection, management and monitoring. Bring your questions and Neil will be happy to answer any questions related to the Commission's work.

How to Order Dinner

All-you-can-eat lasagna dinner, with vegetarian, vegan and gluten-free options, salad, garlic bread and delicious desserts. Only \$15 for adults and \$10 for students. **Please order dinner by Friday, April 16.** Order by filling out the form at savethepinebush.org/dinner/ or emailing pinebush@mac.com or calling (518) 366-7324. When ordering, specify take-out or delivery. If delivery, please include your name, address and phone number. Deliveries will be made between 4:00 and 6:00 PM. Pickup will be 4:00 to 5:00 PM on April 21 at Westminster Presbyterian Church, 85 Chestnut Street, Albany, NY.

How to Join the Zoom Meeting

A link to the Zoom meeting will be posted on the Save the Pine Bush website by Monday, April 20. Go to savethepinebush.org/dinner/. If you want to test getting online at 6:00, you are welcome to do so! Also, you may call (518)366-7324 until 6:15 for assistance.

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

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

Are the Winds of Change Finally Here?

By Hugh Johnson

ON THE INTERNET: Lynne Jackson invited me to give a ZOOM talk about the status of our climate change at the February 17, 2021, "Save the Pine Bush Meeting." In this winter of COVID, it was easy to forget we are still in a climate crisis. Look what happened in Texas during mid February. Due to a collapse of the Polar Vortex and very warm temperatures right at the North Pole region, an exceptionally bitter Arctic air mass plunged southward through the Nation's Heartland and took aim at the Lone Star State. The initial surge of cold air combined with a couple of storms, blanketed most of the state with snow, in some places exceeding a foot! Then temperatures tumbled to levels so low the Texas power grid failed, plunging millions into the dark along with no running water.

I gladly accepted Lynne's invitation and
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Clean Air Update

By Tom Ellis

ALBANY COUNTY: The Clean Air Coalition of Greater Ravena-Coeymans held a community forum on February 9 about its continuing efforts to block the Lafarge cement company from burning tires near the Hudson River in Ravena, and directly across Route 9W from the Ravena-Coeymans-Selkirk (RCS) Middle and High Schools.

Christine Primomo, a retired nurse and Coeymans resident, began the forum asking Why are large corporations so determined to burn hazardous wastes in our communities? and Where are our regulators?

A short video was shown in which Ms. Primomo delivered a 254-signature petition for a permissive referendum to the Coeymans Town Board (CTB). The petitions were collected over two weeks after the CTB voted November 23 to weaken the town's clean air law. A Ravena man said village residents were mainly unaware of the CTB vote and the town supervisor had said only a few opposed gutting the town law.

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gave a talk updating the status of global warming. I discussed the situation in Texas but emphasized while cold air has stolen the immediate headlines, our climate continues to warm.

While we endured an attempted political COUP, additional wild fires raged in California. Although they paled to the 4 million acres that burned in 2020 (a new record for California), they reminded us that “unusual” weather events continued. After these fires came the epic cold outbreak further east.

In spite of the recent cold snap, 2020 basically tied 2016 for the warmest year ever recorded. This happened despite a developing La Nina in the Pacific (cooling current). Also, we are not only in an 11-year sunspot minimum, but likely heading into an extended solar minimum that could last for 100 years! Many weather records were broken last year, including most tropical storms in the Atlantic basin (28) and the most tornadoes in the Albany National Weather Service area (14).

While the lack of sunspots reflect a slightly cooler solar surface, the scientific jury indicates it does little to halt the current warming. Lack of sunspots might allow for more occasional cold intrusions into our country and perhaps more storms and winter snow for some.

Nevertheless, I emphasized how CO2 continues to rise at an alarming rate. For many centuries our CO2 was around 225-250 parts per million (ppm), which has been an optimal level yielding a steady global temperature hovering around 14C (57F).

The Industrial Revolution took place by 1800. Initially global temperatures slightly cooled, possibly the result of aerosols “trumping” the increased CO2. However, that all began to change by the 1980s. From that time on, with a few exceptions, our recent warming began, then accelerated in the 2000s. In fact, all but two of the warmest years in recorded history have taken place since 2000! Even during the pandemic, while people have driven less, allowing for clearer air, the level of CO2 remained elevated well over 400 ppm and continues to rise.

Luckily we now have a new political administration in Washington that recognizes “Science” and agrees that climate change is just as serious as COVID-19. President Biden signed a plethora of Executive Orders that placed us back into the Paris Climate Accord, banned oil and gas drilling on public lands and a “pause” on shipping oil through the Keystone Pipeline. These last two things could cut down on possible methane leaks. Methane traps heat at a MUCH higher rate than CO2. General Motors has vowed to produce only electric cars by 2035. Biden is planning for our

country to reach ZERO CO2 Emission by 2050.

Will all of this reverse Global warming? Probably not, unless we gain technology to actually remove more of the excessive CO2 from the atmosphere. However at least we will be headed in the right direction and bide more time to save our fate.

The earth has warmed about 1C (1.8 F) since around 1970. Many scientists fear if we warm to 5C (8F) above the 1970 values, we will be in peril if not perish. If we continue along our merry way by adding more CO2, this dangerous threshold could happen by 2100, if not sooner.

I concluded my presentation with a chart showing the carbon foot print of the many foods we eat. The data clearly showed that the beef industry leaves the biggest carbon foot print by far, and plant based industry the lowest.

A fair amount of questions and comments followed my talk. The most discussed question was the concern about the electric car brought up by my sister in Colorado. That’s ONE advantage of a Zoom call, anyone with an internet can join from anywhere! A few folks chimed in from various portions of the country.

While the electric car has a lower carbon footprint, it is certainly NOT zero. Other concerns included increasing accessibility to charge stations, increase the speed of charging the battery, and the concern about how to dispose of expired batteries. I stressed the technology needed to improve in all these areas to make the electric car truly competitive with gasoline vehicles.

John Wilcox added that once the Arctic ice caps melt, the albedo rate will decrease markedly and methane, trapped underneath it will be released into the atmosphere. I am so glad he did as I tried to keep my talk as short as possible since we all know Zoom calls can get tedious. I had discussed this scenario in past talks but it always good to remind every one of the potentially accelerating warmth that would result by melting all of the Arctic ice cap.

Grace Nichols put forth an interesting question about the Gulf Stream wondering if it would slow down or speed up. I think as melting ice would decrease the salinity of water, lowering its density, the Gulf stream would slow and weaken. Ironically as much of the earth would warm, this disruption of the Gulf Stream could bring sudden cooling to Europe which would be catastrophic as well. Anytime you cool or warm our planet 5C (8F), this could lead to an extinction of most animals and plants. This is indeed what happened 67 millions years ago as an asteroid 7 miles in diameter crashed into the Yucatan. The debris from it blotted out the sun, rapidly cooled the planet and ended the millions of years of dinosaur reign in less than a decade! Nearly 200

millions before that, the earth warmed more than 5C with a massive influx of CO2 from volcanoes, causing an extinction of most of the delicate life forms at that time.

Tom Ellis reminded us that the wealthiest class leave the biggest carbon foot print while the middle class and poor much less. He liked the idea of taxing the rich more for traveling on planes to “reign them in.”

In conclusion I emphasized that the pro climate change politicians hold a very narrow lead in Washington. In addition to reducing your carbon foot print a little, PLEASE reach out and try to convince at least one person on the other side of the political spectrum that climate IS a crisis. We can’t afford to go back to the previous climate policies.

Excessive CO2 emitted by fossil fuels IS the reason why our planet is on the pathway to human peril.

Drivers Needed!

We are very excited to be able to offer a full lasagna dinner in April! The pandemic has been a long, hard road. It is not safe to gather together yet – But, that does not mean we cannot enjoy good food!

The plan for April is to deliver the delicious dinners between 4:00 and 6:00 PM.

If you can help deliver meals, please email pinebush@mac.com.

We can use more drivers!

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Four people made presentations. Attorney Carlo A. C. deOliveria of Ravena, discussed how the Coeymans Town Board had ruined the law enacted a year earlier by the prior town board.

Mr. deOliveria said the Coeymans Clean Air Law, enacted in 2019, was the toughest of its kind in New York, and required continuous monitoring of some pollutants; the subsequent Albany County Clean Air Law passed last September, is an outright ban on incinerating wastes including tires.

Mr. DeOliveria said New York has local home rule that allows municipal governments to opt out of many county laws. He learned of proposed amendments to the town law on November 22, four days after the sole public hearing on the matter. He contrasted one hearing for such an important issue to CTB holding four hearings about raising chickens in the hamlet of Coeymans.

After a town committee determined the 2019 town law was unenforceable and also left the town vulnerable to a Lafarge lawsuit, the CTB amended the law. Lafarge had incorrectly claimed town law was preempted by federal law, which, he said, is not true if town law does not conflict with the federal law's intent. Had CTB not repealed the town law, the county law would remain operable. Had the CTB done nothing, the county law would also remain operable. Concluding his comments, he said that by amending the town law, CTB left the town and nearby region unprotected from Lafarge emissions.

Jane Williams was next. She is Chairwoman of the National Sierra Club Clean Air Team and has thirty years experience with hazardous wastes. She said tires are about the last thing anyone would want to burn, and tires contain metals that do not burn when incinerated. "They come out" of the incinerator, she said.

Ms. Williams said Mike Ewall of Energy Justice Network, has compiled a list of air pollutants that increase when tires are incinerated. The list includes metals, polycyclic aromatic hydrocarbons (PAH), and dioxins. She said the "the things most toxic are things increasing."

Lafarge's Ravena factory, she said, is "renowned worldwide," because a school is located between the factory and the quarry. She described the proximity of the school to the factory as "a horrible land use issue" and insisted this is a moral issue.

Ms. Williams said Lafarge and other cement companies must purchase fuel at a large cost. During the 1970s Energy Crisis, the industry decided to try burning wastes to cut oil costs, about fifteen kilns in the US burn hazardous wastes, the trash stream today is mostly plastic, different

than in the past when it was mostly paper. The cement industry wants to burn plastics, paper, tires, municipal solid waste (MSW), and hazardous wastes; the so-called "sustainable" cement industry wants to reduce climate gas emissions by burning wastes. Tires, she said, are a gateway to burning other things, the industry wants to add fly ash into the klinker that holds the aggregate together. When the industry is paid to take wastes instead of purchasing fuels, profits increase.

Lafarge, she said, has been around for decades, and is very sophisticated at dealing with community opposition.

Speaking about benefits and burdens, she said Lafarge would benefit with Ravena and Coeymans burdened. She said the cement industry is one of the largest polluters worldwide of climate gasses and particulates. "Lafarge is willing to burden your community," she said. "The environmental justice issues in Cohoes are shocking" she added, referring to Norlite's hazardous waste incinerator. The RCS schools are in the middle of Lafarge's operations, she said.

Matt Miller of Selkirk, a science teacher for 28 years at the RCS school (next to Lafarge), and an Albany County Legislator, was the third panelist. Picking up where Ms. Williams left off, he said the "number one burden is our children." Mr. Milker was for six years the energy manager at the school and often changed the air filters. Autos, he said, often had a layer of dust in the school parking lot a day after a car wash.

The county law, he said, tried to solve Caymans' problem. The law was a burn ban for new waste streams. The CTB "gutted the parts of the law that protected the town," and explicitly granted tire burning.

He said burning tires would reduce greenhouse gas emissions by about two percent but also increase toxic emissions. Not only are there adjacent RCS middle and high schools, he said, elementary schools are one mile south and five miles north.

Mr. Miller said Carver Laraway, the owner of the Port of Coeymans, has taken over the town. "It is now the Town of Carver." Mr. Laraway, he said, has a ten million dollar tire contract with New York State. "Carver," he said, "has many problems with regulators" and wants to bring a big waste business to Coeymans. He even wants a direct highway exit from the Thruway.

The town and village are depressed economically, he said, Lafarge and Laraway would be a "two-headed monster."

He recommended Ravena and Coeymans residents reengage the group [Selkirk Coeymans Ravena Against Pollution (SCRAP)] that successfully opposed the [municipal solid waste] landfill in Coeymans [proposed by the City of Albany in

the 1990s], and engage the county and the state. "It should be people over profits," he said, and not only do we have to protect people here in Albany County but "We must protect people across the river too."

Joseph Ritchie of Cohoes, the founding director of the Saratoga Sites Against Norlite Emissions (SSANE), was the final speaker. A student at Syracuse University and lives near the Norlite incinerator, he used to occasionally play soccer on the RCS ball fields when in high school and recalls "the stack next to the school" being "a sick image." He said SSANE is sort-of "working" with DEC, and the upcoming weekend would be the first anniversary of the revelations that Norlite was burning AFFF chemicals. "I must clean my car daily," he said, and "You have no idea what you're inhaling."

The Norlite neighborhood is an environmental justice (EJ) community. "DEC," he said, "does not get it. Each time we bring up an issue it is like brand new to DEC...It is incredible DEC allows this to occur in Cohoes and at Lafarge."

"You would never see this type of a facility," he said, "in a community where people have money," Saratoga Sites' residents cannot afford to move to new \$1500-a-month apartments, DEC cares about its image, not our families." He said DEC told him a week earlier that "black snow is nothing to worry about."

Mr. Ritchie said DEC rejected a Bennington College soil survey, the did its own, and concealed the results. He said people should not be an experiment, we will control the narrative, the Hudson River Valley Valley is one of the most polluted places on Earth, as is the river, the state government brags about its brilliance, but go anywhere in New York and see the ill people. "Corporate profits," he said, "are not worth my mother's health."

Among action recommendations Mr. Ritchie offered are be loud and assert what we can assert. His coalition, he said won new city, county, and state legislation last year. DEC, he said, opposed the state legislation, and DEC cares more about illegal fishing than tire burning. He said it is time for communities to show their strength, Norlite has been killing us, his neighbors are dying of diseases only caused by poisons being emitted, we must elect sensible people to office, it is a matter of life and death, the Sanctuary For Independent Media are the best people in the Norlite fight, and power starts with you.

A question and answer session ensued. Matt Miller said Carver Laraway is promoting his green economy projects while downplaying his waste projects. Jane Williams said that at the

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end of World War Two. 98 percent of tires were recycled, fifty years ago we had very little plastics waste, Arizona grinds up tires into road beds, many things can be done with old tires, and, until recently, tires were not considered waste. Mike Ewall, she said, documented how the Obama Administration took major enforcement actions against the cement industry. She said Norlite has a brand new \$30 million scrubber but had a fire a month ago. Matt Miller recommended that someone research who Lafarge donates campaign contributions to.

Christine Primomo identified three actions people can take. Contact newly elected state Senator Michele Hinchey, who represents Coeymans, and lobby her to introduce legislation to ban tire burning in New York State. Write letters to the editor of the Times Union, Schenectady Daily Gazette, Altamont Enterprise, Ravena News Herald, and the Spotlight newspapers. Join the Clean Air Coalition. "We need a lot of research help," she said, and "We want to take our town back."

Save the Pine Bush Has a New Website!

By Lynne Jackson

THE INTERNET: First uploaded in January, 1996, Save the Pine Bush now has a new, modern website!

Visit the site at: savethepinebush.org

This new website was designed and created by volunteer Andy Arthur using Wordpress. The new website will have many new features, such as multiple people can add to the site and we can now create forms. A big, big thank you goes to Andy Arthur!

If you would like to add articles to the website, please email contact@savethepinebush.org.

Save the Pine Bush Files an Amicus Brief in the Pyramid Lawsuit

By Lynne Jackson

ALBANY, NY: Todd Ommen from the Pace Environmental Litigation Clinic representing Save the Pine Bush, filed an amicus brief in March in the case known as Thomas Hart, Lisa Hart, Kevin McDonald, Sarah McDonald, 1667 Western Avenue, LLC and Red-Kap Sales, Inc., v. Town of Guilderland, Planning Board and Zoning Board of Appeals of Guilderland, Pyramid Management Group, LLC, Rapp Road Development, LLC and Crossgates Releaseco, LLC (Hart v. Guilderland),

Hart v. Guilderland was filed by attorney James Bacon. Last November, in a lengthy and scathing decision by Supreme Court Judge Peter A. Lynch, the approval for a proposed development by Pyramid in the Pine Bush consisting of apartments, town houses and a Costco by the Town of Guilderland Planning Board was declared null and void.

Pyramid and the Town appealed Judge Lynch's decision to the New York State Appellate Division in January. Save the Pine Bush's amicus supports Judge Lynch's detailed and excellent decision finding that the Town of Guilderland Planning Board did not take a "hard look" during the State Environmental Quality Review (SEQRA) process.

The amicus focuses on how "... the Planning Board failed to give reasoned consideration to environmental issues because they ignored relevant scientific data when making its determinations on environmental impacts. . ." For example, the Planning Board said "Sites 1, 2 and 3 are not conducive to the establishment of pitch pine-scrub oak habitat which is characteristic of the Albany Pine Bush," and "[t]he development sites are not and have no potential to support significant ecosystem services." No data or evidence is presented in the Final Environmental Impact

Statement (FEIS) to support that conclusion. Save the Pine Bush had submitted expert testimony to the Planning Board from several experts that demonstrated that this is Pine Bush and that the sites can support significant ecosystems.

Dr. Curt Stager from Paul Smith College using his knowledge and expertise in sediments and ecological research to conclude that the site of the proposed development were Albany Pine Bush ecosystem.

Dr. Erik Kiviat from Hudsonia, concluded that the woodlands potentially supported several federal and state-listed endangered, threatened, rare, and special concern species as well as supporting common mammals, birds and other flora and fauna.

And, regarding the Karner Blue, the amicus states: "Concerning the endangered Karner Blue Butterfly, the FEIS concluded: "No suitable habitat exists on-site for the Karner Blue Butterfly, and no Karner blue butterflies were located at the site." (R-5123). Dr Cynthia Lane, an expert on the Karner Blue population biology and habitat restoration and co-author on the Karner Blue Butterfly United States Fish and Wildlife Service recovery plan has raised serious concerns about this conclusion. (R-4910). Dr. Lane specifically questions the methodologies used in surveying the sites for the presence of Karner Blue, because the methodologies are inadequate. (R-4911)." . . . "The Board's conclusion that there will be no potential adverse impacts to the Karner Blue Butterfly cannot be drawn without further investigation."

Save the Pine Bush is quite pleased to file this amicus in support of Judge Lynch's decision and is deeply appreciative of all of the legal work done by Pace and its students.

Return Service Requested

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A Project of the Social Justice Center
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