

Lem Srolovic
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By E-Mail: wildacre@gw.dec.state.ny.us & First Class Mail

Daniel T. Whitehead
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New York State Department
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625 Broadway, 4th Floor
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Dear Mr. Whitehead:

I am a landowner in the Town of Halcott, approximately 5 miles north of the site of the proposed Wildacre and Highmount Spa developments (Resort Developments). For over nineteen years, my family and I have fished, swam skied, hiked, and engaged in educational and cultural activities on and around Belleayre Mountain and the neighboring hamlets of Fleischmanns and Pine Hill. I write to comment on the scope of the Supplemental Draft Environmental Impact Statement (SDEIS) for the Resort Developments, and for the related expansion of the State's Belleayre Ski Center (the Combined Projects).

The Combined Projects outlined in the Agreement in Principle dated September 5, 2007, will, if implemented, have a profound and lasting impact on the areas surrounding the projects, and indeed on the Catskill region. There is no other development in this region of comparable scope or scale, and there are no self-contained destination resorts of the nature of the proposed Resort Developments in the Catskills. Rather, the pattern of resort development in the Catskills is decentralized and small scale, which minimizes the likelihood of large-scale adverse environmental effects. That form of development is especially appropriate for the Catskill Park, one of New York State's two "crown jewels" of public/private parkland.

Given the scope and scale of the Combined Projects, and the SDEIS should be the most comprehensive, and rigorously analytical environmental review document created under the State Environmental Quality Review Act. In addition to analysis of impacts on New York City's Pepacton Reservoir, and vehicular traffic along the Route 28 corridor, the SDEIS should address the following substantive issues:

Related Actions/Cumulative Impacts

Under the developer's prior proposed Belleayre Resort, the Big Indian Plateau was slated to support the development of, among other things, high-end, detached, recreational home development. Under the Combined Projects, home development in that market segment appears substantially reduced. One reason for that appears to be that the developer and/or its principals plan to develop those high end recreational homes in one or more off-site subdivision developments in the surrounding communities. If there are any coordinated development plans by the developer or its principals, they must be set forth, and their impacts analyzed in the SDEIS. In this regard also, if there are any coordinated plans for the development of a private airport facility to serve the Resort Developments, that too must be set forth and analyzed.

Ridge Line Residential Development

The proposed Report Developments include constructing a substantial group of residential structures on the ridge line above the former Highmount Ski Area. To my knowledge, this would be unprecedented in the Catskill Mountain region. The SDEIS must analyze whether the scope and scale of the proposed ridge line development is in character with existing development in the Catskills. If not, the SDEIS must analyze the impact of permitting such large scale ridge line development on future development in the Catskills. The "snowball" effect of such ridge line development is readily apparent, for example, in the Hudson Highlands region in Putnam and Dutchess counties.

Economic & Housing Climate

_____The proposed Report Developments would construct a resort complex that would dwarf the population of Fleischmanns and Pine Hill, and dramatically change the number and nature of the transient, part-time, and permanent residents in those and other surrounding communities. The direct impacts on public and community services such as schools and emergency services must be analyzed, but more fundamentally, the indirect impacts such as secondary displacement, and the availability of low-income and affordable housing, and the availability of low-income services must also be thoroughly examined. _____

Impacts To Bush Kill Creek & The East Branch of the Delaware River

One impetus for the proposed Report Developments being placed in the Delaware flow rather than the watershed of the Esopus Creek is protecting the Esopus from further water quality degradation. The dismal water quality of the Esopus Creek for turbidity downstream of the Portal is well known to those who use or attempt to use that resource for water-based recreation. The chronic and catastrophic turbidity conditions on the Esopus occur despite the fact that the Schoharie Reservoir serves as an enormous settling basin prior to the diversion of Schoharie water

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into the Esopus through the Shandanken Tunnel.

Stormwater from the Combined Projects will discharge to Emory Brook, a tributary of the Bush Kill Creek, or to the Bush Kill itself. The Bush Kill is a healthy and significant trout nursery stream for Brook and Brown Trout, and is a critical migratory corridor for Brown Trout between the Pepacton Reservoir and numerous spawning tributaries, including Dry Brook, the Red Kill, Vly Creek, and Emory Brook. It also provides critical thermal refuge habitat.

The Bush Kill (and the East Branch of the Delaware River downstream of their junction) is highly vulnerable to water quality and quantity degradation from the Combined Projects. The SDEIS must set forth a specific and detailed evaluation of how the Combined Projects may adversely impact that stream system, and its ecological vitality as a cold water fishery, from such effects as increased turbidity and phosphorus loadings, sodium inputs from de-icing a substantially larger area of roadways and walkways in the headwaters area, and the in-stream flow effects of decreasing groundwater recharge, and potentially higher storm water discharge peaks.

Implementation & Enforcement

A critical issue on a development of this scope and scale is implementation, and short and long-term maintenance of impact avoidance and mitigation measures. This issue must be analyzed for each substantive area of actual or potential significant effect, to ensure that the avoidance or mitigation measures that factor into the governmental decision-making on behalf of the public will in fact be implemented, and maintained. By way of example in this regard, what are the qualifications and storm water track record in constructing ridge line development, access roads and other large-scale development on steep clay slopes of the firm or firms that will construct those components of the proposed Resort Developments? As unfortunately we have recently been reminded from the debacle and tragedy that the deconstruction of the former Deutsche Bank building at Ground Zero in lower Manhattan became, the capacity, skill and integrity of the contractors who do the work in sensitive environments make all the difference.

I appreciate the opportunity to submit these comments on the scope of the SDEIS.

Very truly yours,

/s/ Lem Srolovic

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