



Save the Pine Bush

June/July Newsletter

Jun/Jul 21 No. 158 • 223 S. Swan St., Albany, NY 12202 • email pinebush@mac.com • phone 518-366-7324 • web www.savethepinebush.org • Circ. 625

Take-Out or Delivery Vegetarian/Vegan Lasagna Dinner

Wednesday, June 16, 2021, at 6:30 p.m.

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

Todd Ommen

Managing Attorney - Pace Environmental Litigation Clinic, Inc.

Pace Environmental Litigation Clinic & Save the Pine Bush

Todd Ommen, the Managing Attorney at Pace Environmental Litigation Clinic, and Robert O'Connor, Save the Pine Bush law intern, will give a Zoom presentation about the Environmental Litigation Clinic and its representation for Save the Pine Bush. They will discuss the proposed Pyramid/Crossgates project and the approach the law clinic students took to challenge this project, including preparing SEQRA comments and filing an article 78 lawsuit.

How to Order Dinner

Lasagna dinner, with vegetarian, vegan and gluten-free options, salad, garlic bread and dessert. Only \$15 for adults and \$6 for students. **Please order dinner by Sunday, June 13.** Order online at savethepinebush.org/dinner or by 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 June 16 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. Go to savethepinebush.org/zoom.html. If you want to test getting online at 6:15, you are welcome to do so! Also, you may call or text (518)366-7324 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

The Pine Bush & the Pandemic

By Tom Ellis

ON THE INTERNET: Long time Albany Pine Bush Preserve Commission (APBPC) Conservation Director Neil Gifford began his April 17, 2021 SPB meeting comments saying, "Thirty years of managing the world's best scrub oak pitch pine barrens has taught us a lot."

His topic was "The Pine Bush and the Pandemic: Update on the Preserve." He offered an update on land protection, management and monitoring.

His comments focused on paleoecology. He said there is no perfect pine barrens anywhere the Pine Bush can be compared to. The Albany pine barrens, he said, is a rare community, and asked, "How do we know what we want to preserve and how to get there?"

He asked, "How old is the Albany pine barrens?" and answered that about 6000 years back, a pine-oak ecosystem emerged. Research into *continued on page 2*

The International Energy Agency Issues a Landmark Statement About Fossil Fuels

By Bill McKibben

Our hope for a livable world rests on a series of crucial sentences.

May 18, 2021: The crucial turning points of the climate era can be found in a series of sentences, some of them pretty opaque, but all of them critical. The latest came on Tuesday morning in a report from the International Energy Agency, in Paris, and it could very well signal the start of the end of the fossil-fuel era. So it's important to first set it in the context of a few other such statements.

In 1995, the Intergovernmental Panel on Climate Change said, "The balance of evidence suggests a discernible human influence on global climate." Ever since NASA's Jim Hansen told Congress, in 1988, that climate change was under way, the world's scientists and governments had been scrambling to reach workable conclusions on which to base policy. This sentence was the key line of the I.P.C.C.'s Second Assessment Report: close observers understood that, over the objections of countries such as Saudi Arabia, the world's scientific community was announcing, irrevocably, that global warming was very real.

In 2015, in Article 2 of the Paris climate *continued on page 2*

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cores reveal a history of frequent fires. Major hot fires leave behind charcoal scars while smaller limited fires do not. Fire scar data, he said, correlates well with other history data for the region.

Fires occurred on average about every fifteen years from lightning, First Nations, accidentally, and intentionally. First Nations did not extinguish fires. This fire paradigm was the norm from de-glaciation to the European invasion.

Neil said it has taken years for APBPC staff to determine which types of fires benefited wildlife. Robust populations of rare species existed many times in the past. In recent centuries, fire suppression has become more common. Development reduced the size of the barrens from 25,000-50,000 acres to unhealthy fragmented sections of barrens in the 1900s.

The commission was established in 1988. Some 3400 hundred acres are now protected with at least 1000 more hoped for eventual protection. Controlled burns were first conducted from March to May in 1991. Early APBPC fires maintained low quality pine barrens but did not restore them. Next came mechanical and chemical treatments to restore high quality barrens. Applying mechanical treatments before fires led to improved fire control and results. Burns can now occur up to eleven months a year.

“Fire diversity,” or burning different sections each year, he said, “contributes to biodiversity.” Twenty-five years ago there were fourteen acres of lupines; now there are 700. A combination of actions led to desirable ecological results of grasses, shrubs, trees, and regenerating barrens. Specific species in the barrens that cannot live elsewhere are surrogate indicators of the barrens’ health.

Last year, 46,000 Karner Blue butterflies (KBB) were counted on thirteen percent of lupine acres sampled. The pandemic prevented hiring additional staff to count all the lupine acres. Neil thinks there may have been 100,000 KBB in the Pine Bush in 2020.

In addition to the iconic KBB, there are many other species resident in the Pine Bush including 180 bee and wasp species and 53 ant species. There is also an improved abundance and distribution of birds, including many that are declining nationally. Whip-poor-wills returned in 2017 after a thirty-year absence.

Neil said maintenance fires are achieving good results. Lupine that comes back after a fire leads to later seasons for the KBB, is better nutritionally, and stays green longer. He said, “Fires are really about effects.”

A Q&A followed. Neil said there were many more human visitors to the Pine Bush last year than in prior years, and, after fires, lupine

is being seeded in areas without prior lupine.

He said the Albany landfill is a major fragmenting feature in the Pine Bush, as is the Thruway. The last dump expansion was in 2005, KBB now live atop closed sections of the dump, the lowest elevation dump sections are now being seeded with the middle and upper sections to follow. After that, the dump will no longer be a fragmenting feature. No trees will be planted on the landfill due to the likelihood they would fall over on windy days damaging the landfill cap.

In response to a question about “lots of deforestation behind the visitors’ center and possible inadequate supervision of contractors, Neil said the tree cutting occurs to open the canopy so it will look like a barrens, and commission staff are watching the contractors daily.

Neil predicted the best time for viewing KBB in 2021 will be the first week of June and the second week of July. He said last year there were “clouds of Karner Blue butterflies.”

He said the commission has an electronic newsletter, little methane comes through the dump cap, some is burned, and electricity generated.

One man said he had walked near the landfill the prior weekend where “it looked like a tornado had hit.” Neil said that area is “not pretty” now but will be in a few years. Lynne Jackson said Blueberry Hill is very beautiful now after “looking like the Sahara” years earlier.

Lynne asked why Native peoples conducted burns. Neil offered many reasons: to increase berry production, fruits, nutritious foods, improved visibility when hunting and during wars, and to eliminate litter that would have created noise when hunting. Neil said “Natives lived on the land and in the land.”

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accord, the world’s governments committed to “holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change.” This was the first time that the world had set a solid target, and that target was a hard one: holding the rise in warming as close as possible to 1.5 degrees Celsius, a goal urged by climate activists and the most vulnerable nations.

In 2018, the I.P.C.C. reported on what it would take to meet that Paris goal, saying, “In model pathways with no or limited overshoot of 1.5°C, global net anthropogenic CO2 emissions decline by about 45% from 2010 levels by 2030 (40–60% interquartile range), reaching net zero around 2050 (2045–2055 interquartile range).”

Translation: if you want to have any chance of limiting warming to 1.5 degrees, you have to cut emissions in half by 2030, and to net zero by 2050.

The statement on Tuesday from the I.E.A. is a recommendation. It reads, “**There is no need for investment in new fossil fuel supply in our net zero pathway.** Beyond projects already committed as of 2021, there are no new oil and gas fields approved for development in our pathway, and no new coal mines or mine extensions are required.” That emphasis is in the original—in fact, in the new report that sentence is in headline-size type, as well it should be. It says that, after two hundred and fifty years, in the view of the I.E.A., the time has come to stop exploring for oil, gas, and coal. No rational plan for getting to 1.5 degrees (or anywhere near it) can deal with any new supply. Instead, “the focus for oil and gas producers switches entirely to output—and emissions reductions—from the operation of existing assets.” That is, we obviously can’t stop burning fossil fuel tomorrow, but we have to be headed decisively in that direction—which means stopping the development of new fields and draining what we must from existing fields to hold us over until we’ve built enough solar panels and wind turbines.

This message comes from a credible source—indeed, the I.E.A. has always been captive to the fossil-fuel industry, or at least to the countries, such as the U.S., where that industry has held sway. For years, its forecasts of how fast renewable energy would spread were understated; it was an engine of the status quo.

But now governments and corporations, pushed by civil society—and, perhaps, by a recognition of our climate plight—are suddenly committing to net-zero targets. Virtually all the big banks, for instance, have made this pledge. And now the I.E.A. has told them what it means. If they’re serious about it, they don’t just have to lend money to people who want to set up solar panels. (Clearly, they have to do that. “Policies need to be designed,” the report says, “to send market signals that unlock new business models and mobilise private spending, especially in emerging economies.”) Just as important, they must now stop doing what they’ve long been doing, which is pumping trillions of dollars into fossil fuels. No new pipelines. No new liquefied-natural-gas projects on the Gulf Coast. No “gas led recovery” in Australia. No TMX pipeline from Canada’s tar sands. None of it.

As Elizabeth Bast, the executive director of Oil Change International, a nonprofit that has worked for a fossil-fuel nonproliferation treaty, told me, “The I.E.A. is finally recognizing the lock-in risk of new fossil-fuel extraction. It’s

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Waste Management Pulls Out of Seeking to Dump in Albany's South End Community

By Dominick Calsolaro

ALBANY: In April, Waste Management of New York, Inc. (WM) informed residents of Albany's South End that it was again asking the NYS Department of Environmental Conservation to approve a solid waste permit modification to allow WM to accept municipal solid waste (MSW) at its transfer station located in the Port of Albany. The facility is about 1,000 feet from Ezra Prentice Homes. MSW is putrescible waste, in other words, unhealthy malodorous garbage.

This is not the first time WM has proposed using its facility in the South End to accept garbage. In 2000 and 2009, similar proposals were made by WM and the residents of the South End came out to oppose their community being used as a dump. The South End neighborhood is a designated Environmental Justice community. A community of mostly people of color and/or low income. A community that already suffers from major health issues related to thousands of diesel-engine trucks driving along South Pearl Street, general Port operations, a recycling center, Interstate 787 splitting the neighborhood into pieces, etc. So, why was WM again proposing to bring garbage into an Environmental Justice community?

Was it because we are a community of color and low income earners so WM felt we didn't have the financial means to fight this multi-billion-dollar-a-year corporation in the courts? Was it because, traditionally, communities of color have been the primary choice for locating dumps, incinerators (remember the notorious ANSWERS plant), and other pollution-spewing industries? Was it because historically, our elected officials have protected wealthier white

suburban communities from becoming home to these same industries at the expense of low income black and brown urban neighborhoods?

In its informational public meeting fact sheet (WM cancelled the meeting, even before pulling its permit modification request), WM claims that bringing garbage into our neighborhood would be a "community benefit." Waste haulers won't have to drive through suburban areas to get to far-away landfills. If DEC was to approve the modification, the haulers would have been able to off-load the putrescible waste they picked up in the eight counties outside of Albany that WM services and dump it in Albany's South End. WM tried to get city administration support by offering the city of Albany \$1 per ton of garbage off-loaded at the transfer station. WM was attempting to "buy" the right to add more environmental injustices to a community that already experiences some of the highest asthma-related emergency room visits and maternal and infant death rates in the state.

If WM really cared about our community, instead of dumping on us, WM would instead build a state-of-the-art Resource Recovery center. Resource Recovery entails breaking down waste, such as electronics and computers, into its component parts and reusing the copper and other precious metals in the production of new cell phones and computers. This type of facility would create a large number of jobs for the people who live in high unemployment areas. The wages earned from working in a Resource Recovery center would go a lot further to benefit the community than offering the city a dollar per ton of garbage. Resource Recovery would also

have the added affect of keeping precious metals out of landfills and help get America out of its one-and-done throw-it-away mindset that we have been in since the 1960s.

I asked representatives from WM why they wouldn't build a resource recovery facility. First they told me the "technology doesn't exist." When I questioned this answer, and pointed out that countries in Europe have invested in resource recovery for at least the past ten years, the representatives responded with the truth (I paraphrase): They had to build resource recovery centers because those countries ran out of landfill space. In other words, as long as waste collectors and haulers have landfills to dump their collected garbage, they will continue to take the cheapest and most profitable way out by filling up landfills and harming our environment.

Before the NYS Department of Environmental Conservation even had a chance to rule on WM's solid waste permit modification, WM pulled its application due to public opposition. Thanks go to NYS Senator Breslin, NYS Assembly members McDonald and Fahy, Albany Mayor Sheehan, the Albany Common Council, the Albany County Legislature, the Council of Albany Neighborhood Associations (CANAs), and the many other groups and individuals who contacted DEC to voice their opposition to the proposed permit modification. Thanks also go out to the news outlets who let me get the story out to the public about Waste Management's efforts to dump on Albany's South End an Environmental Injustice community.

Dominick Calsolaro is South End resident and former Common Council member.

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clear that what's already developed is enough to meet demand in a world aligning with 1.5 Celsius. And, at some point, the numbers just don't add up. Further fossil-fuel expansion just isn't compatible" with a working planet.

The fact that the I.E.A. is now saying this so loudly and clearly will be an immeasurable boost to campaigners around the world who have been working to block the fossil-fuel industry and its backers among the banks, insurance companies, and asset managers. It's also a reflection of how much the world is changing. Part of that is due to the election of Joe Biden, of course, but the sheer logic of the scientific argument can eventually cut through even vested interest. It's been an agonizing three-plus decades since Hansen's warning, and that vested interest may have delayed action too long; waiting until the icecaps were actually melting was an incredible mistake.

But the strength of these four sentences is what our hope for a livable world rests on, the intellectual scaffolding erected by science and reason—and the passion of hardworking activists—on which to base our future. We will all find out if they're strong enough for that daunting task.

Reprinted from The Guardian; Dominick Calsolaro notes that this article supports his call for a Resource Recovery Center

Experts call for mandatory recycling of products containing rare metals

Disc drives, circuit boards, fluorescent lamps and batteries for electric vehicles could be among affected products

Fiona Harvey Environment correspondent, Mon 10 May 2021 08.00 EDT

Rare elements such as indium, yttrium, neodymium, cobalt and lithium are vital for the

production of low-carbon technology, but many are being thrown away because of the lack of a requirement to recycle them, industry experts have warned.

Concern is growing over the future supply of such elements, as the switch to green technology – including electric vehicles, solar panels and low-carbon heating – will require far greater volumes of rare earths and other critical raw materials.

Industry experts have called for tougher rules on recycling, in a report from Cewaste, a two-year project funded by the EU as part of its Horizon 2020 research and innovation programme. The authors examined what happens to such materials currently, and their potential future supply and cost.

Recycling should be mandatory for the critical raw materials present in circuit boards;

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magnets used in disc drives and electric vehicles; batteries for electric vehicles; and fluorescent lamps, they concluded.

Pascal Leroy, the director-general of the WEEE Forum, one of the organisations behind the report published on Monday, said: "The supply of these materials is not assured – for example, some come from countries where there is political instability. But some of these materials are critical [for green technology in future]. This should be regulated through mandatory standards."

While relatively low-value metals such as copper, iron and even platinum are frequently recycled, rare metals are ignored or thrown away, because their use is often in small quantities that recyclers deem too expensive to recover.

However, uncertainties over the future supply of such materials and rapidly increasing demand, driven by the need to cut greenhouse gas emissions, could force a supply crunch in future for critical materials, which would not only raise prices but could prove highly disruptive to forging a green economy, the report's authors found. Waiting for such price rises to make recycling economical would leave manufacturers highly vulnerable to future shocks, they said. . .

The International Energy Agency recently calculated that if the world is to reach net zero greenhouse gas emissions in 2050, demand for critical and rare minerals will be six times higher than today by 2040. Demand for lithium alone will be 40 times higher in 2040 because of its use in batteries.

Fatih Birol, the executive director of the energy watchdog, said: "The data shows a looming mismatch between the world's strengthened climate ambitions and the availability of critical minerals that are essential to realising those ambi-

tions. Left unaddressed, these potential vulnerabilities could make global progress towards a clean energy future slower and more costly, and therefore hamper international efforts to tackle climate change."

The IEA found that the production and processing of many materials, such as lithium, cobalt and rare earths, was highly concentrated in a handful of countries, with the top three producers accounting for more than three-quarters of global supplies. The Democratic Republic of the Congo produced 70% of cobalt and rare earths in 2019, and China produced 60%. China is also responsible for refining nearly 90% of the rare earths used globally.

Lafarge Can't Burn Tires!

By Tom Ellis

HUDSON RIVER VALLEY: Residents of Hudson River valley, but especially Ravena and Coeymans, won a great victory on May 5 when the NYS Department of Environmental Conservation (DEC) commissioner issued a short statement revoking its prior authorization for the Lafarge cement company's to burn tires at its Ravena cement kiln.

The DEC statement said the "Lafarge facility currently lacks the infrastructure to burn TDF [tire derived fuel], and has not, nor has it ever, completed the steps necessary to burn tires pursuant to this permit."

Lafarge has waged a lengthy tire burning campaign. DEC issued a negative declaration in 2005 allowing Lafarge to evade preparation of the legally required environmental impact statement (EIS). The sheer size of the project--to burn up to 4.8 million whole tires a year, Lafarge's then-high mercury emissions, and Lafarge being located directly across Route 9W from the Ravena-Coeymans-Selkirk middle and high schools, made an EIS legally and morally required.

The commissioner's May 5 statement contained the usual lies about DEC using "every tool at our disposal to ensure all of New York's communities are protected...and...why we rigorously review every permit application and require compliance with stringent standards using the latest and best available science." Nevertheless, DEC finally made the correct decision here. Special thanks go to Jim Travers who first raised concerns about the tire burning and Judith Enck who organized several events that enhanced regional opposition.

DEC surely responded to growing pressure including Clean Air laws enacted by the Coeymans Town Board and Albany County Legislature, growing awareness and community organizing across the region, and vigorous opposition from Coeymans and Ravena residents.

Fire Burns House of Save the Pine Bush Founder

ALBANY: On Sunday, May 23, a fire ripped through John Wolcott (one of SPB's Founders) and Linda Becker's Sheridan Avenue home. The fire began in the house next door and leapt to the roof of John and Linda's house. Fortunately, John and Linda were away on vacation and are safe. Unfortunately, the house was a total loss. And, inside, were many historic documents and maps, collected by John for over six decades.

The day after the fire, Albany fire fighters helped remove a great deal of the contents of their home. Dan Van Riper and Russ Ziemba and other SPB members were able to save 2 1/2 truck loads of documents and safely store them. Since that time, SPB volunteers have been painstakingly drying documents and photos. Anyone wishing to help in this effort can email pinebush@mac.com. Save the Pine Bush is happy that John and his wife, Linda, are safe and sound.

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