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**Ulster County Legislature
District 2**

Mr. Daniel T. Whitehead – Environmental Analyst
New York State Department of Environmental Conservation
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, NY 12233-1750

January 9, 2008

Subject – Scoping – Belleayre

Dear Mr. Whitehead;

I am Don Gregorius, Ulster County Legislator. I am writing as a concerned resident of Ulster County who will be impacted by the Belleayre proposal, and as an Ulster County Legislator for District 2, which includes Denning, Hardenburgh, Saugerties, Shandaken, and Woodstock. The following are comments to be entered into the record for the Scoping Session regarding the Belleayre proposal presented by Crossroad Ventures.

This proposal has been presented and examined for quite a while. It is a controversial project with significant impacts from Political, Legal, Environmental and Social points of view. The project previously went through scoping sessions with determinations of significance. In 2005, Judge Richard Wissler ruled 12 issues should be adjudicated regarding the Belleayre proposal. In what has been called an 11th hour ruling DEC Deputy Carl Johnson overruled Judge Wissler and eliminated 6 areas identified for adjudication. There are numerous issues that still need to be addressed, and I believe they will all ultimately come back to “people” issues. The environment is important for its intrinsic value, and for people to enjoy. People: how we live with each other and nature, are basic aspects of life. We must give equal weight to Social Issues including Community Character, as well as to any other concern.

I believe Social Issues including Community Character will be impacted by a variety of other specific concerns – Housing, Taxes, Schools, Social Services, Economic, Traffic, Emergency Services, Political, Air Quality, Water Run Off, Aquifer Depletion, Sprawl and more. **SEQR Law. 617.1 Authority, Intent and Purpose-** Paragraph D states -

(d) It was the intention of the Legislature that the protection and enhancement of the environment, human and community resources should be given appropriate weight with *social* and economic considerations in determining public policy, and that those factors be considered together in reaching decisions on proposed activities. Accordingly, it is the intention of this Part that a suitable balance of *social*, economic and environmental factors be incorporated into the planning and decision-making processes of state, regional and local agencies. It is not the intention of SEQR that environmental factors be the sole consideration in decision-making.

I would also call your attention to **SEQR LAW 617.11 Decision-making and findings**, paragraph D5 – Findings must certify that consistent with *social*, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

To be more specific there are several areas I ask you to consider. ***A Complete Traffic Study, including the entire length of Rte. 49A.*** There is a reasonable concern that many of the projected employees, and guests, will be using that road as a main thoroughfare. It is a winding 2-lane narrow country road that will not be able to handle significant additional traffic without considerable upgrades. Since this is an Ulster County Road, I need to know what the cost to the County and local taxpayers will be. How will traffic on Route 28, which is over 100% capacity in certain parts, at different times of the day, be dealt with? Who will pay for road maintenance on secondary roads? ***Realistic Labor Assessment and Impacts.*** Recently a spokesperson from the developer stated at a meeting there would be no problems in hiring workers. He cited a recent study completed for several Counties in the Hudson Valley. He explained that the study showed there are approximately 70,000 workers available in the Hudson Valley. It is hard to believe that this information regarding other Counties in the Hudson Valley has any relevance whatsoever to the project in question. I request a true assessment of the local labor force (within a half hour drive of the project site) and the impacts the “out of town” workers will have on the area. ***Air Pollution and Traffic Impacts.*** In addition to Air Quality in and around the project, Ulster County is aware that our new air rating in March may likely identify us as “**NON ATTAINMENT**”. As you are probably aware the DEC is recommending the current .8 standard be reduced. I understand this is in response to EPA issues. This project should be evaluated on the less than .8 standard and required to produce a **Conformity Analysis** since most of the workers, employees and guests will not be local. We are aware there will be significant traffic increases indicating a Conformity Analysis will be appropriate. ***Affordable Housing Issues.*** Currently there is

an affordable housing crisis in the area. I am asking for an assessment of the impacts of this project, including the workers, concerning this crisis.

In addition there are other impacts that need to be included with the examination of this proposal. New York State has announced it plans to expand the facilities at Belleayre and Highmount. There should be a simultaneous examination of impacts concerning both the New York State and Crossroads proposals. If this were a single developer for both projects, they would be examined together, thus avoiding Segmentation under SEQR.

I am also concerned that additional issues need to be addressed. There are issues of Water: the amount needed, and the effect on the Aquifers from where it is taken. Erosion due to building on severe slopes, and at high levels on the mountain. The potential for major flooding due to massive deforestation as well as erosion and damage to waterways, cannot be overestimated. During a major storm event, especially during construction, it is not unusual for many layers of storm water controls to break down.

School costs will have to increase, in order to educate the children of personnel having to relocate here to work at Belleayre. School taxes will increase for local residents. As property values increase, they will acquire a higher share of assessment in "Consolidated School Districts" and the Ulster County tax base.

Habitat destruction for animals is another concern. It must be measured in a detailed manner. The size of the project in acreage, is only one element in this analysis. Noise, Pollution, Traffic, Sprawl, Visual and noise pollution will need to be examined separately, and mitigated. Who will pay for Social costs (including Safety Net charges) if people are brought in with low wages, and do not stay employed?

These are all serious questions. They need thoughtful answers, based on facts, that can be **verified**. I will continue to work hard for my constituents, and bring whatever assets I can to insure their concerns are completely answered and remedied.

Sincerely,

Donald Gregorius