

## **Comments on the Proposed Belleayre Scoping by the Sierra Club**

The Sierra Club is an environmental organization with 1.3 million members nationally and 45,000 members in New York State. Our mission is to protect the quality of the environment and the wild places of the earth, and to educate and enlist the support of the public in this goal. The New York State Clean Water/Watershed Committee is dedicated to preserving our watersheds around the state. New York City is one of the few cities in the country with unfiltered water. Ninety percent of its water unfiltered, with only chlorine added.

In September, 2003, a Draft Environmental Impact Statement was filed for a development of over 1,900 acres of Belleayre Mountain, called the Belleayre Resort. Serious concerns about the project were raised, including key issues such as hydrogeology, stormwater runoff, socioeconomic effects, and effects on wildlife. The Sierra Club became a member of the Catskill Preservation Coalition (the "CPC") formed in 2003 to oppose the Belleayre Resort project in DEC court.

On September 5, 2007, Governor Eliot Spitzer announced that a compromise called the "Agreement in Principle" (the "AIP") had been signed for Belleayre. The AIP would turn over the eastern portion of proposed development to state ownership, but would keep 85% of the original building plan – a total of two hotels and 629 housing units, a golf course, and miles of road. This would be built on more than one square mile of mountaintop, and would be one of the largest projects ever to be built in NYC's watersheds.

The DEC is the lead agency reviewing the Belleayre proposal pursuant to the State Environmental Quality Review Act (the "SEQRA"). At the same time, the agency was deeply involved in negotiations that resulted in the AIP. We feel this represents a very serious conflict of interest.

In addition, Governor Spitzer has offered \$42 million of state funds to expand the DEC-run Belleayre Ski Center adjacent to the proposed development, and an undisclosed amount of state money will be made available to purchase and develop the Highmount Ski Center, part of which would be for the exclusive use of the proposed resort. The DEC is in the position of granting permits for a proposal that would directly benefit its own ski center, a further conflict of interest.

### **General Comments**

All maps and surveys contained in the EIS must be to scale, and when demonstrating size and acreage, such as ski trails and acreage of buildings, surveys made by a qualified surveyor on the ground should be used.

Because this project is located in the middle of NYC's watershed area which serves 9 million people, water use must be thoroughly documented. Each area of the project, including ski, golf, resort, Highmount development and use of the planned Conservation Easement, has the potential for far-reaching effects on the quality, quantity and location of current water resources; therefore, for each planned activity there should be a complete plan of water use including number of acres involved, estimated water usage, storage of water, and changes in recharge rate and location. The current recharge of aquifers must be compared with recharge after the capture and use of stormwater. The effects of the use of the Pine Hill Sewage Treatment Plant on the watershed must be documented.

In addition to showing the effects of each portion of the project individually, the combined, cumulative effects of all parts of the project on water quality and quantity should be shown.

Each section of the project should include a Stormwater Pollution Prevention Plan ("SPPP"), including a detailed report of a) construction phasing; b) clearing of vegetation and clearcutting; c) movement and stockpiling of earth and debris; d) channeling and volume of stormwater; e) specific erosion control measures; f) detention basin sizing location, peak flow, drainage, and maintenance of stormwater, both during construction and post construction.

### **Belleayre Ski Center/Highmount Ski Center**

The EIS must document the amount of state funds that will be used to expand Belleayre Ski Center operations, purchase Highmount and build chair lifts and trails exclusively for the project at Highmount. It must explain the reason why the developer will retain certain portions of the Highmount ski center, and exactly how much of the Highmount Ski Center will be dedicated to the Belleayre Project exclusively. The EIS must show in detail how much of the visitor center, trails and ski lifts of Highmount Ski Center will be open to the public and how the public will be prevented from using areas set aside only for the use of resort visitors.

ALTA surveys of the current and planned additional trail mileage should be provided. By law, ALTA surveys must be to scale and taken on the ground. Similar surveys must be provided for the planned Highmount Ski Center. The surveys must show the length and width of the trails.

The EIS must state that it will comply with the DEC regulation limiting disturbance of land to 5 acres at a time. It must detail how many trees will be cut, and the complete details of mitigation measures that will be taken for erosion and stormwater runoff of the disturbed ground during construction.

The EIS should state the expense, time and complete plans for the lodge renovations for Highmount and Belleayre, total visitors expected daily, per month and per season, and how many of these represent additional visitors. It must state how many parking spaces will be created, and show a map, to scale, of their location. There must be

a realistic discussion of the effects of traffic expansion on Rte 28 and 49A. It must show how many additional miles of impervious surfaces, including new ski trails, roofs, landscaping, parking lots and roads will be added as a result of this expansion, and the amount of phosphorous that would be added as a result of stormwater runoff. The EIS must state how much phosphorous and silt would be added to local streams as a result of construction activities and post-construction impervious surfaces, and a detailed plan of mitigation of these pollutants.

The EIS must show current water usage for snowmaking, including the current source of water, how much is used, and percent that returns to the water system via snowmelt in the spring. There should be a complete plan of increased water usage for both the expanded and Belleayre and Highmount trails. The EIS should show the effect of water withdrawal on present aquifers, wetlands and streams.

According to a Trout Unlimited report, "A Dry Legacy", January, 2002, snowmaking can be especially threatening to water supplies, because water is not returned until spring snow melt. The effects of this snow melt from 25 miles of trails of snow on local streams, including bank erosion, sedimentation, phosphorous, additives and other pollutants, should be shown.

The EIS should show the following:

The EIS should show whether the snow will be made using diesel or electricity ("load sheeding"). It should include the cost of each option, and who will pay for the snow making. If diesel is used, the current and added amount of diesel must be shown, as well as amount and kind of pollutants due to diesel exhaust. Air pollution due to the use of diesel should be measured, both during construction (supply trucks, earth moving equipment, trucks moving and hauling debris, etc.) and post-construction (diesel-run snowmaking equipment, daily supply trucks, garbage trucks and visitors' cars, etc.) for the expanded ski center.

-At what temperatures snow-making will be used, and the ideal temperature for snowmaking. The EIS should show how many days out of the total skiing season over the past 5 years have had temperatures that reached the ideal for snowmaking;

-What type of snow making machines will be used, and their comparative efficiency and cost;

-Amount of water needed for "production snow" (wetter snow) which is used at the beginning of the season and when the snow has melted. The EIS should show hours and amount of water used both historically and with the expanded trails, including snowmelts due to high temperatures, and provide a total of water used for snowmaking daily, weekly, and monthly over the season, based on historical temperatures and snow-making days;

-Whether Sno Max, a chemical that helps the water freeze) will be used, and in what conditions it would be used; the cost and environmental effects of using it;

-Rules governing the use of water for snowmaking and limits on their use:

water holding tanks or ponds (EIS to show size and capacity, location and source of water);

local streams (EIS to show historic flows during Dec – Feb); and

Pine Hill Lake;

-How the use of water will affect recharge rate of aquifers; effects on wildlife such as trout and other fish;

-Changes in temperature of streams as a result of snowmaking and snow melt;

-review of NYS regulations concerning snowmaking and effects of snowmelt;

-back-up plans in case of power outages as a result of resort's electricity use; and

-analysis and disclosure of induced development and other secondary effects from expanded ski areas, as described in EPA letter July 6, 2000.

The EIS must state the effect of snowmaking on Birch Creek and Esopus Creek and trout populations in both creeks. It should show the historical winter flow of Birch Creek.

Impact of the increase of ski visitors on traffic patterns.

Comparisons with other ski resorts in the northeast should be given in terms of effects on the quality and quantity of water supply and socioeconomic effects of skiing on surrounding towns.

The EIS should state whether there will be night skiing, the cost of lighting ski areas, and effect on the view of Belleayre from the surrounding area.

The EIS should discuss these changes with respect to global warming.

### **Golf course and lawns**

The total acreage of the golf course should be given, including greens, roughs, fairways, and all parts of the golf course. The number of trees cleared for the golf course should be identified, and a topographical map showing the areas where they would be removed. Trees removed from steep slopes have a high potential to cause erosion and sedimentation of streams at the base of the mountain.

The EIS should detail golf course and lawn irrigation plans, in light of the fact that the golf course will need irrigation during the driest time of the year, when detention ponds will be dry. Most irrigation will not be returned to the aquifers and streams, but will dissipate through evaporation, resulting in a net loss to local water supplies.

The EIS should detail:

- amount of water needed to irrigate golf course. Back-up documentation for golf course water needs such as the "Golf Course Water Use Policy" of the Commonwealth of Massachusetts Department of Environmental Protection, which found that over a three-month period, over 9 million gallons would be necessary to irrigate 23 acres;

- source of irrigation water;

- effect of irrigation and evaporation on local water supplies, aquifers, Emory Brook and other streams;

- resulting warmer temperatures in dryer trout streams, and effect on trout population.

Five years after the beginning of golf course operation, the organic designation may be discontinued. Until then, the operator may apply for "emergency" applications of non-organic chemicals for pest or weed infestation. For these reasons, the following information should be documented by the EIS:

- national protocols in organic golf course management, if any;

- amount of phosphorous in organic fertilizers and pesticides, and its effect on streams and aquifers from runoff;

- effect on fish populations and water from such phosphorous, and specific mitigation of phosphorous loading of streams and aquifers;

- chemicals that will be used on golf course and lawns if the organic designation is dropped, the amount of their concentration in storm water runoff and effects on fish population and water quality, and

- amount of carcinogens, phosphorous, and other harmful substances and their concentration in runoff; and specific mitigation measures to eliminate these toxins.

The EIS should show a plan for containment of the red fungus common to the mountain, and what measures will be taken to eliminate it from the golf course and lawns.

### **New York City Water Supply**

New York City watersheds provide drinking water for 9 million people in New York City, or half the population of New York State. The Croton watershed lies east of the Hudson and makes up 10% of the water. The Catskill and Delaware watersheds west of the Hudson in Delaware and Ulster County make up 90% of New York City's water.

The Belleayre project drains into the headwaters of the Pepacton Reservoir, the largest reservoir west of the Hudson River. The Pepacton has been classified by the DEC

as type "AA" surface waters, which are required to be maintained as an unfiltered drinking water source. The Pepacton is especially important to the entire system, because it is one of the few large reservoirs west of Hudson that is not already impaired. The Ashokan, Cannonsville and Schoharie reservoirs are all subject to impairment by algae blooms, eutrophic conditions and/or high levels of turbidity and suspended solids.

Reservoirs are highly susceptible to the effects of construction and impervious surfaces, such as roads, parking lots, roof, lawns, golf courses, etc., which create stormwater runoff containing silt and phosphorous. Phosphorous is a well-known cause of algae, which depletes the water of oxygen. Excess algae blooms can lead to increased growth of toxin-emitting blue-green algae and high bacteria growth. Belleayre Mountain's colloidal-type soils can create high levels of silt in stormwater runoff that impair water supplies and cause turbidity in water. Sediments can transport pathogens and shelter them from chlorine treatment. The EPA has limited the amount of turbidity allowed in unfiltered drinking water. More than one violation per year is grounds for a federal order to construct a filtration plant for the entire New York City supply.

In fact, development in the Croton watershed has already led to a filtration order east of the Hudson, at a cost that has escalated to \$2.8 billion. The cost of filtering the Catskill/Delaware, or 90% of New York City's water, has recently been estimated at \$30 billion, a staggering economic burden for the state. .

The EIS should contain a discussion of how much phosphorous and nitrogen would be added in stormwater runoff and mitigation of these water soluble pollutants to pre-development levels.

### **Local Water Supply**

According to the AIP, the use of Rosenthal Wells 1 and 2 shall be limited based on the measured flow of Birch Creek. The EIS must show historic flows of Birch Creek during the months of additional water withdrawals for snowmaking and golf course irrigation. The EIS shall state how the resort operator will restore the quality or quantity of the Village of Fleischmanns' existing water supply in case of adverse effects, as stated in Exhibit G of the AIP.

The EIS should state specifically how the developer will assure provision of adequate water supply to residents whose public or private potable water supply wells are diminished or rendered non-productive by the use of water sources.

The EIS should state where the developer will obtain water, if the flow of Birch Creek is not sufficient for maximum withdrawal rates.

### **Stormwater Issues**

The final scoping document should include the level of detail required to identify stormwater issues (issues of quality and quantity), and present mitigation and alternatives.

A complete hydrogeological assessment should be done, including test borings, percolation tests, aquifer delineation, to achieve a better assessment of aquifers and their recharge areas.

The EIS should include a complete description of surface and groundwater resources onsite and offsite. The EIS must show the relationship of both surface and subsurface hydrologic connections between onsite and offsite resources. The EIS must require thorough documentation and evaluation, since the use of water resources is a key issue that will affect the population of the entire area.

The EIS must include the normal and peak water demands for the Belleayre Ski Center (expanded), the Highmount Ski Center, (including snow making activities) the Belleayre Resort, and the Highmount resort. It must show the effects of such water usage on the current water supply.

Mapping must be to scale and complete and include all onsite and offsite drainage channels, as well as groundwater resources. It must show the vulnerability of surface and groundwater resources to adverse impacts of construction, blasting and management of golf course. A drainage infrastructure must be provided that will avoid degradation of resources and identify and mitigate post-development changes in hydrology. The mapping must be sufficient to show prevention of construction impacts from erosion and sedimentation and mitigate pollutant loads, considering the complex and steep terrain of the site.

The EIS data must all take into account that development would take place on mountain plateaus and side slopes, not valleys, and adequately document the locations of any groundwater recharge points - the locations of springs and flow paths to offsite water resources that would receive stormwater runoff. Detailed groundwater well logs offsite must be provided for.

Critical hydrologic pathways to water sources such as Emory Brook must be identified, including a complete analysis of channel stability and slopes. Aquifers such as the existing aquifer beneath the Wildacres site (and serves Fleischmanns' water supply) must be adequately described and evaluated. Without accurate data, the Stormwater Pollution Prevention Plan (the "SWPPP") can not be evaluated correctly.

The change in hydrology of the site from the use of detention ponds must be detailed and accurate. If the detention ponds are to be used to water the lawns and golf course, for instance, the EIS must show how much water will be in the ponds during dry periods, and if the ponds are dried up (which is likely) how much groundwater will be used for irrigation. Irrigation water is lost to the aquifers through evaporation. The EIS should show the net loss to the water supply from irrigation.

The EIS should document mosquito control measures for detention pond water.

### **Stormwater Quantity**

This project will increase impervious area, change cover types, change drainage pathways, and alter soil character. Therefore the project requires a SPDES General Permit and must develop a SWPPP, subject to review by the NYCDEP.

The study Area must encompass the entire developed area, including offsite between the property boundaries. The design points used to compare pre- and post-development runoff used in stormwater modeling must be correct. Existing drainage features above and below the control points must be established and shown on the drawings. Otherwise, it would be impossible to tell whether existing natural drainage channels are adequate to handle stormflow, erosion and suspended sediment loadings.

Travel time that water takes to reach the Pepacton Reservoir, is important during storm events because that is when the runoff and erosion occur. Therefore, the EIS should provide distance and travel time to the Pepacton Reservoir for 5, 10, 25 and 100 year storm events.

A complete meteorological study should be conducted on the property. A weather station with data logging should be established to provide realistic data for runoff and groundwater modeling. If the DEP has already set up such a system, their figures should be used. The actual data would make the modeling accurate.

Steep slopes analysis should be broken down by category (15%, 20-25%, greater than 25 percent) with impact areas clearly depicted. There should be a map showing the exact areas and depths of cuts and fills. Slopes must be delineated for roads, lawns, fairways, roads, and all disturbed areas, in addition to buildings. The EIS should include a full study of slope stability, with assurances of slope stability and a study conducted by a third party engineering firm. This would help prevent the problems of landslides or slumps on this mountain terrain.

Detention ponds is a key element to the plan. Yet since their efficiency is based on their ability to provide capacity for stormwater. The purpose of level spreaders is to drain detention ponds and change point discharges to non-point discharges. The EIS must detail how the plan will conform to NY State Guidelines for Urban Erosion and Sediment Control (Blue Book) which states that the area below the discharge point for level spreaders must be uniform with a slope of 10% or less. The EIS must state how it will prevent runoff from re-concentrating after release, which is one of the requirements for use of the spreaders. In fact, the plan to use spreaders on this mountainous terrain on steep slopes does not conform to rules for their use, and was criticized by the DEP and Watershed Attorney General in 2004 as likely to fail and cause severe erosion. The EIS must develop and provide an alternate plan for controlling stormwater runoff.

The EIS must show the subcatchment consistent between pre-and post-development, using correctly located design points that remain consistent. If not, post-construction runoff at modeling design points could be artificially reduced, and the analysis flawed.

The EIS must include a discussion of continuous storms, as opposed to single storm events. Detention ponds must be sufficiently designed to handle as much as a month of steady and/or intermittent storms.

For Class D streams, DEP Watershed Regulations require Crossing, Piping and Diversion Permits for streams. All Class C and D streams, in addition to any other watercourses, must have these permits, and these issues must be included in the SWPPP.

All portions of Wildacres and Highmount Estates area must be included in the study area for stormwater quantity analysis. All disturbed areas that are affected by the development must be included to account for all the stormwater runoff. All existing culverts should be shown on the drawings. This includes all access roads. The EIS must show that stormwater management controls are in place downstream of design points and are adequate to handle increased flow; if not, the EIS must propose modifications to mitigate changes in flow. EIS should provide design modifications to prevent flooding of roadways behind culverts.

An adequate assessment of runoff from the site requires that flow paths used to establish times of concentration (T/c) must be shown in the drawings. These must be provided for both pre-and post-development.

A major design objective of the detention ponds is to slow stormflow and allow settling of suspended particulates. Stormwater detention basins must be sized to capture the required volume of runoff and sediment. Information must be sufficient for SEQRA review and be in accordance with the New York Guidelines for Urban Erosion and Sediment Control.

Runoff coefficients (Rv) are an index of rainfall runoff. Values used in the EIS must correspond to site-specific data collected by NYCDEP.

If using retaining walls and other structures meant to hold soil in place, the EIS must show precisely where those engineering controls will be installed.

Soil erosion and sediment control plans must show the exact location of stockpiles, and containment measures for stockpiles.

Perimeter erosion control measures must be shown, including the measures that will be completed prior to any earth disturbing activities.

With respect to the new Highmount development, the EIS should show a map, to scale, of the exact location of the road and housing, and the size, height and location of the water tower at the summit. Document tree removal and its effect on stormwater quantity and mitigation measures taken. Compare to no-build and lower build options.

### **Stormwater Quality**

A DEP study in 1999 showed that 85% of the pollution in the Croton watershed was due to stormwater runoff. Phosphorous and nitrogen caused by fertilizers (including

organic fertilizers), road salts, and impervious surfaces result in algae growth in the reservoirs.

Stormwater detention ponds are ineffective in removing soluble nutrients such as nitrogen and phosphorous. These pollutants would enter the groundwater and streams, causing deterioration in the quality of the water. The EIS should state how these nutrients would be controlled.

The EIS should state whether detention ponds would be lined or unlined, and what system of maintenance would be followed. A schedule of sludge removal should ideally be quarterly.

Stormwater detention ponds must not be too narrow to handle the predicted flow volumes post-development. Ponds that discharge into state managed trout streams must be shown to limit potential water temperature increases and control nutrients, suspended solids and other contaminants. The EIS should show how nutrient loads would be reduced to pre-development levels. All basins must be included in the analysis, and adequately handle runoff from their subcatchment.

Modeling must include discharge from control devices upstream. Stormwater ponds linked in a series must account for inputs from one subcatchment to another pond downstream. If not, loading effects will be inaccurate.

Pre-development total phosphorus loads estimated in the model must correspond to site-specific data collected by NYCDEP and actual values. Overestimate of pre-development total phosphorus load would result in underestimating the net change in loadings.

The EIS should contain an alternative plan for a primary stormwater treatment plant, with filters, including charcoal filters. A comparison of phosphorous and nitrogen with and without the plant should be made.

The EIS must provide a comprehensive description of streams, including their stability, lengths, slopes, and information to evaluate potential impacts post-construction.

Wells proposed for groundwater monitoring should include installation of shallow overburden monitoring wells approved by NYCDEP and NYSDEC.

With respect to the Highmount development, the EIS should show the effects of the road, buildings, landscaping and tree removal on phosphorous loading of stormwater runoff, compared to the baseline, the effect on stormwater quality and proposed mitigation measures to be taken. Compare to no-build and lower build options.

### **Wastewater Treatment**

The EIS should provide the full specifications of the inflow to the Pine Hill STP, showing that the plant can handle "peak flow" events. The increased sludge from 300,000 – 350,000 gpd is an added waste product of the sewage plant. The EIS should

provide full details concerning how the sludge will be removed and carted away, and where such disposal is available. The EIS should show the nearest landfill willing to accept the volume of sludge, and full information of trucking it out of the catskills to a treatment or storage facility. The resulting noise and air pollution of these trucks must be included in the EIS.

### **Blasting**

The EIS should include a complete schedule of blasting, including complete information on noise, and dust particles. It must provide a complete plan of mitigation of these effects. The effects of blasting on destabilization of steep slopes, infrastructure and aquifers must be evaluated and a plan of mitigation provided.

The EIS must provide for a Mined Land Reclamation Permit. The New York State Environmental Conservation Law (ECL) indicates that such a permit is needed for creating detention ponds.

### **Noise**

The EIS should state whether the project would have a significant impact from noise and/or blasting vibration with respect to the following:

- Conflicts with local noise ordinance
- Permanently increases noise levels significantly for nearest residential neighborhoods;
- Increases noise levels during construction and/or operation phases
- exposes personnel on site to noise levels exceeding OSHA standards;
- causes a blasting Peak Particle Velocity (PPV) greater than 0.5 inches/second at off-site structures;
- causes an airblast in excess of 133 dB

Predictive modeling should be used to determine if any of these conditions would result from the project construction, operations and materials transportation and blasting.

The EIS should show transportation-related noise, using Federal Highway Administration (FHWA) Traffic Noise Model (TNM), Version 2.5, or similar, to evaluate baseline noise and increased noise levels caused by traffic associated with the project. The TNM should be run using the volumes, vehicular mix and speeds for existing, No Action and Proposed Action conditions, based on worst-case conditions. The number of employees and hours of routine operations should be provided, and an upper boundary on truck noise. Truck routes and effects on local traffic should be evaluated, including material handling equipment and heavy trucks. This information should be provided for each phase.

Construction noise and blasting should be evaluated as to the duration and magnitude of noise impacts and how far the effects of blasting would carry. The EIS should show the duration of blasting and how many years it would be conducted. A blasting plan would need to be developed, ensuring that PPVs and air blasts do not exceed a certain level; hours of prohibited blasting; notification; type and placement of acoustic barriers, and their effectiveness as shields from blasting and construction activities.

All mitigation procedures and their effectiveness should be discussed and compared to no-build and lower build alternatives.

### **Watershed Conservation Easement site**

The total purchase price of the Conservation Easement should be listed.

The mining of bluestone should be detailed: how much would be mined and is blasting involved? If so, a separate Mined Land Reclamation Permit would be required, with all relevant public notice and comment requirements.

The effects of commercial bluestone mining at the conservation site must be fully evaluated for noise, dust pollution and danger of stormwater runoff. The EIS must document how many trucks will be used to haul of rock and debris, and factor in their effect on traffic on local roads. Pollution from diesel must be evaluated and included in the total load of diesel pollution. The EIS must define how stockpiles will be stabilized and covered, including their size and length of time on the ground.

The EIS should delineate the production of compost on the conservation site. This would include what will go into the compost, the size of compost piles, how they will be covered, etc. Trucks hauling compost in and out must be factored into the overall plan of diesel pollution load at the property.

### **Wetlands**

Wetlands mapping must be accurately delineated. The delineation should be done by a responsible third party engineering firm using USFWS US fish and wildlife service criteria for wetlands delineation, not the Army Corps of Engineers. The EIS must provide maps (to scale) illustrating the locations of wetlands and specific areas that would be disturbed. There should be provision for sufficient buffers to protect wetlands, including isolated wetlands. Wetlands should be protected by deed restrictions and/or conservation easements. A protocol should be established for removal of wetland trees, with an estimate of how many trees would be removed. Consideration of alternative designs that could remove impacts to wetlands should be presented.

### **Viewshed**

The EIS should show the visibility of the Highmount development and the water tower on the summit from trails and neighboring mountains. It should provide a map of hiking trails surrounding Highmount, with an accurate depiction of the view of the

Highmount development, the mile-long road going up to the summit, and the water tower.

### **Wildlife**

The EIS should provide a complete impacted species inventory from a third party engineering firm. This should include considerations of the Catskill Bird Conservation area, and a complete raptor species inventory with identification of any nesting areas. A plant survey with emphasis on plants that would determine a wetlands area, such as Phragmaties, should be documented, as well as the presence of endangered plants, such as Monkshood.

The effects of the project on native bear population should be shown in the EIS, as well as plans for controlling nuisance bears and garbage. Native beaver populations must be studied, as well as an outline of their control.

A plan for mosquito control in detention ponds must be detailed in the EIS.

### **Economic analysis**

Economic effects must be adequately shown on the EIS to properly assess the effect of the project on the local economy.

Because of the mountainous terrain and limited access to the site, the economy and labor pools within an hour's drive should be analyzed, instead of mileage "as the crow flies". Employment and economic data from Monticello, for instance, should not be used because drive time is more than an hour, and the commute would be too long for the level of jobs post-development.

If construction jobs are expected to benefit the community, the EIS should detail whether or not those jobs are union, and if so, how many union members live in the affected area within an hour drive from the site. The EIS should show the location where most union members are concentrated.

The number of jobs, type of jobs, and salary for all employment should be included in the EIS, both pre- and post-development.

The EIS must analyze the additional need for public expenditures on traffic, police, fire, schools, social services and infrastructure such as roads made necessary by the project.

An analysis of the economic benefits of the project must include detailed projection of tax credits and actual taxes paid by the resort; number and types of stores within the resort (such as restaurants, boutiques, chain stores, spas, etc.) It must account for spending within the resort at these shops, rather than at local businesses. The EIS must detail the economic impacts over 10 to 15 years.

The EIS must include alternative economic impacts of a small scale resort project, much smaller than the current plan, as opposed to a full-service resort.

### **Cumulative Impacts**

The combined effects of the Belleayre resort, Belleayre and Highmount ski center expansions, and the development of Highmount must be shown with respect to their cumulative impacts on the environment, socioeconomic conditions, and on traffic.

These impacts should be backed up by comparisons with other, similar projects in the northeast.

The EIS should detail secondary growth effects of similar resorts in the northeast.

### **Alternatives**

The EIS must present a detailed statement setting forth reasonable and feasible alternatives, including a lower-impact alternative with far fewer housing units and less expansion of Belleayre Ski Center. The range of smaller scale alternatives must be sufficient for SEQRA requirements, and should include a no-build, or no-action alternative, and describe the impacts of leaving the land in its present state.

In summary, this project would be located in the middle of the Catskill Forest Preserve, and less than 20 miles from the Pepacton Reservoir, a key reservoir in New York City's drinking water supply. As a result, the EIS should show the complete and cumulative effects of this project on the environment, including water supply, water quality and water quantity. It should show the local economic effects and address economic development concerns, secondary growth and effects on local businesses. It should show how it will offer the protections required for a New York City watershed.

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## Sources

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- Comments of the New York City Watershed Inspector General on the Draft Environmental Impact Statement... Office of the New York State Attorney General. April 23, 2004.
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- Comments on the Proposed Belleayre Resort at Catskill Park. Riverkeeper, Inc.
- Draft Scope Belleayre Mountain Modified Project and UMP. November 21, 2007.
- Golf Course Water Use Policy. Commonwealth of Massachusetts Executive Office of Environmental Affairs, Department of Environmental Protection. June 8, 2000.
- Letter Re: Draft Environmental Impact Statement for the Discovery Ski Area. United States Environmental Protection Agency. July 6, 2000.
- Polluted Runoff (Nonpoint Source Pollution). U.S. Environmental Protection Agency. <http://www.epa.gov/OWOW/NPS/MMGI/Chapter 4/ch4-2a.html>.