

Attn: Mr. Daniel Whitehead

NYS-DEC
Division of Environmental Permits

January 14, 2008

RE: Scoping-Belleayre

Please include the following issues in the scoping document preceding the Draft Environmental Impact Statement for the proposed Belleayre Resort at Catskill Park:

1. Economic analysis/justification for huge resort complex according to SEQRA

According to SEQRA, a project must be a net gain for our area, not a drain on local resources. What exactly is the need for economic development in the area, the “forever-wild” Catskill Forest? Through the Agreement in Principle, the governor was able to claim that he is creating jobs in the “depressed” Catskill Mountains. End of story and everyone moves on. **Instead of relying on old assumptions, there should be a thorough study of the local economy, how it is changing, the situation of the local workforce and a determination of what the needs really are.**

- ◆ The Belleayre Resort was originally proposed in 1999. After nine years, there have been substantial changes in the area and continuing opposition to the project.
- ◆ The demographics of the northern Catskills have changed, as NYC residents continue to move to or buy second homes in the area.
- ◆ Real estate prices have risen dramatically in the area.
- ◆ Local trades people seem to have no shortage of work.
- ◆ The developer claims that there are plenty of people in the region eager for jobs at the resort and willing to commute to work there. However, resorts in the West, and even some hotels and other business right here, routinely hire workers from outside the United States and arrange for work visas for them, because they can't fill the jobs locally.
- ◆ A similar, very large spa resort is under discussion in nearby Rosendale. It would be in direct competition (at least in summer) with the Belleayre Resort and also would be 45 minutes closer to the target market of NYC.
- ◆ The advent of the internet and high speed data connections have allowed more people to work remotely, encouraging the growth of small, low-impact businesses in the area.

- ◆ The developer's own words: "The Catskill Mountains we're talking of are not and never have been part of what the NY Times continues to call 'The Catskills.' ... Unfortunately the dilapidation of the Borscht Belt has given many people the impression that the Catskills are depressed. Not a bit of it! The real Catskills are as beautiful today as they were when first discovered." (Source: "Presenting the Belleayre Resort at Catskill Park," Crossroads Ventures marketing brochure, page 2)

2. Impacts on Community Character

If built as proposed, the resort would basically constitute a new city at/near the intersection of two 2-lane roads at Belleayre Mountain. According to the developer's press agent, the resort would accommodate 1,800 guests at maximum capacity, not to mention the hundreds of workers needed for such a large complex. **There should be a study of the consequences of adding a new city of approximately 2,000 to 2,500 people to the community of Shandaken, which has a population of around 3,500.**

3. Adverse Socio-Economic Impacts

As proposed, the resort would require several hundred employees to run and maintain the complex. Doubtless, there will be a number of high-paying managerial positions, most of which will probably be filled by people from outside the area who have the necessary hospitality industry experience and skills. However, the majority of positions will not be managerial, but low-wage service jobs. **Instead of focusing on empty claims of "job creation," there should be a thorough examination of how a sudden influx of low-wage workers would affect the small communities in the immediate region.** The following points should be considered:

- ◆ Wages vs. cost of living: The developer claims that the "average" wage at the resort complex would be approximately \$12.50 per hour. It's easy to do the numbers and see that this is not enough to live in the area with today's current housing costs. And that figure is the "average." There will be plenty of people earning less.
- ◆ Imported workforce/Influx of new low-income residents: The addition of hundreds of low-wage workers to the area could result in many adverse consequences for the local communities, especially Shandaken:
 - ◆ Affordable housing: The developer has always claimed that there are plenty of workers within a 60-mile or so radius who will be eager to take jobs at the resort and he has insisted that these people will commute to their jobs and not live here. There is no provision for worker housing in the plan. With gas prices at over \$3 per gallon, it is not realistic for low wage workers to commute up to 60 to 120 miles per day. On the other hand, there is almost no affordable housing in the area. Local town governments, already strapped for funds, will have to shoulder the burden of housing many of these new low income residents.

- ◆ Public transportation: There is almost no public transportation in the area, and the only way to get to the development is by car, but the developer has made no provision for worker transportation. Many people in a low-income situation will not have a reliable car, or any car.
- ◆ Schools/social services: It's only logical to expect that many of the hundreds of low-wage workers and their families will want to move to the area to be near their jobs. They're children will attend school. The level of crime, almost zero now, will inevitably increase, resulting in a need for more police coverage. More fire fighting services, medical services, etc., will be needed. The local town governments of the tiny neighboring communities will have to bear the cost.

4. Secondary Development Impacts

As proposed, the resort plan basically creates a new city on Belleayre Mountain, within the boundaries of the “forever-wild” Catskill Forest and the NYC watershed, creating a number of secondary growth problems:

- ◆ It sets a dangerous precedent for growth: In the past, in order to avoid building a multi-billion dollar filtration facility, NYC has been scrupulously protective of the watershed area, which provides non-filtered drinking water for 9 million residents. The many regulations and restrictions imposed by the NYC regarding septic issue make it very difficult to build or renovate any housing or hotels or restaurants in the watershed area. So, a restaurant owner can't add a bathroom, but the Belleayre developer can add thousands of bathrooms. If this gargantuan project is approved, how can any permit be denied, for any type of building? The state and city won't have a legal leg to stand on.
- ◆ Secondary development sprawl would damage the pristine character of the area. The “forever wild” Catskill forest area is currently free of the blight of sprawl, like what's creeping up Route 17 in New Jersey to the approach to NYS 87. This resort would effectively create a new city, and as such, it would spawn other service businesses, like gas stations, dry cleaners, grocery stores, pharmacies, convenience stores and fast food chains. And of course, all this additional growth would lead to additional sources of pollution.

5. Traffic Impacts

The resort is planned at the intersection of two 2-lane roads that will almost certainly be inadequate to the vastly increased traffic it would bring. In particular, Route 49A (leading past Belleayre ski center) is rural road that is only marginally two lanes. The road is not suitable or safe for the increase traffic from a daily influx of cars, delivery vehicles, buses and 18-wheel semi trucks.

6. State Participation in SEQRA Process

The Agreement in Principle (AIP) calls for NYS to work in partnership with the developer in creating the resort and enhancements to Belleayre ski center. At the same time, the state is the lead agency for the SEQRA process, effectively ruling on its own project. This is entirely inappropriate and an unbiased entity should serve as lead agency.

7. State Funding

The state proposes several incentives to a private developer at public expense, such as purchase of approximately 1,200 acres of forest land (at an inflated price), development of ski trails and lifts right into the luxury section of the resort and the use of the Pine Hill waste treatment plant. **There should be a thorough public accounting and disclosure of all taxpayer funded expenditures.**

8. Flawed AIP process

The Agreement in Principle was reached behind closed doors. Local organizations representing residents, who would be most affected by the resort, were excluded. There was no public participation in the process. One signatory, Trout Unlimited, was given only 20 minutes for its state chairman to review the agreement. A surprise press conference was held immediately after the agreement was signed, again with the local groups excluded. **The entire process should be examined and exactly how this agreement was reached should be explored.**

9. Suitability of Development Partners

The state should undertake a full and public exploration into the business and employer histories of the principals of Crossroads Ventures before public funds are committed by the state in a partnership with them. Issues of financial fraud or wrongdoing, pending legal actions, land purchases and employee harassment issues should be investigated.

10. Economic Viability of Development Partners

The state should undertake a complete study of the financial state and capabilities of Crossroad Ventures and its principals and investors, in order to determine if they have the financial capability to pursue the project to the end. **A completion bond for the entire project and any adverse water quality impacts — not just for stormwater mitigation — should be required.**

11. “Organic” Golf Course

The issues surrounding the proposed organic golf course should be thoroughly explored, since this part of the project carries enormous potential to pollute water sources.

- ◆ There needs to be a strict definition of procedures and practices involved in running this as an “organic” golf course. My understanding is that there is no official certification and much is loosely defined.
- ◆ The AIP currently allows the developer to opt out of organic practices after five years, if the course is not “profitable.” The determination will be made by the NYS DEC, a partner in the project, which is certainly inappropriate. In addition, the developer is charged with hiring his own “independent” consultant to monitor the organic status and management practices of the course — again, obviously inappropriate. “Profitable” should be defined, organic practices oversight should be truly independent and any determination regarding the golf course’s organic status should be handled by a third party. Exact procedures for all of the above should be strictly defined.

Stephanie Blackman
346 Route 214
Chichester, NY 12416