

From: <joy@savewhales.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/2/2004 10:11:36 PM
Subject: Proposed Belleayre Resort at Catskill Park

Mr. Alexander Ciesluk, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk, Jr ,

I am writing to voice my opposition to the construction of the proposed Belleayre Resort atop Belleayre Mountain in the Catskill Park. I also believe that the environmental impact analysis does not fully reflect the impacts of this proposed project. This large development will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution.

The environmental impact statement (EIS) does not adequately describe the affect this development will have on the natural and cultural resources of this region and it fails to completely address reasonable alternatives to this proposal. This large scale development would be wholly inconsistent with the character of the Catskill Park and its hamlets. I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and I oppose the loss of a pristine ecosystem and the damage to its plant life and animal habitat. This mega-resort will devastate the magnificent view and night sky of the State Forest Preserve and Catskill Park. I oppose the loss of a unique environment, a prized asset for all the people of New York, in order to provide financial gain for a few.

The EIS minimizes expected secondary sprawl and development impacts, as well as traffic impacts. Further, it fails to adequately address the water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs. I oppose the compromising of the water supply for New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses.

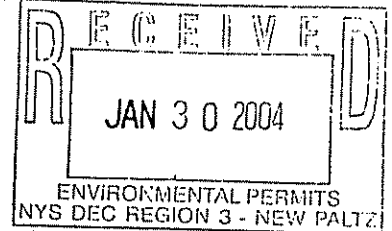
I urge you to require more information and analysis of this proposal, especially a more comprehensive analysis of alternatives, in the State Environmental Quality Review Act process, and to ultimately reject this proposal to build the Belleayre Resort on Catskill Park.

Sincerely,

Joy Stanistreet
PO Box 55
Riparius, New York 12862

256 Bruce Scudder Rd.
Fleischmanns, N.Y. 12430
January 29, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, N.Y. 12561-1620



Dear Mr. Ciesluk;

My name is Herbert Blish, and I was born in March 1926 at Highmount, N.Y., adjacent to the Belleayre Ski Center. There seems to be no objection to the Ski Center. I have lived in or around Fleischmanns all my life, except for two years in the Navy.

I remember many hotels in the Village of Fleischmanns, and delivered fish to them from the market where I worked. There were also many stores in the Village—restaurants, barber shops and beauty salons.

I am very much in favor of the Crossroads Ventures. They may offer mostly service jobs, but this was true in years gone by. I see no justification for anyone saying it is bad for the environment, anymore than the Belleayre Ski Center is. I have listed some of the hotels in Fleischmanns and adjacent areas:

Edgewood Hotel	St. Regis Hotel
Lorraine Hotel	Mathes Hotel
Alpine Hotel	Roseland Hotel
Park Terrace Hotel	Palace Hotel
Takanassee Hotel	Fleischmanns Hotel

Just outside the Village limits:

Majestic Hotel	Arlington Hotel
DePitt's Mountain Lodge	Pinewood Hotel
Fleischmanns Park House	Breezy Hill Hotel

Let us not forget the Grand Hotel which hosted a nine-hole golf course, where I caddied in my youth. The Takanassee also had a nine hole golf course.

There were many business places in Fleischmanns:

4 gas stations-2 being garages	2 hardware stores
2 barber shops	1 fish market
2 seasonal camp and hotel supplies	1 insurance office
3 linen shops	2 meat markets
1 paint store	1 bakery
1 shoe store	1 liquor store
2 restaurants	2 beauty salons
4 grocery stores	

I don't see any adverse effects on the Village with this venture on the side of a mountain, as compared to what this Village has been in the past.

Yours truly,

Herbert Blish

From: "Donald C. Pachner" <dpachner@pachner.info>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 5:14:32 PM
Subject: Belleayre Catskill Resort DEIS - Comment on behalf of Sierra Club Lower Hudson Group

Dear Mr. Ciesluk,

I am attaching hereto comments presented on behalf of the Sierra Club Lower Hudson Group to the NYSDEC regarding the DEIS for the Belleayre Catskill Resort proposal.

Don Pachner,
Chair, Lower Hudson Group of Sierra Club Conservation Committee
leader/list master
Sierra Club Atlantic Chapter Outings Committee, Singles/Impromptu Outings Program
Chair, Lower Hudson Group Trails Committee
Co-chair, Lower Hudson Group Outings Committee
New York Chapter Outings Committee Contributing Webmaster
Member, New York Chapter Shawangunks Committee
Member, New York Chapter Catskill Committee
Member, New York Chapter Watershed Committee
mailto:donp@bestweb.net

Visit our web site at <http://www.atlantic.sierraclub.org>
Outings at <http://www.atlantic.sierraclub.org/outings>
"Climb the mountains, and get their good tidings, Nature's peace will flow into you as sunshine flows into trees. The winds will blow their own freshness into you, and the storms their energy, while cares will drop off like autumn leaves" - John Muir

SIERRA CLUB LOWER HUDSON GROUP
Westchester, Putnam & Rockland Counties
www.atlantic.sierraclub.org/LHG
c/o Donald C. Pachner, 19 Rock Hill Rd, Bedford, NY 10506
Tel 914-234-6618 Email donp@bestweb.net

April 23, 2004
VIA EMAIL afcieslu@gw.dec.state.ny.us

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

The Sierra Club Lower Hudson Group is comprised of over 5,000 Sierra Club members located in Westchester, Putnam and Rockland Counties of New York State

We are writing to you regarding the draft environmental impact statement (DEIS) for the proposed Belleayre Resort at Catskill Park. Many of our members visit the Catskill Park and are concerned about the potential impact of this environmentally inappropriate plan to develop the area in and around Belleayre Ski Area

According to the developer's consultants, the proposed resort would be the largest of its kind in the northeastern United States. It is located in the historic forever-wild Catskills Park and the heart of the Catskill/Delaware watershed, which supplies up to 90% of the unfiltered drinking water for nearly nine million New Yorkers.

From what we are able to determine from the voluminous document available for public review, we are deeply concerned about the following potential environmental impacts of the project.

1. The developer has failed to provide adequate analysis and comparison of project alternatives, including a no-build alternative;
2. The developer failed to study the cumulative impacts that would be caused by the proposed expansion of the adjoining state-run Belleayre Mountain Ski Center;
3. The developer plans to disturb up to 25 acres of land at a time in violation of Phase II storm water requirements. The failure of erosion controls would be disastrous for world-famous trout spawning streams and the drinking water supply; evidence of river bank stabilization is presently evident in many Catskill areas. The plan would create problems with stream stabilization that may be impossible to mitigate.
4. The developer failed to adequately assess the demand the extensive project would have on water resources, particularly those of the New York City water supply system;
5. The developer has failed to acknowledge and mitigate significant impacts to community character of the Catskills;
6. The developer plans to build two golf courses and a series of lawns, which would introduce pesticides, herbicides and fertilizers to the watershed and to the current unspoiled locale. The Catskill Park was created over 100 years ago to protect New York City's water supply. We should not start to reverse over 100 years of effort in protecting the source of New York City's drinking water through irresponsible real estate development;
7. The developer failed to adequately address the environmental impacts to the watershed resulting from the addition of approximately 85 acres of impervious surfaces;
8. The developer plans would alter the majestic scenic views of this incomparably beautiful mountain region that has been a destination for travelers and artists from all over the world for over 100 years;
9. The developer failed to assess impacts to the surrounding Catskill Wilderness areas of the Forest Preserve and its unfragmented, unspoiled

wildlife habitat; and

10 The developer failed to fully assess traffic impacts along the Route 28 corridor, including the cumulative traffic impacts resulting from an expansion of the Belleayre Mountain Ski Center.

We ask that you make the protection of this important region and its sensitive ecosystem your agency's top priority. Thank you for giving us the opportunity to make our point of view part of the environmental review process.

Respectfully Yours,

Donald C. Pachner, chair
Sierra Club Lower Hudson Group Conservation Committee



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LOWER HUDSON GROUP

Westchester, Putnam & Rockland Counties

www.atlantic.sierraclub.org/LHG

c/o Donald C Pachner, 19 Rock Hill Rd, Bedford, NY 10506

Tel 914-234-6618 Email donp@bestweb.net

April 23, 2004

VIA EMAIL afcieslu@gw.dec.state.ny.us

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
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According to the developer's consultants, the proposed resort would be the largest of its kind in the northeastern United States. It is located in the historic forever-wild Catskills Park and the heart of the Catskill/Delaware watershed, which supplies up to 90% of the unfiltered drinking water for nearly nine million New Yorkers.

From what we are able to determine from the voluminous document available for public review, we are deeply concerned about the following potential environmental impacts of the project:


1. The developer has failed to provide adequate analysis and comparison of project alternatives, including a no-build alternative;
2. The developer failed to study the cumulative impacts that would be caused by the proposed expansion of the adjoining state-run Belleayre Mountain Ski Center;
3. The developer plans to disturb up to 25 acres of land at a time in violation of Phase II storm water requirements. The failure of erosion controls would be disastrous for world-famous trout spawning streams and the drinking water supply; evidence of river bank stabilization is presently evident in many Catskill

areas. The plan would create problems with stream stabilization that may be impossible to mitigate.

4. The developer failed to adequately assess the demand the extensive project would have on water resources, particularly those of the New York City water supply system;
5. The developer has failed to acknowledge and mitigate significant impacts to community character of the Catskills;
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7. The developer failed to adequately address the environmental impacts to the watershed resulting from the addition of approximately 85 acres of impervious surfaces;
8. The developer plans would alter the majestic scenic views of this incomparably beautiful mountain region that has been a destination for travelers and artists from all over the world for over 100 years;
9. The developer failed to assess impacts to the surrounding Catskill Wilderness areas of the Forest Preserve and its unfragmented, unspoiled wildlife habitat; and
10. The developer failed to fully assess traffic impacts along the Route 28 corridor, including the cumulative traffic impacts resulting from an expansion of the Belleayre Mountain Ski Center.

We ask that you make the protection of this important region and its sensitive ecosystem your agency's top priority. Thank you for giving us the opportunity to make our point of view part of the environmental review process.

Respectfully Yours,



Donald C. Pachner, chair
Sierra Club Lower Hudson Group Conservation Committee

From: jen vinci <jen@ipatools.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 4:56:35 PM
Subject: [Maybe Spam] Proposed Resort

Dear Mr. Ciesluk,

We have been a property owner in Shandaken since 1997 and have lived here for the past 4 years. You could say we live in our own paradise in the Catskills and have worked our entire adult life to get here. We do own one of the few publically held mountaintops in Shandaken, Rose Mountain. The view from the top of Rose is breathtaking and symbolizes the purest vibration of nature. Unfortunately, the resort is proposed to go right in the middle of it. I am writing this letter to let you know my objection to this destination resort

The proposed resort would devastate the view from our vantage point, but also on a community level, it's effects would also be devastating. I'm sure you've heard the long list of adverse effects on the environment, the threat to the character of our town, traffic and trucking, light and noise pollution, chemicals in the runoff, water issues, etc., etc.; the list goes on.... I'll just say I object and you've already heard all the reasons why

Please add my vote to the side of against the proposed resort, and let it be known that I support the idea of the city buying the land from Crossroad Ventures for fair market price. I pray this resort never becomes a reality

Thank you and may righteousness and truth guide your decisions

Jennifer Vinci
786 Anbu Lane
PO Box 500
Shandaken, NY 12480
845-688-2300

From: Mark Loete <mark@loetephot.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 4:45:36 PM
Subject: Proposed Belleayre Resort at Catskill Park

Subject: Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk,

As a resident of Shandaken Township in the Catskill Park, I am writing to voice my opposition to the construction of the proposed Belleayre Resort atop Belleayre Mountain. This large development will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution, and unfavorably alter the fabric of our Catskill communities.

I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, resulting in the loss of a pristine ecosystem and the damage to its plant life and animal habitat. This mega-resort will devastate the magnificent view and night sky of the State Forest Preserve and Catskill Park. The resulting water pollution levels will threaten our fabled wild trout population. I oppose the loss of this unique environment, a prized asset for all New Yorkers, in order to provide financial gain for a few. This large scale development would be wholly inconsistent with the character of the Catskill Park and its hamlets. The Draft Environmental Impact Statement (DEIS) does not adequately describe the affect this development will have on the natural and cultural resources of this region.

I also believe that the DEIS does not fully reflect its impact on the community. The DEIS minimizes expected secondary sprawl impacts, as well as traffic impacts. The increase in town population from the influx of workers and users of the resort will place burdens on the school system, fire departments, emergency responders, etc. as yet unfunded. The deferred taxation schedule being applied to this development is not adequate to cover these necessities. Further, it fails to adequately address the water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs. I oppose compromising the water supply for New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use as fertilizers on the golf courses.

I could never in good conscience vote for a politician who is willing to sell off the God-given source of our health, wealth, and happiness for the short-term financial gain of a few well-placed individuals. "Forever wild" means forever wild. I urge you to reject this proposal to build the Belleayre Resort at Catskill Park.

Sincerely,
Mark Loete
Chichester, NY 12416

From: Stephanie Blackman <sblackman@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 4:37:19 PM
Subject: Say no to Crossroads development

Dear Mr. Ciesluk,

Please consider my comments regarding the proposed Belleayre Crossroads resort in Catskill Park. This letter is also attached as a pdf file

As a resident of the area, former NYC resident and current member of Trout Unlimited, I wish to express my strong opposition to the Crossroads project.

Two mountaintop 18-hole golf courses € two large resort hotel complexes with 400 lodging units € 351 time-share units € clubhouses € restaurants € conference facilities € retail stores € recreational facilities € luxury housing development € maintenance buildings € offices and storage areas € sewage treatment facilities € access roads € hundreds of parking spaces

- .. all within the "forever wild" Catskill Park.
- .. all within the NYC Watershed, serving half of NYS residents.
- .. all within a community of a few thousand people.

What are they thinking?

The negative impacts of this project are so substantial and numerous, that it is difficult to know where to begin. Community opposition to the project has been so strong, it's hard to believe that the development is even being considered by the State.

First, I object to the chemical contamination that will result from this development. I object to the introduction of toxic pesticides, herbicides, fertilizers and other chemicals into our pristine streams. It's common knowledge that golf courses are notorious for chemical usage. Runoff from two championship courses is certain to find its way into both surface and groundwater, endangering water quality in the area. Trout habitat is extremely sensitive to contamination, and the Esopus Creek is one of the most prized trout streams in the world. In addition to its value as a trout fishery, the Esopus and its unfiltered water ends its journey in the water taps of millions of NYC residents.

Second, I object to the destruction of the unique, rural character of this area and its possible New Jerseyfication. None of us who moved here did so for shopping malls, big box stores, parking lots or six lane highways. Catskill Park is a refuge where people can slow down, reconnect with nature and enjoy the small town experience. The Belleayre Resort, or any resort of this magnitude, would overwhelm the area and be out of character with what is most valuable about the Park. Hundreds of additional cars and trucks per hour would create congestion, noise and pollution along the only main artery through the park (scenic Route 28). Commercial activity along roadways would increase, and intensive growth pressures would inevitably degrade the environment and lead to an undermining of the "forever wild" intention of the Park. Currently, Catskill Park, the NYS Forest Preserve, the NYC Watershed and the existing village communities co-exist harmoniously and serve a wide range of needs within the state. It is a gentle balance that

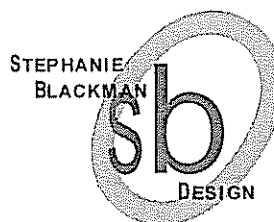
can and must be preserved

Third, I object to the contamination of the NYC watershed. Although I no longer live in New York City, I feel that it is the DEC's duty to protect this essential resource, as the cost to filter NYC's water in the future is estimated at \$ 8 billion. Stormwater run-off from deforested land and impermeable surfaces (roofs, roads, parking lots) would open the way for potential pollutants (silt, chemical nutrients, pesticides, herbicides, road and parking lot residue) to enter the waterways that empty into the two reservoirs. The resort also expects to discharge hundreds of thousands of gallons of treated effluent daily into two local streams (Birch Creek and Emory Brook) and two irrigation ponds.

I could list 10 other objections as well. Simply put, it is unimaginable that the state is considering allowing the "forever wild" Catskill Park and the NYC watershed to be put at risk for a relative few dollars of profit for a few wealthy individuals. Officials of the DEC should do their part to protect this precious resource to ensure that "forever wild" does not become "forever wasted."

Very truly yours,

Stephanie Blackman



April 23, 2004

Alexander Ciesluk
Deputy Regional Permit Administrator
NYSDEC
21 south Putt comers road
New Paltz, NY 12561

RE:CROSSROADS DEVELOPMENT

Dear Mr Ciesluk,

As a resident of the area, former NYC resident and current member of Trout Unlimited, I wish to express my strong opposition to the Crossroads project

P.O. BOX 240
346 ROUTE 214
CHICHESTER, NY
12416

PHONE
845-688-2220
FAX
845-688-2333

Two mountaintop 18-hole golf courses • two large resort hotel complexes with 400 lodging units • 351 time-share units • clubhouses • restaurants • conference facilities • retail stores • recreational facilities • luxury housing development • maintenance buildings • offices and storage areas • sewage treatment facilities • access roads • hundreds of parking spaces

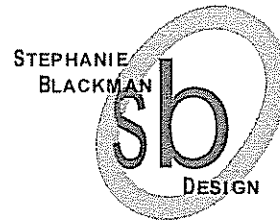
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... all within a community of a few thousand people.

What are they thinking?

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Second, I object to the destruction of the unique, rural character of this area and its possible New Jerseyfication. None of us who moved here did so for shopping malls, big box stores, parking lots or six lane highways. Catskill Park is a refuge where people can



slow down, reconnect with nature and enjoy the small town experience. The Belleayre Resort, or any resort of this magnitude, would overwhelm the area and be out of character with what is most valuable about the Park. Hundreds of additional cars and trucks per hour would create congestion, noise and pollution along the only main artery through the park (scenic Route 28). Commercial activity along roadways would increase, and intensive growth pressures would inevitably degrade the environment and lead to an undermining of the "forever wild" intention of the Park. Currently, Catskill Park, the NYS Forest Preserve, the NYC Watershed and the existing village communities co-exist harmoniously and serve a wide range of needs within the state. It is a gentle balance that can and must be preserved.

Third, I object to the contamination of the NYC watershed. Although I no longer live in New York City, I feel that it is the DEC's duty to protect this essential resource, as the cost to filter NYC's water in the future is estimated at \$ 8 billion. Stormwater run-off from deforested land and impermeable surfaces (roofs, roads, parking lots) would open the way for potential pollutants (silt, chemical nutrients, pesticides, herbicides, road and parking lot residue) to enter the waterways that empty into the two reservoirs. The resort also expects to discharge hundreds of thousands of gallons of treated effluent daily into two local streams (Birch Creek and Emory Brook) and two irrigation ponds.

It is unimaginable that the state is considering allowing the "forever wild" Catskill Park and the NYC watershed to be put at risk for a relative few dollars of profit. Officials of the DEC should do their part to protect this precious resource to ensure that "forever wild" does not become "forever wasted."

Very truly yours,

A handwritten signature in cursive script that reads 'Stephanie Blackman'. The signature is fluid and elegant, with the first letters of the first and last names being capitalized and prominent.

Stephanie Blackman

From: "Charles M. Hudson" <cmh03@health.state.ny.us>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 4:29:07 PM
Subject: Belleayre Resort DEIS

Alec,
Attached is our comment letter. A signed, hard copy will follow.
Thanks, Charlie

(See attached file: BEL42304.DOC)

CC: "John M. Dunn" <jmd02@health.state.ny.us>, "David S. Phillips"
<dsp01@health.state.ny.us>



STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

April 23, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
New York State Department of
Environmental Conservation, Region 3
21 South Putt Corners Road
New Paltz, New York 12561

RE: The Belleayre Resort
at Catskill Park DEIS

Dear Mr. Ciesluk:

Thank you for the opportunity to comment on the DEIS for the proposed Belleayre Resort at the Catskill Park. The location and magnitude of this proposed project is of particular concern to us. The project site straddles the geographical divide between the drainage basins of the Esopus Creek and the East Branch of the Delaware River which feed New York City's Ashokan and Pepacton Reservoirs, respectively. These reservoirs are key water sources of NYC's Catskill and Delaware water systems that supply about 90 percent of the drinking water to over nine million New Yorkers. Since NYC has been granted a Filtration Avoidance Determination for these systems, unfiltered drinking water is delivered directly to consumers. To protect water quality, we urge careful scrutiny of all proposed activities in these watersheds, especially those the size of Belleayre Resort.

We believe that the following water supply, irrigation and stormwater issues need further attention. We request that, where appropriate, they be addressed as special conditions of the water supply and wastewater permits. These comments were prepared in consultation with the Ulster County Health Department.

A. Protection of Water Supply Sources:

A pre-blast survey of private wells in the vicinity of this project by the blasting contractor is proposed to establish baseline conditions such as well construction, production and usage, prior to blasting activities. We support the proposal and recommend that the survey include all public and private water sources, including springs and wells, within one-half mile of blasting. The benchmark data should be expanded to include baseline testing for bacteriological contamination and turbidity since blasting may impact water quantity and quality.

B. WSA #10.455 Big Indian Plateau:

1. The application needs to be updated to include all three proposed Rosenthal Wells. Water demands should be the calculated demands (115,000 gpd average, 190,000 gpd max.) without taking into account any reductions, as indicated in Delaware Engineering's March 1, 2004 response to January 21, 2004 meeting comments. Any reference to reduction in demands should be eliminated from the application.
2. Approved well capacities should be based on the results of the April 2004 combined pump test of wells RW1, RW2, and RW3. The Department will consider approval of these wells once we receive and review the pump test and water quality data and analysis.
3. It appears that portions of the 100-ft and 200-ft control radius areas for wells RW1, RW2, and RW3 are outside of the property owned by the developer. How does the applicant propose to provide adequate protection of these wells and the aquifer from which they feed if the surrounding lands are not owned and/or controlled by the project owner?
4. A sulfur odor was detected during the first two pump tests of RW2. If necessary, the applicant should provide details regarding the proposed treatment for odor removal during the design stage.
5. The applicant should confirm the revised location of the treated wastewater effluent, and provide a site map indicating its proximity to the proposed wells. The applicant should also confirm and provide drawings to show physical separation of the potable water system from the irrigation/wastewater effluent piping.
6. Arsenic was detected in the samples taken after the November 2001 and September 2002 pump tests of RW2, at 16-parts per billion (ppb) and 15-ppb. These levels are above the newly promulgated federal maximum contaminant level (MCL) of 10-ppb, which will be enforceable starting on January 23, 2006. Depending on arsenic results from the April 2004 pump test, additional treatment may be required.
7. Further evaluation, in accordance with NYSDOH Environmental Health Manual, Item No. PWS 42, "Identification of Ground Water Sources Under the Direct Influence of Surface Water" will be required in order to make a final determination of surface water influence for the three proposed wells. Daily comparative testing of temperature and conductivity between wells RW1, RW2, and RW3 and Birch Creek should begin as soon as possible. This information should be collected for a one year period, and submitted quarterly to the Ulster County Health Department for review. Pending review of the April 2004 pump test data, the Department may give conditional approval to use the wells while this evaluation is taking place.
8. During the November 2001 and September 2002 pump tests of RW2, turbidity levels were initially relatively high until the well had been pumped for a few hours, at which time the

turbidity lowered to acceptable levels. This is most likely due to the well standing idle for long periods in between pumping. Well RW2, however, may need to be pumped to waste upon start-up until acceptable turbidity levels are reached. Results from the April 2004 pump test will help to further characterize turbidity levels in RW2.

9. Prior to or during the design stage of this project, the applicant must address the physical upgrade and water quality/treatment aspects of Silo A Spring. A full Part-5 water quality analysis must be provided for Silo A Spring as part of this evaluation. In accordance with NYSDOH Environmental Health Manual Item No. PWS 42, any spring source must undergo a detailed evaluation to determine or rule out surface water influence. Silo A Spring must undergo such an evaluation. Any existing data regarding GWUDI testing on Silo A Spring should be submitted to the Department for review.
10. The applicant should discuss and confirm that no wastewater effluent, fertilizers, pesticides, herbicides, or other possible contaminant will be applied in the vicinity of RW1, RW2, RW3, and Silo A Spring. Any waste effluent and/or possible chemical contamination source must not be applied within 200 feet of any proposed ground water source.

C. WSA #10,566 Wildacres Resort / Highmount Golf Club / Highmount Estates:

1. The application should be revised to clearly identify the applicant (legal entity that will be authorized to develop and operate the water system). From the January 21 and March 3, 2004 meetings at NYSDEC Headquarters, it was clear that the applicant intends to create a water company. The water company filing should be initiated prior to issuance of the water supply permit. Also, the property to be owned by the water company should be described in the application and noted on the plans.
2. The application should be revised to conform to the usual practice of requesting authorization for the maximum day water demand rather than average day. Also, the application needs to be updated to indicate the most current water demands to be used. Water demands should be the calculated demands (136,635 gpd average, 225,448 gpd max.) without taking into account any reductions, as indicated in Delaware Engineering's March 1, 2004 response to January 21, 2004 meeting comments. Any reference to reduction in demands should be eliminated from the application.
3. Fleischmanns Well #1 is currently not functional. There is no pump, the casing terminates in a vault that must be eliminated, and there is no piping connecting the well to the distribution system. The 3/1/04 Delaware Engineering letter indicates that this well will be put back into service as part of this project. The rehabilitation of Fleischmanns Well #1, in accordance with NYSDOH standards, needs to be incorporated into the permit conditions.
4. A formal pump test, in accordance with NYSDOH standards, will be required as part of the rehabilitation work for Fleischmanns Well #1. The applicant's yield rating for Well #1 is questionable, since the well has not been formally pump tested. Also, some of the yield data from the December 21, 2000 "Water Supply Evaluation" report (Appendix 7, DEIS) is

contradictory. The text and Table 2 indicate a pumping rate of 94 gpm, while Appendix E-1 (p.2) indicates a rate of 83 gpm. This should be clarified.

5. The yield rating for the Fleischmanns spring may be high. This yield estimate was based on flow measured during drought conditions (December 2001), but not a drought of record. The applicant should compare the December 2001 drought conditions with a drought of record and adjust the springs yield rate accordingly.
6. Wells #1 and #2 and the springs are potentially Ground Water Under the Direct Influence of Surface Water (GWUDI). The NYSDOH has concluded that there may be surface water intrusion into the springs, and there may be a significant connection between Well #2 and the nearby stream. Since it is similar to Well #2, Well #1 is also suspected of being influenced by surface water. Any source determined to be GWUDI will require filtration or similar treatment, or replacement with an alternate source. The applicant should explain how any source(s) determined to be GWUDI will be treated or replaced.
7. One proposed source alternative for the project is development of a new well near the Village's existing Well #3. This option should not be counted on until well testing confirms available yield and no adverse effects on existing Village water sources.
8. The Village of Fleischmanns has committed in writing only "an expression of interest in selling water to the proposed developments". An executed contract between the applicant and the Village, detailing the amounts and conditions of water purchases, should be provided before the permit is issued, or as a permit condition.
9. The Delaware County Soil and Water District has provided comments on the water budget analysis. These comments concluded that the net effect on the Village's springs may be a decrease in recharge to the springs, not an increase as indicated in the application. Although the applicant has disputed this analysis, they should address the possibility that the project may have an adverse impact on the Fleischmanns springs yield and/or quality, and how this issue will be resolved if it occurs. Additional related concerns are described in items 10, 11, and D.2.a. below.
10. Designated wetland 16 and several isolated wetlands (17,18,19,20,21) are located in the recharge zone of the Fleischmanns spring sources. Wetlands, and isolated wetlands in particular, are likely sources of groundwater recharge. Isolated wetland 21 is of particular concern as its clearly defined stream and streambed disappear on a topographical bench about 500 feet from the springs. Direct communication may exist between isolated wetland 21 and the groundwater that recharges the springs, necessitating special protective measures around this wetland.
11. The exact locations of the various Fleischmanns spring collection areas are not shown in the application documents. These locations should be shown on all appropriate site plans. The catchment area south of the railroad tracks is of particular concern – a lagoon (TP #101) is proposed very near that area, immediately below the proposed water treatment plant. This

lagoon and the exact springs location relate to concerns described in item 9 above.

D. SPDES #027-0661 Wildacres Resort and #027-0679 Big Indian Plateau

1. Irrigation:

The applicant has proposed utilizing tertiary treated effluent for spray irrigation of golf courses and grounds. However, for these effluents, designated outfall 002 at Wildacres and 002 at Big Indian, the respective footnotes related to “achieving 99.9% and 99.99% removal and/or inactivation, respectively, for *Giardia lamblia* cysts and enteric viruses”, may not be reasonably protective for irrigation purposes in the case of enteric viruses. For example, if the effluent contains 10^8 virus particles per ml (typical high-end value for diluted viruses under conditions of illness) and there is no removal via microfiltration, but 99.99% disinfection, 10^1 viable virus particles per ml would be present in the effluent discharged to the irrigation pond. Exposure to the elements (especially sunlight) could further reduce this concentration but, if there is little or no retention in the pond, this concentration of viruses ultimately may be present in the sprayed irrigant. The World Health Organization has extensively examined the issue of treated wastewater uses and has recommended guidelines that protect public health. Discharge virus numbers are indirectly managed by the WHO using the levels of Fecal Coliform present i.e. if the effluent criteria for FC is met as a result of treatment, the presumed virus levels will be acceptable. It is critical, therefore, to get accurate FC counts. In order to have good confidence in the disinfection methods and the actual numbers of microorganisms in the effluent, we suggest an increased frequency of sampling when the receiving ponds are in use. Further, due to the potential for human exposure to aerosolized irrigation water, we recommend disinfection by both chlorination and UV to maximize removal/deactivation of protozoa, bacteria and enteric viruses.

2. Stormwater:

a. At Wildacres, proposed stormwater basins 14, 15, 17, 20 and 23 are located in the recharge zone of the Fleischmanns spring sources. The basins will collect contaminated runoff from golf course tees, greens and fairways and housing units 3, 4 and 5. Basin 15 is of particular concern since it is located in the likely recharge area of isolated wetland 21. Proposed basins 10, 22 and 24 are also in the recharge area but farther from the springs. The applicant should determine if the stormwater detention basins have the potential to affect the quality and quantity of the springs and propose mitigative measures for each possibility. Special restrictions on the use of treated wastewater for irrigation, fertilizers and pesticides should be implemented in the catchment areas within the recharge zone.

b. An important objective of the Stormwater Pollution Prevention Plan is to insure that all disturbed areas are stabilized prior to winter freeze up or snow cover. Allowing for continued disturbance until winter freeze up or snow cover will result in unstabilized soils left vulnerable to winter season thaws and the spring thaw. Given the vulnerability of the critical slopes and areas of thin soils at Belleayre and the potential for impacting the Ashokan and Pepacton Reservoirs, special conditions should be imposed to insure complete site stabilization prior to winter. New areas should not be opened after December 1, allowing sufficient time for site stabilization. New areas opened after November 1 should be restricted in size and unprotected areas should be

stabilized as soon as possible after that date.

Again, thank you for the opportunity to comment on this proposed project. If you have any questions, please call me at (518) 402-7650.

Sincerely,

John M. Dunn, P.E.
Assistant Bureau Director
Bureau of Water Supply Protection

cc: Mr. Tramontano
Mr. Svenson
Mr. Burke
Mr. Montysko
Mr. Devine, MARO
Mr. France, Oneonta District Office
Mr. Dumas, Ulster County Health Department
Mr. Holt, NYSDEC
Mr. Snow, NYSDEC
Mr. Tierney, OAG, WIG
Dr. Principe, NYCDEP
Mr. Gratz, USEPA

From: Ricarda O'Conner <ricardao@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 5:16:39 PM
Subject: [Maybe Spam] Stop Belleayre Resort

4/23/04

Dear Mr. Ciesluk,

I am writing to urge you to stop Crossroad Venture's planned mega-resort on Belleayer Mountain. It is the wrong idea for the fragile Catskill watershed. The land cannot sustain such large development. The rivers that supply the N.Y.C. water supply will take the brunt of run-off and chemicals. And we beleaguered taxpayers CANNOT afford the increase the City would charge us if we have to build a water filtration system. Town Homes and golf courses are not worth damaging our precious watershed, nor increasing the tax load on most citizens. Do the right thing and say NO WAY to this resort.

Sincerely,

Ricarda O'Conner

60 Hannah Street
Staten Island, N.Y. 10301

From: blake <blake@lookseek.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 4:01:16 PM
Subject: Comments: Belleayre Resort at Catskill Park

To: Alex Ciesluk - NYS-DEC

Re: Crossroads Ventures, LLC's Belleayre Resort at Catskill Park

I offer the following comments on the proposed resort.

The proposed Belleayre Resort at Catskill Park, if done in accordance with all the laws and regulations designed to safeguard the environment, will be a tremendous asset to this community and those surrounding it. Our economy is based on tourism and has been for decades. Logging and manufacturing are no longer viable industries in the Catskills. The Watershed Memorandum of Agreement with New York City will prevent us from being able to attract new industry. With over 70 percent of our land owned by the state, there is little room for growth. But there is one 1,900 acre parcel where smart growth can occur.

The proposed resort will help restore our tourism industry. We once boasted dozens of hotels and thousands of beds. Tens of thousands of people visited us each year. They came, they enjoyed, they went home. They did not destroy the environment, kill all the fish or denude the forest as resort opponents claim the proposed Crossroads project will do. There are strict regulations in place to see that does not happen. Between DEC, NYC-DEP, the federal EPA along with the state and county health departments, this will not be allowed to happen.

But that has not stopped a small, vocal band of opponents from trying to prevent the process from going ahead. This small band of opponents took over the public hearings preventing supporters of the resort from speaking. Resort supporters were shouted down and heckled at the hearings. The opponents were allowed to intimidate and prevent people from speaking out of fear for their safety. It wasn't until the very last hearing when the police were called in that resort supporters were able to state their opinions freely. That is not a free and open hearing process. But that is what resort opponents sought and were able to achieve forcing many of us to have to send in written comments instead.

Do not be fooled by the rhetoric of these few people and the outside agitators they imported to try to derail the process. The rule of law should apply to the Crossroads project and not overstated predictions of global destruction because of two hotels and two golf courses. The trout will not all die if the project goes through. There are safeguards to protect us from that. The forest will not be denuded. Only 500 acres will be disturbed and it will be one of the most closely monitored processes ever undertaken in the watershed. Pesticides will not be poured into ponds and lakes. The aquifer will not be poisoned if this project is done in accordance with the law.

I have followed the process since this project was first presented to the public. I have stated from the beginning that I support the project providing it is built following the strict guidelines set by state, local and county regulations as well as the provisions of the Watershed MOA. If the developer cannot meet the requirements of law designed to safeguard the environment, I will be the first to stand up and say stop! But let the project win or lose approval based on what is proposed in the DEIS, not the rantings of a small band of people who do not want to see two boards nailed together.

As a property and business owner, I know how hard it is to make a living in this community. Our number one export is our children because they have to leave following high school to find gainful employment. I believe that if done right, the proposed resort will stimulate the economy, offer new opportunities to those with vision enough to take advantage of the situation and improve our tax base, making it easier for all of us to pay our taxes. It will also stop the exodus of our youth and enable many of our neighbors to work closer to home instead of having to commute many miles to their jobs.

In conclusion, give the proposed resort the utmost scrutiny. Leave no portion of it unchecked. But after the thorough review, if it is able to achieve all that is required by law, it should be allowed to be built.

J. Blake Killin
174 Route 214
Phoenicia, NY 12464

(845) 688-2129

From: <CaptHoyt@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 3:56:58 PM
Subject: Proposed Resort at Belayer

Dear Mr. Ciesluk,

I have heard proponents of the Resort at Belayer say that it is only "outside environmental activists" that are against this project, however, my family goes back four generations in the Town of Shandaken and much further than that in the Town of Woodstock. Over the years, my family has been involved in farming, lumbering and the boarding house industries in both towns. I certainly don't consider myself an outsider.

My concerns with this project are many, but mainly stem from two things: the scale is too large and it is out of keeping with the present character of this region of the Catskill Mountains.

I see no way that water quality and therefore trout habitat will not be adversely affected due to increased turbidity, particularly during the construction phases. Furthermore, increased runoff from the cleared areas and impervious surfaces will lead to destabilization of stream banks in Birch Creek and Lost Clove Creek and possibly further down the Esopus. The temperatures in these streams will also be affected due to this runoff as well as the effluent temperatures from the wastewater treatment plants on the project.

Another issue is water quantity. The DEIS says there is sufficient water for the Resort and for Pine Hill, but does this allow for any future growth of Pine Hill? Time magazine, April 5, 2004, on page 21 has an interesting bit of information: it takes 2.5 billion gallons of water per day to irrigate the world's golf courses, the same amount it would take to supply 4.7 billion people at the U.N. daily minimum. Does it really make any sense, then, to build two golf courses in a water catch basin? It seems like a ridiculous use of a valuable resource to me.

I don't feel the DEIS makes a proper assessment of the increased traffic on Route 28 all the way back to the Thruway exit at Kingston.

Another topic of concern to me that I think too little has been said about is light pollution. Since the project is situated at considerable altitudes on the ridges, not only will upward shining lights be objectionable, but also outward directed lights will be obnoxious to anyone else trying to enjoy the serenity of the mountains.

For the entire eight year construction phase, use of highways and roadways by heavy construction vehicles will lead to increased costs for highway maintenance. Since the Developer has been given corporate welfare in the form of a tax deferral until 2025, these increased costs will be born solely by the rest of the taxpayers of Shandaken, Ulster County and the State of New York. I don't think this has been well investigated.

In conclusion, I do not believe that this resort is in the best interest of anyone but the Developer. At very least, I believe the size of the project needs to be reconsidered.

Sincerely yours,

Lindsay R. Hoyt, Jr
95 Piney Point Rd
Boiceville, NY 12412

From: "cbreen" <cbreen@beethoven.nypirg.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 5:03:51 PM
Subject: NYPIRG Belleayre Comments

Alex:

Please find attached NYPIRG's comments on the proposed Belleayre Resort at Catskill Park. This should have come by fax as well.

Thank you,

Cathleen Breen

--

Cathleen Breen
Watershed Protection Coordinator
New York Public Interest Research Group (NYPIRG)
9 Murray Street
New York, N.Y. 10007-2272
ph: 212-349-6460
fax: 212-349-1366

--



Via Facsimile (845) 255-3042 and E-Mail afcieslu@gw.dec.state.ny.us

April 23, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Crossroads Ventures, LLP
The Belleayre Resort at Catskill Park
NYSDEC No. 3-9903-00059/0001

Dear Mr. Ciesluk:

I write to submit comments on the draft environmental impact statement (DEIS) for Crossroad Ventures' LLC proposed The Belleayre Resort at Catskill Park. The New York Public Interest Research Group (NYPIRG) is the state's largest student-directed research and advocacy organization, focusing on consumer protection, government reform and environmental preservation. NYPIRG has long been active in supporting New York City Watershed protection and is one of five environmental signatories to the 1997 New York City Watershed Memorandum of Agreement (MOA), which was also signed by New York State, New York City, EPA and upstate watershed communities.

The MOA put in place the mechanisms for protecting New York City's drinking water at the source and established a program supporting responsible, environmentally sensitive economic development projects in the Watershed. As a result of the protection programs laid out in the Agreement, EPA has allowed the city to avoid filtering (Filtration Avoidance Determination) the Catskill/Delaware drinking water.

Crossroads Ventures, LLC proposed development includes a total of 400 hotel rooms, 351 additional hotel and housing units, a 21-lot single-family residential subdivision and two 18-hole golf courses. The project would be developed within 1,960 acres in the Catskill Mountains of Ulster and Delaware Counties, with a total of 573 acres disturbed and the remainder left undisturbed.

The project site is located in the Towns of Shandaken in Ulster County and Middletown in Delaware County, within the New York City Catskill and Delaware Watershed (the Pepacton and Ashokan Reservoirs), and within the boundaries of the New York State Catskill Park. The project is located on either side of the state-owned Belleayre Mountain Ski Center and is in the heart of the state's Catskill Forest Preserve.

The proposed Big Indian Plateau would be developed on a 1,242-acre site east of Belleayre Mountain Ski Center. A total of 331 acres would be developed to build an 18-hole golf course, a 150-room hotel, and 183 additional hotel/detached lodging units in 77 buildings, and related infrastructure. This project site lies within the New York City Ashokan Reservoir watershed, and would be served by central water (provided by an on-site well) and central wastewater treatment, with effluent discharge to Birch Creek and/or golf course irrigation.

The proposed Wildacres Resort would be developed on 242 acres of a 718 acre site west of the Belleayre Ski Center and would include an 18-hole golf course, a 250-room hotel, 168 additional hotel/detached lodging units in 21 buildings, and a 21-lot subdivision of single-family homes, and related infrastructure. This project would be served by central water (provided by the Village of Fleischmanns water system) and central wastewater treatment, with effluent discharged to an unnamed tributary of Emory Brook and/or golf course irrigation. This site is within the New York City Pepacton Reservoir watershed.

Given the size of the proposed project, the anticipated lengthy 8-year construction timeframe and the location within the New York City watershed, we believe this project, as proposed, will result in significant and unmitigated adverse environmental impacts on the Watershed and the drinking water supply for millions of new Yorkers.

According to the New York City Department of Environmental Protection (DEP.)
"The Ashokan is one of two reservoirs in the City's Catskill Water Supply System. The other is the Schoharie, located 27 miles to the north, whose water flows into the Ashokan via the Shandaken Tunnel and the Esopus Creek. Including the water it receives from the Schoharie Reservoir, the Ashokan supplies about 40% of New York City's daily drinking water needs in non-drought periods. Water enters the Ashokan's West Basin and, after a settling period, is withdrawn from its East Basin. It is carried southeast under the Hudson River via the 92-mile Catskill Aqueduct, which has a maximum depth of 1,114 feet. It ordinarily enters the Kensico Reservoir in Westchester for further settling, where it mixes with Delaware system water and then travels south in two aqueducts before entering New York City's water supply distribution at the Hillview Reservoir in Yonkers, just north of the City line.

The Pepacton is one of four reservoirs in the City's Delaware Water Supply System. As the reservoir with the largest capacity, it normally contributes more than 25% of the total daily water flow into New York City. Water withdrawn from the Pepacton Reservoir enters the East Delaware Aqueduct and flows southeast for 25 miles into the Rondout Reservoir. There it mixes with water from the Cannonsville and Neversink Reservoirs, before heading south via the 85-mile long Delaware Aqueduct, which tunnels below the Hudson River. Pepacton water ordinarily

makes its way to the West Branch and Kensico Reservoirs for further settling. After mixing with Catskill system waters in the Kensico, it travels via aqueduct to the Hillview Reservoir in Yonkers, where it enters New York City's water supply distribution system. The Pepacton watershed's drainage basin is 371 square miles, and includes parts of 13 towns in three counties.”

Both the Ashokan and the Pepacton are stringently classified by DEC as “AA” surface waters. Thus, by virtue of DEC regulation, these water bodies are required to be maintained at a quality that allows each to serve as an unfiltered drinking water source. Also, DEC has developed a Total Maximum Daily Load (TMDL) for phosphorus within the Ashokan Watershed.

Sediment and Erosion Control

The potential for adverse impacts to water quality from construction of this project is significant. In accordance with the New York State SPDES General Permit for Stormwater Discharges from Construction Activities, Permit No. GP-02-01, a plan must be prepared for any construction activity that exceeds one acre of soil disturbance.

According to EPA, sediment runoff rates from construction sites are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forested lands. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several decades. The resulting siltation, and the contribution of other pollutants from construction sites, can cause physical, chemical, and biological harm to our nation's waters.

The DEIS calls for the phased construction plan to disturb greater than 5 acres (up to 25 acres of soil at one time during Phase I and up to 16.4 acres during Phase II.) New York State SPDES permit limits areas of unprotected, exposed soil to no more than 5 acres at any given time without prior written approval from DEC.

Construction should comply with the New York Standards and Specifications for Erosion and Sediment Control, which provides minimum standards and specifications for meeting criteria contained within the New York State Department of Environmental Conservation (NYS DEC) general permit for stormwater discharges associated with construction activity. These standards and specifications provide criteria on minimizing erosion and sediment impacts from construction activity involving soil disturbance. They show how to use soil, water, plants, and products to protect the quality of our environment and were developed by the Natural Resources Conservation Service (NRCS) in cooperation with New York State Soil and Water Conservation Committee (NYSSWCC.)

The standards and specifications apply to lands within New York State where housing, industrial, institutional, recreational, or highway construction, and other land disturbances are occurring or are imminent. They are statewide in scope and, in some cases, are somewhat generalized due to variations in climate, topography, geology, soils, and plant requirements. Feasible ways to minimize erosion and sedimentation are varied and complex. Alternative methods may be

explored and must be discussed with NYS DEC regional staff.

These standards and specifications call for controlling erosion as the first line of defense and to “pay special attention to critical areas (e.g. steep slopes, highly erodible soils, surface water borders), which must be disturbed. Staged clearing and grading is necessary to keep areas of disturbance less than 5 acres.”

The proposed project’s plan to disturb 16 to 25 acres at a time is not in keeping with the standards and specifications and may result in severe water quality impacts. It is critical to limit the phasing of construction activities; otherwise the risk from increased stormwater runoff and the subsequent sediment loading of receiving waters is great. The sensitivity of the site including the nature of the soils on the site, the steep slopes and its location amidst important trout streams and the Catskill/Delaware watershed justify a condition that not more than one acre be disturbed at any one time.

The DEIS lacks the necessary details on the erosion and sediment controls that would be used. This needs to be rectified and the requested waiver denied.

Inadequate SPPP

The Stormwater Pollution Prevention Plan (SPPP) determines the overall benefit to the environment calls for removing pollutants from contact with stormwater. According to DEC guidelines, the SPPP should comply with the standards and requirements contained in the DEC General Permit for Construction Activity, New York State Standards and Specifications for Erosion and Sediment Control and New York State Stormwater Management Design Manual. The proposed SPPP was inadequate and should be revised to provide a thorough plan

Golf Course Integrated Pest Management

Integrated Pest Management Program (IPM) focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties.

However, IPM does not eliminate pesticides. The DEIS provides that pesticides will be used only for curative, and not preventive, purposes and only affected greens and tees would be treated.

We believe a comprehensive strategy is needed to achieve the reduction and eventual elimination of pesticides and fertilizers in the sensitive New York City watershed. Pesticides and fertilizers pose real health risks such as cancer, nervous system damage, development and reproductive abnormalities, hormone disruption, and immune suppression.

Pesticides can enter groundwater by infiltration through the soil or by accidental discharge into wells. Pesticides can enter surface water by runoff, soil erosion, spray drift, misapplication and

spillage. When you apply a pesticide, airborne particles can drift and land on surface water, or rain can wash particles from the air; for several days after pesticide application, irrigation and rain may still wash pesticide residues into storm drains and chemicals may also enter storm drains directly or indirectly through spills, illegal dumping, or rinsate from product containers. Storm drains are frequently located in streets and the runoff flows through directly into our waterways.

While wastewater treatment plants send incoming wastewater through a treatment and disinfectant process before releasing water into the river; however, they do not actually detoxify pesticides, thus sending residue into our waterways.

Organic Golf Course

Instead, organic turf management and lawn care practices are safe, effective and responsible alternative to the use of pesticides, herbicides and commercial fertilizers, all which may pose a threat to human and environmental well-being.

According to the Long Island Neighborhood Network, leaders in the implementation of organic golf courses, "typical golf courses are not only heavy users of pesticides, they are also held up as the standard for suburban lawns. The goal of the Organic Golf project is to prove that golf courses can be maintained organically, and thereby demonstrate that all turf can be maintained without chemical pesticides."¹ In addition to Long Island Neighborhood Network's work on golf courses in Long island, an example of an organic golf course is Fiddlers' Green Golf Course in Nova Scotia, Canada.²

Cumulative Impacts

Pursuant to SEQRA regulation, 6 N.Y.C.R.R. 617.9(b)(5)(iii)(a), an EIS is required to assess significant cumulative impacts. The DEIS mentions, but does not address the cumulative impacts which will result from construction and operation of the proposed project and the proposed expansion of the Belleayre Mountain Ski Center. Given the close proximity to the ski center, it is imperative to the Belleayre Project and the proposed expansion of the Belleayre Mountain Ski Center be looked at together, which the DEIS fails to do. The two projects will result in cumulative impacts on the availability and adequacy of potable water supplies, surface water flow and aquatic habitat, traffic, use of Forest Preserve lands, and secondary growth.

Alternatives

The DEIS did not fully consider and provide sufficient detail for a range of reasonable alternatives, including, but not limited to, a scaled down version that does proposes one golf course on the western portion and does not include the more sensitive eastern portion.

¹ Neighborhood Network/Organic Golf, Massapequa, New York. Website: www.longislandnn.org/golf

² Fiddlers' Green Golf Course, <http://users.eastlink.ca/~fiddlersgreen/>

Conclusion

Protecting the watershed makes good economic sense for all of us. In 2002, EPA granted the City another Filtration Avoidance Determination for the Catskill/Delaware system, which was signed right at the Ashokan Reservoir. If we fail to protect this New York City's Watershed, then the City will be forced to construct a filtration plant that is projected to cost between \$4 and \$8 billion, with \$300 to \$500 million in annual operating costs and debt service. Not only would filtration be a very expensive proposition for the city, it would place tremendous financial burdens on local communities as well. More importantly, there is no guarantee that it will preserve public health.

Thank you for the opportunity to comment.

Sincerely,

Cathleen Breen
Watershed Protection Coordinator

From: <Sitachudo@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 3:39:10 PM
Subject: Proposed Belleayre Mega-Resort comment

I am deeply troubled by the impact this proposed development could have on the quality of our daily life. We live in Boiceville, a half-mile off of Rt 28, in the Town of Olive. I commute daily to work in the Town of Shandaken as the Postmaster of Chichester, NY.

As the Postmaster of a local post office, I see and converse with many new residents and tourists. Most people come here for the unspoiled nature of the area. They love the mountains and the sparkling streams, they hike, fish, kayak or canoe. Many commute, breathing a sigh of relief when they get in sight of the mountains, a change of "pace" making it all worthwhile for their families and themselves. Our type of area is becoming a "haven" in the fast-developing sprawl of American life. It seems to me that would irrevocably change if this 'mountain top city' proposal goes forward.

The increase and impact of the construction phase traffic, which would go on for at least 8 years, would add immeasurable daily stress. It seems like I play vehicle roulette at least once a day already due to someone reluctant to go 55mph on Route 28 now. The increased traffic of heavy construction vehicles will make it much more difficult to get on and off of Route 28 and to travel in a safe manner.

The character of our communities will be immeasurably impacted, irrevocably changed.

Respectfully,

Sita Anderson
95 Piney Point Rd.
Boiceville, NY 12412

From: Donna DeCostanzo <infdecos@council.nyc.ny.us>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 2:40:48 PM
Subject: New York City Council Comments re:Belleayre Project

Mr Ciesluk:

Attached are the New York City Council's comments concerning the Draft Environmental Impact Statement and Draft State Pollution Discharge Elimination System permits for the Belleayre Resort at Catskill Park.

Donna De Costanzo
Legislative Attorney



THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NY 10007

GIFFORD MILLER
SPEAKER

TELEPHONE
212-788-7210

April 23, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Draft Environmental Impact Statement and Draft State Pollution Discharge
Elimination System permits for the Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

The New York City Council (Council) is submitting this letter for the purpose of commenting on the Draft Environmental Impact Statement (DEIS) and Draft State Pollution Discharge Elimination System permits for the proposed Belleayre Resort at Catskill Park (Belleayre Project) in the towns of Shandanken and Middletown, New York. The fifty-one Members of the Council collectively represent more than eight million New York City residents for whom their drinking water supply is a critical natural resource. In addition, the Council's Committee on Environmental Protection has jurisdiction over the New York City Department of Environmental Protection (NYCDEP), which has "charge and control of and [is] responsible for all those functions

and operations of the city relating to the provision of a pure, wholesome and adequate supply of water.”¹

In addition to the millions of New York City residents who rely on the City’s drinking water supply, this asset also supports approximately one million residents of Westchester, Putnam, Ulster, and Orange counties, and a multitude of others who work in and visit the City throughout the year.² The City’s water is primarily delivered from nineteen reservoirs and three controlled lakes within a 1,972 square-mile watershed that extends 125 miles north and west of the City.³ The Catskill/Delaware watershed, located in Delaware, Greene, Schoharie, Sullivan, and Ulster counties, west of the Hudson River, provides approximately 90% of the City’s surface water supply.⁴ The Belleayre Project would be constructed within this watershed.

The Council’s foremost concern regarding the Belleayre Project is the impact that this proposal, and any potential secondary growth stemming from it, might have on the viability of the Filtration Avoidance Determination (FAD) for the City’s Catskill/Delaware watershed. The loss of the FAD would be a great blow to the City of New York and the protection of our City’s drinking water supply. In addition, it would necessitate the construction of a water filtration plant that would cost several billion dollars to build and hundreds of millions of dollars to operate each year.

The federal Surface Water Treatment Rule (SWTR) and the Interim Enhanced Surface Water Treatment Rule (IESWTR) require that all surface drinking water sources,

¹ New York City Charter, § 1403.

² “2001 Annual Water Quality Report”, Report by the New York City Department of Environmental Protection, p. 2; <http://www.nyc.gov/html/dep/pdf/wsstatola.pdf>.

³ *Id.*

⁴ *Id.*

such as New York City's, meet objective, "stringent water quality, disinfection and site-specific avoidance criteria" or be filtered.⁵ The United States Environmental Protection Agency (EPA) issued the most recent conditional FAD for the Catskill/Delaware system in November 2002, which is scheduled for its next revision in April 2007. However, "[a]t any time, EPA or the primacy agency may make a determination that the City's watershed program no longer provides adequate protection of the City's water supply, pursuant to the SWTR/IESWTR and/or other avoidance criteria in the SWTR/IESWTR and require the City to filter its Catskill/Delaware water supply."⁶ According to the SWTR, if a system fails to meet the criteria for filtration avoidance, such system may be required to provide filtration within eighteen months of such failure.⁷

The EPA states in its March 23, 2004, comments on the Belleayre Project that, "[a] project of this magnitude can significantly lessen the margin of safety under which [the EPA] provided New York City a FAD."⁸ This statement is particularly disconcerting considering the EPA's role as primacy agency with respect to the FAD and in light of its assertion that a watershed's existing "margin of safety" is a critical factor in its FAD decision.⁹ In its comments, the EPA voices two major concerns: the first relating to the potential for water quality impacts during and after project construction, and the second regarding the project's impact on potential future development in the watershed, outside of the existing town centers.¹⁰

⁵ New York City Filtration Avoidance Determination, USEPA – November 2002, Surface Water Treatment Rule Determination for New York City's Catskill/Delaware Water Supply System ("2002 FAD"), p. 2.

⁶ *Id.*, p. 1.

⁷ 40 C.F.R. § 141.71 (2003).

⁸ Letter from Walter Mugdan, Director of the Division of Environmental Planning and Protection, EPA to Alexander Ciesluk, Jr., Deputy Regional Permit Administrator, NYSDEC, dated March 23, 2004 ("EPA Comments"), p. 2.

⁹ *Id.*, p. 1.

¹⁰ *Id.*, p. 2.

The proposed Belleayre Project—the biggest project ever proposed within New York City’s watershed—would encompass a total of approximately 573 developed acres, in addition to approximately 1,387 acres that, we are told, would remain preserved through deed restrictions or conservation easements. For the construction phase of the project, which is scheduled to last for approximately eight years, the DEIS describes an intricate system for addressing erosion—particularly from the portion of the project that involves construction on a mountain slope. Erosion and sediment from construction sites can have detrimental effects on bodies of water, including increased nutrient loading and the impairment of the ability of chlorine to disinfect a water supply. Potential impacts resulting from the construction of the Belleayre Project are acknowledged in the DEIS, which the document states will be avoided or mitigated by the project’s sediment and erosion control plan.¹¹

In order for the Belleayre Project’s system of construction phasing and retention basins to effectively work, however, careful and long-term oversight needs to be provided for the project—both by the agencies responsible for enforcement and by the owner itself. The EPA points out in its comments that “although the developer has designed a program to minimize water quality impacts during construction, there is a substantial risk associated with [such] a project . . .” and “even the most carefully designed program will not be successful unless it is meticulously implemented, both during and after

¹¹ “Grading of the site will cause the disruption of soils and the increased potential for erosion during construction. In addition, the short-term removal of vegetation . . . will create a greater susceptibility to exposed soils to erosive factors such as wind, rain and surface runoff. Soil transported by surface runoff could potentially find its way into nearby surface waters where it may settle out as sediment.” Draft Environmental Impact Statement for Belleayre Resort at Catskill Park, September 2003 (DEIS), p. vii. “Sedimentation of nearby surface water could negatively affect aquatic habitat quality, water quality, and the suitability of surface waters as a potable water source.” *Id.*, p. 3-24.

construction.”¹² Thus, it is imperative that the NYCDEP, the State of New York, and the owner of the Belleayre Project, among others, have the resources and the determination to provide the attention needed to ensure that the erosion control systems are working as planned. It is clear that a number of different elements need to be smoothly integrated and achieved so that harm to the watershed is avoided, both pre- and post-construction—a difficult task, to say the least.

The EPA’s second concern—and perhaps a far greater threat to New York City’s watershed—deals with potential future development in the area. The EPA states in its comments that if such development does result in forested areas outside of town centers, the City’s ability to comply with the SWTR could be called into question. The EPA specifically mentions the City’s ability to comply with the requirement that our public water system “demonstrate through ownership or written agreements with landowners in the watershed, or a combination of both, that it controls all human activities which may have an adverse effect on the microbiological quality of the source water.”¹³

Although it is anticipated that a total of 85.16 acres¹⁴ of new, impervious surfaces will result from the Belleayre Project itself, the greater concern would arise from impervious surfaces created by future development. According to the Center for Watershed Protection, impervious coverage is the biggest problem facing urban watersheds.¹⁵ “Storm water discharges are generated by runoff from land and impervious areas such as paved streets, parking lots, and building rooftops during rainfall and snow events that often contain pollutants in quantities that could adversely affect water

¹² EPA Comments, p. 2.

¹³ 40 C.F.R. § 141.71(b)(2); EPA Comments, p. 2.

¹⁴ DEIS, p. 2-38.

¹⁵ <http://www.waterlaws.com/guest/guest1.html>.

quality.”¹⁶ The storm water that travels over developed areas picks up such pollutants as oil, antifreeze, heavy metals, pesticides, fertilizers, grease and animal wastes. High levels of impervious surfaces created for developments often prevent polluted runoff from infiltrating “into the ground where it is naturally cleaned by soils, plants and biological activity. Rather, the contaminant laden water is jettisoned directly into a stream or lake, as opposed to entering the water body as ‘purified’ ground water.”¹⁷ Effects of stormwater runoff include increased phosphorus loads and resultant algal blooms, which cause eutrophication. According to the 1996 National Water Quality Inventory, a biennial summary of state surveys of water quality, “13 percent of impaired rivers, 21 percent of impaired lake acres and 45 percent of impaired estuaries are affected by urban/suburban storm water runoff and 6 percent of impaired rivers, 11 percent of impaired lake acres and 11 percent of impaired estuaries are affected by construction site discharges.”¹⁸

The DEIS concludes that the Belleayre Project “could be expected to generate a need for an additional 76,700 square feet of commercial development in the area”.¹⁹ In addition, the DEIS does not anticipate “that there will be a significant amount of new construction resulting from the project” and further concludes that “[t]he proposed project is expected to have a negligible effect on year-round residential development in the study area.”²⁰

¹⁶ “National Pollutant Discharge Elimination System (NPDES) – Stormwater Program - Overview”, United States Environmental Protection Agency; http://cfpub.epa.gov/npdes/home.cfm?program_id=6.

¹⁷ James M. Tierney, Watershed Inspector General, Office of the New York State Attorney General, “Phase II Construction Storm Water General Permit – Recommendations of the Watershed Inspector General to the New York State Department of Environmental Conservation,” November 18, 2002, p. 1.

¹⁸ United States Environmental Protection Agency, “Storm Water Phase II Final Rule, An Overview”, EPA 833-F-00-001, January 2000, Fact Sheet 1.0, p. 1.

¹⁹ DEIS, p. xix.

²⁰ *Id*

The Council agrees with the EPA, however, that the DEIS has overly simplified the necessary analysis and has not adequately examined this issue.²¹ This concern primarily arises from the reliance on three case studies in the DEIS—Windham and Gore Mountain in New York, and Greylock Center in Massachusetts—which either do not closely parallel the character of the Belleayre Project or have not yet been completed. Thus, the assertion that these projects “provide an important perspective on the manner in which resort-type development affects the surrounding community in terms of commercial and residential demand and growth”²² appears to be unfounded.

The DEIS states that there is currently not a concentration of “commercial strip” development in the area, except for locations adjacent to two towns, and that this pattern will likely continue, primarily due to “local regulations governing new development and environmental constraints within the NYS Route 28 corridor.”²³ This assertion, however, relies upon the strength of local controls, and the DEIS even concedes that “[t]he potential impact of induced commercial development is largely a function of how strongly local regulations and plans are enforced.”²⁴

The NYCDEP, the EPA and the State of New York, among others, have expended incredible effort and resources to protect New York City’s watershed and have worked hard to ensure that the requisite standards are met for maintaining the City’s FAD. The Council understands that it is important to foster the economic success of the watershed

²¹ “The DEIS has not provided a substantial basis for its conclusion that commercial and residential development resulting from this project will be negligible.” EPA Comments, p. 2; *Id.*, “Technical Comments and Recommendations”, pp. 4-5.

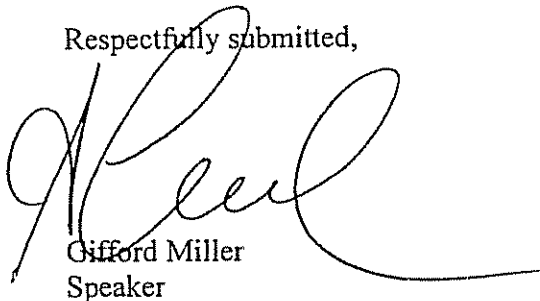
²² DEIS, Appendix 26, p. 7-1.

²³ *Id.*, p. 7-8. “The primary method for controlling the location, scale, appearance, and character of any new development is through local zoning codes. The zoning codes of the Towns of Shandaken and Middletown direct commercial development into the existing villages and hamlets.” *Id.*


²⁴ *Id.*

towns. It is imperative, however, that this objective is not met at the cost of watershed protection. As the parties to the 1997 New York City Watershed Memorandum of Agreement (MOA) recognized, “the goals of drinking water protection and economic vitality within Watershed communities are not inconsistent and it is the intention of the Parties . . . to cooperate in the development and implementation of a Watershed protection program that maintains and enhances the quality of the New York City drinking water supply system and the economic vitality and social character of the Watershed communities”.²⁵ The Council is concerned that the scope of the project goes beyond the type of development that was envisioned by the MOA, a point made by the EPA, which is an important signatory to that document.²⁶ The Council urges the State to take a close look at the Belleayre Project, its consistency with the MOA and the potential impacts that it, and any potential future development that it may trigger, might have on the water supply on which nine million people rely.

Respectfully submitted,



Clifford Miller
Speaker



James F. Gennaro
Chair, Committee on Environmental
Protection

²⁵ New York City Watershed Memorandum of Agreement, January 21, 1997, p. 2.

²⁶ EPA Comments, p. 1.

From: "Billheimer, Ryan" <RBillheimer@HQ.NovaCare.com>
To: ""afcieslu@gw.dec.state.ny.us" <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 2:32:15 PM
Subject: Catskill Park

Mr. Ciesluk,

I am writing to you because I visit my friends at Rose Mountain every summer. It's a welcome vacation from the hectic pace of my job and it is the highlight of my whole year. The Catskill park is a beautiful part of NY and I would hate to see it lessened by adding that which I go to Rose Mountain to get away from (the traffic, the noise, the tourists). I'm sure you have received many such reasons for not wanting to allow the building of a resort, so I will not belabor the point. Please add my voice in turning down the building project.

Sincerely,

Ryan Billheimer
Contract Coordinator
National Contracting Department
NovaCare Rehabilitation
680 American Avenue; 2nd Floor
King of Prussia, PA 19406
Phone (610) 992-7224
E-Fax (717) 412-9210
Fax (610) 265-8829

From: "Jo Anne Sabel" <mamajo8@bestweb.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 2:09:49 PM
Subject: golf resort in Shandaken

Dear Mr. Ciesluk,

My name is Jo Anne Sabel and I have the blessing of living in Woodland Valley, New York. I thank you for reading this last minute protest of the Cross Roads Ventures projects. You see, at first I did not feel qualified to speak on this, as I have no scientific knowledge, and have not thoroughly read the DEIS, because, as with most legal documents, it is very difficult to understand, and, I suspect that this is intentional.

Now I realize that I do have something valuable to say, based on life experience and environmental and community awareness.

I had the good fortune to live in Westchester County for 20 years, and the sad fortune to observe a tremendous amount of natural beauty being sacrificed in the name of development. One needs to consider what the deer do if when in one day, their habitat and food are destroyed. I can tell you that the look on their faces when peeking out of the woods onto the construction site is absolutely pitiful. It makes one think when they witness this.

I finally left my "upper scale" community when early one morning, while on a walk, I past the latest development site, and heard in my mind "oh here's the new destruction site".

Mr., Ciesluk, I almost didn't catch the Freudian slip, but when I did, it stopped me dead in my tracks. I realized how the beauty of the night sky had been sacrificed to an orange glow, emitted by the recent face lift IBM had given the hilltops of nearby Somers by erecting architecturally arrogant pyramid-like structures upon them to peek over the countryside.

I saw the greedy trend to more and "better" infecting a once rural and quiet community. I saw that which had been created and maintained by simple communities for centuries bulldozed into estates for the wealthy... people, who rarely occupied their properties because they were either running themselves ragged with the support of such ostentatious and wasteful possessions, or who had so many such possessions all over the world that the only thing that they lacked was the time to occupy them all. None of these people concerned themselves with the community members who were being driven out of their homes because they could no longer afford their taxes or the services.

And what of the Eagle and the Bear, the Coyote and the Wolf, those who are natural to this area and are finally returning home after the last invasion and abuse of this sacred land?

I question the concern of Cross Roads Ventures for providing jobs for local people when I observe that many of the spa professionals at the Emerson house are not even U.S. citizens, or locally licensed.

Ultimately, who cares if the real estates values increase if because of it, you are forced to move?

Please consider honoring the Catskill's sacred, simple nature, and defend her environment and the life that lives in harmony within it.

Thank you.

Respectfully,
Jo A. Sabel
PO Box 534
Phoenicia, N.Y. 12464

CC: "Karen Charman" <aurora@ulster.net>, "Cate Woodruff" <cate@catewoodruff.com>

From: george holz <gholz@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/30/2004 4:36:56 PM
Subject: proposed Bellayre Resort project

Dear Mr. Ciesluk, Please find the attached letter. A hard copy has been sent in the mail, Thanks, George Holz

Valley
12464

George Holz
1118 Woodland
Phoenicia, N.Y.

April 22, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

Re: Proposed Bellayre Resort

Dear Mr. Ciesluk,

I am writing to express my extreme opposition to the proposed Bellayre Resort project. I am a resident of the hamlet of Woodland Valley near Phoenicia. I feel that a project of this scope will have devastating effects to the environment, safety and way off life we have up here.

Rt. 28 is already a very dangerous highway. Just a couple of weeks ago there was a fatal accident due to someone passing where they shouldn't have been. Increased traffic will already make this over stressed highway even worse!

The run off from the pesticides used in the proposed golf courses will cause very harmful effects to the whole food chain starting from aquatic insects, fish, birds and finally humans. The streams near the proposed resort are very delicate and are spawning grounds to trout. I for one love to fish these streams and don't want to eat contaminated fish. There are already many golf courses area, which are hardly used. People don't come to Catskills to golf, they come to hike, fish, hunt, tube, and convene with nature. Besides at best, golf is a five-month sport up here!

This proposed project would have very negative effects on the quality of life we all love and enjoy up here in the Catskills. Why should the greed of a few be allowed to ruin everything? Dean Gitter had had many projects, which have been started and failed, up here. There was his logging business, his Water Company, and finally Catskill Corners where the Spotty Dog eatery can barely stay in business. This will just be another one of his failed endeavors, which will leave permanent scars on our environment.

Finally, I attended every public hearing in both Margaretville and at Onteora. It seems to me that there was overwhelming opposition voiced by the public to this project. I hope that the governing powers take this into serious consideration. Thank you for your time.

Sincerely yours,

George Holz

From: "Rocci Aguirre" <RAguirre@tu.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 1:20:14 PM
Subject: National TU comments on Belleayre Resort DEIS

Please accept these comments on behalf of Trout Unlimited. A hard copy has also been placed in first class mail. If there are any difficulties, please feel free to contact me at any time.

Rocci Aguirre

Catskill Coordinator

Trout Unlimited

PO Box 337

Roscoe, NY 12776

(607) 498-4671 (phone)

raguirre@tu.org



Rocci Aguirre
Catskill Coordinator

Direct Dial. (607) 498-4671

April 22, 2004

New York State Department
Of Environmental Conservation
Attn: Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NY Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: Belleayre Resort at Catskill Park
Submitted by electronic and first class mail

Dear Mr. Ciesluk,

On behalf of Trout Unlimited (TU), I am writing to support the comments submitted by the Ashokan/Pepacton and Catskill Mountain Chapters of TU regarding the draft environmental impact statement (DEIS) for the proposed Belleayre Resort at Catskills Park by Crossroads Development. TU is a membership organization whose mission is to conserve, protect, and restore North America's Trout and Salmon fisheries and their watersheds. TU has over 130,000 members nationwide, with over 8,000 members in New York and over 19,500 members who live within a four hour drive of the Catskill Mountains and their famed rivers. These rivers make up one of the single most famous fly fishing destinations in the world and are of critical historical importance to anglers everywhere.

For over 30 years, TU has devoted substantial effort and funding to restoring the rivers of the Catskills, including the Esopus River and its numerous tributaries. Most recently, TU has engaged the New York Department of Environmental Conservation (DEC), the New York City Department of Environmental Protection (DEP), and various partners in an ongoing effort to improve the ecological health of the Esopus River and its trout fisheries. Like many of the rivers in the Catskills, the Esopus is a river at risk. Impaired by high turbidity and sediment pollution from the Schoharie Reservoir, the Esopus is a river that can ill afford any further degradation. As long standing stake holders in the watershed, TU has also invested a great deal of time in enhancing the tributaries that make up the lifeblood of the river system. Birch Creek, in particular, has been a priority for TU over the past few years, and our volunteer's are uniquely educated and aware of the issues that affect this critical tributary.

The national staff of Trout Unlimited has worked closely with the NY State Council of TU and the Ashokan/Pepacton and Catskill Mountain Chapter's conservation committee's

Trout Unlimited: America's Leading Coldwater Fisheries Conservation Organization
Washington, D.C. Headquarters: 1500 Wilson Boulevard, Suite 310, Arlington, VA 22209-2404
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on the serious shortcomings found within the DEIS for the Belleayre Resort at Catskill Park. We fully endorse the technical comments submitted by the local chapters and would like to add additional emphasis on the following concerns:

- The DEIS is inconsistent in its water budget and fails in its evaluation of the potential impact of the resort development on aquifer and stream levels, especially during drought conditions
- Any deviations in water quality or water supply to Birch Creek and Esopus Creek will severely impact the ability of trout to spawn on these traditional and historic spawning grounds.
- The water budget method used was not a good representation of the hydrological processes of the Catskills and do not match the major trends in the Esopus Creek.
- The DEIS failed to explicitly mention the development's impacts on aquatic ecology in the watershed.
- The amount of precipitation used as a standard is much higher at 60 inches per year than the average 40-50 inches per year sited by the Northeast Regional Climate Center.
- The developer failed to adequately assess the demand the extensive project would have on water resources.
- The developer failed to provide adequate analysis and comparison of project alternatives.
- The developer failed to study the cumulative impacts that would be caused by the proposed expansion of the adjoining state-run Belleayre Mountain Ski Center.
- The developer plans to disturb up to 25 acres of land at a time. The failure of erosion controls would be disastrous for Catskills streams and the drinking water supply.
- The developer plans to build two golf courses and a series of lawns, which would introduce pesticides, herbicides and fertilizers to the current unspoiled locale.
- The developer failed to adequately address the environmental impacts resulting from the addition of approximately 85 acres of impervious surfaces.

TU has devoted a great deal of resources to addressing the issues in this DEIS with the goal of preserving the health of the Esopus. The DEIS fails to give adequate attention to the current and future health of the Esopus and its watershed. TU believes that the Draft Environmental Impact Statement in its current state is incomplete in its evaluation of critical environmental impacts and that Belleayre Resort project should be held to the most

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comprehensive and stringent requirements available. Thank you.

Sincerely,

Rocci Aguirre
Trout Unlimited Catskill Coordinator

Public Comment
The Belleayre Resort at Catskill Park

Ashokan/Pepaction and Catskill Mountains Chapters of Trout Unlimited

Statement of Interest

Trout Unlimited's mission is to conserve, protect and restore North America's trout and salmon fisheries and their watersheds. TU accomplishes this mission on local, state and national levels with an extensive and dedicated volunteer network. Locally, the two chapters, Ashokan/Pepaction and Catskill Mountains, have joint responsibility for the Esopus-Ashokan system. They are organized as all volunteer not-for-profits. Two years ago they cooperated on The Birch Creek Project, an on-going effort to reconnect and improve habitat on Birch Creek. Working in collaboration with the U. S. Fish and Wildlife Service, crews of volunteers installed fish-friendly baffles on a double-concrete box culvert in Pine Hill. Crews have also planted trees and willows in the Day Use Area. The chapters are presently collaborating with DEC operations to install a Denil steep-pass fishway for the Belleayre Mountain Ski Center diversion structure, and will buy the fishway with an Embrace-a-Stream grant from TU National. In respect to Birch Creek and other area streams, the chapters are long-term, committed stake-holders.

Esopus Creek rainbow trout belong to Catskills history. Their ancestors were brought east from California and stocked in the Catskills during the eighteen-eighties. In the Esopus-Ashokan system, they do well. They drop down to the Ashokan Reservoir as one or two year olds to feed on alewives, then climb the main stem and tributaries to spawn, entering the river as early as November, lingering as late as June. Theodore Gordon, A. E. Hendrickson, Jim Payne, Roy Steenrod, Everett Garrison, Preston Jennings and other luminaries from the Catskills heyday fished the Esopus and praised its rainbows. The river is famously productive in numbers of fish. Between 1975 and 1978 counts of fishermen yielded an average of twenty thousand angler days a year. The river produced 2 – 5 pound trout (photographs of which appeared in local papers each spring) and numerous 6 – 10 inch "silver bullets," which it still does, though not in the numbers and sizes of previous years, according to anecdotal evidence. DEC fisheries policy is to refrain from stocking rainbow trout over the Esopus rainbows. They are a self-sustaining, feral population.

Electrofishing of Birch Creek and Lost Clove Brook by Region 3 aquatic biologists indicate good numbers of rainbows, with feral brown and brook trout present as well (the records are in Appendix 20 of the DEIS, though not all that were submitted were included). Fingerlings are found in both streams and their principal tributaries, meaning these waters qualify for trout spawning (TS) classification, and should be protected to ensure that trout and trout spawning habitat is not degraded.¹ Redds can at times be spotted by walking the banks. Birch Creek has a biomass of 120 – 150 pounds per acre, yet it is a much-manipulated stream, and according to a DEC publication, Stream Biomonitoring in New York Using Periphytic Diatoms (2000),² it shows "some nutrient enrichment." While Birch Creek is thus of particular concern, both streams are a public resource of inestimable value. They are essential to recruitment of all three Esopus

drainage species, and the rainbow and other feral trout they harbor can legitimately be called a cultural heritage.

Section 1. Precipitation Data As A Basis For Calculating Water Budgets, With Implications For Irrigation And Storm Water Management

Tables one through three show data from the National Weather Service Slide Mountain station, the National Weather Service Highmount station and the DEC Bureau of Air Quality Surveillance Belleayre Mountain station. Table four compares storms of six inches precipitation or more at Slide Mountain and Highmount. Also included are National Weather Service narrative accounts of five major storms. The two chapters' research on comparative precipitation is validated in a letter from Jerome S. Thaler, author of Catskill Weather [see enclosure 1].

The periods of record for the three weather stations are:

Slide Mountain daily records: 05/02/1948-01/14/2004

Belleayre Mountain annual totals: 1987-2003

Highmount daily records: 05/01/1948-12/31/1976

- The Slide Mountain record covers 53 years after the incomplete records for 1948 and 2004 are deducted. Slide Mountain is the highest peak in the Catskills at 4,180 feet, and of all weather stations in the Catskills the one on Slide records the highest annual precipitation (Thaler, 1996). The Slide Mountain station is 8.76 miles from the Highmount station and is at elevation 2,649.
- The Highmount record covers 28 years after the incomplete record for 1948 is deducted, and it stops in 1976. Highmount is – or was - at the base of Belleayre Mountain, on the divide between the Esopus and East Branch Delaware drainages, at elevation 1,841.
- Daily values for Belleayre Mountain commence on 1991 06 07. A communication from the DEC informs the two chapters that from 1987 until that date values were taken at irregular intervals of days or weeks. This means the 1987-1991 record is unreliable. Those years have been disregarded. The station is on the Mountain at elevation 2,000.
- The range of elevation for the proposed Belleayre Resort at Catskill Park is 2,000 – 2,700 feet.
- There was a National Weather Service volunteer station at Arkville, 6.93 miles from Highmount, at elevation 1,309.7. The period of record is from 1948 to 1967. The station was then moved to a location 8.54 miles from Highmount, and data continue from this location to the present. Arkville data cover 53 years but were

not included in this analysis. The DEIS mentions that, "Average annual precipitation measured at . . . Arkville is 38.47 inches" [Vol. 1, 3.4.1, p. 76.]

- As Slide Mountain and Highmount are volunteer stations, their records are incomplete. Two examples: A full month, 04.01.1959 – 04.30.1959 inclusive, is missing from the Highmount data; and three consecutive days, 08.06.1991 – 08.08.1991 inclusive, are missing from the Slide Mountain data. With only fourteen days missing over the entire 53-year period of record, Slide Mountain data are the more complete of the two sets.
- Missing data are entered in the Slide Mountain and Highmount records as –999. In setting up a spreadsheet for the Highmount data the two chapters substituted 0 for –999 so the computer could accurately total.
- As daily readings are taken at the same time each day, while the 24-hour storm used for storm water management calculations includes the most intense rainfall over any 24-hour period, the two kinds of measurement aren't side-by-side comparable. This caveat applies to table four, in which daily records are sifted to highlight large storms.

Discussion

Despite the limitations of the Highmount and Belleayre data, the two sets together suggest that data from Slide Mountain are a poor fit for Belleayre Mountain. In justifying the use of Slide Mountain data, the DEIS asserts that this station is "at a comparable elevation," to the project site, that "it is the closest" and that it is "in a similar physiographic location."³ In fact, the Highmount and Belleayre stations are much closer, and the Belleayre station is not only at a comparable elevation but on the mountain. As to physiography, Belleayre Mountain is 750 feet lower than Slide Mountain and is surrounded by similar peak elevations, while Slide is the Catskills tallest and has five other high peaks of over 3,500 feet in a semicircle to its southeast and northeast. One would expect Slide Mountain weather to exhibit a pronounced orographic effect even for the region, and that expectation is verified by the data. Yearly totals for precipitation at the Slide Mountain station are considerably higher than at the two stations on or near Belleayre Mountain (in fact they higher than anywhere else in the Catskills), and Slide Mountain weather is more extreme. The thirty-year average of yearly totals for Slide Mountain, shown in the first table (copied and pasted from the DEIS), is 60.24 inches. The average of yearly totals for Belleayre is 42.59 inches, for Highmount 42.98 inches. Averaging these two yields 42.78 inches, fully 17.26 inches, or 28.62 percent, less than Slide Mountain.

Use of Slide Mountain data as a basis for calculating water budgets in Appendices 19 and 19A is suspect. By making more precipitation available for replenishment of groundwater sources than is the case in fact, these data skew the result, and in the developer's favor. With 28 percent less water available for percolation, the question is whether predicted groundwater withdrawals for the two resort complexes will lower the

water table, contrary to what the DEIS asserts. As lowered base flows would irreparably harm the aquatic biota of Birch Creek, Lost Clove Brook, Emory Brook and their tributaries, over-estimating precipitation by so large an amount is a significant failing of the DEIS.

Elsewhere the DEIS discusses replenishment of the irrigation ponds for the golf courses. Again the 60.24 inch Slide Mountain number is cited and defended, in terms identical to that of the water budgets,⁴ and the claim is made that, "direct precipitation input to the 3.5 acre irrigation ponds, less the expected evaporation losses, will be approximately 3.8 million gallons per year, on average." The further – and critical – claim is that this contribution from runoff will reduce demands on proposed irrigation well Rosenthal no.1, adjacent to Birch Creek. As annual average precipitation for Belleayre Mountain is roughly 28% less than for Slide Mountain, 3.8 million gallons is perhaps optimistic. If so, Rosenthal well no.1 will have to be pumped harder to make up the shortfall, to keep the Big Indian golf course green in dry weather. The two reasons why this is important are indicated below, in part 4, under Hydrogeology. They are, (1) there isn't enough water in the aquifer, and (2) pumping the Rosenthal wells will take water from Birch Creek.

Turning to the implications for storm water management, the construction and operation phase storm water management plans in Appendices 9, 9A, 10 and 10A reference the design ten-year storm of six inches of precipitation in 24 hours. Proposed control structures will be sized to successfully moderate runoff during such an event. But Slide Mountain numbers, applied to Belleayre Mountain, predict substantial detention basin overflows, both during and after construction. Slide Mountain data show 12 storms of 6 inches of precipitation or more, including the massive 15.11 inch rainfall of 10.15.55 – 10.17.55. And Slide Mountain data register large storms at intervals of less than eight years, the projected time needed to complete the development. The 6.62-inch rainfall of 07.10.52 was followed less than four months later, between 11.20.52 and 11.23.52, by a rainfall of 8.33 inches, and the double hurricane of 10.15.55 – 10.17.55 was preceded only two months earlier by an impressive rainfall of 10.59 inches.

If Slide Mountain numbers apply to the water budgets, they apply to storm water management – with an unacceptable risk of overflow or failure of detention basins containing thousands of cubic feet of silty water and situated upslope from trout spawning streams. If Slide Mountain numbers don't apply to storm water management, then a lower number for annual rainfall must be adopted in the water budgets, reducing rates of percolation to groundwater sources, which suggests dry-condition reductions of base flow, harmful to aquatic life. The DEIS contains a major discrepancy between two methodologies referencing two different sets of numbers.

One more weather-related comment: Accounts from the National Weather Service included below attest to the severe weather and aftermath of same experienced in eastern New York State, including the Catskill Mountains. The DEIS describes the geology and geography of Belleayre Mountain in terms generally applicable to the Catskills: Exposed bedrock or shallow soils over bedrock and hardpan at higher elevations, outcrops at sudden changes in elevation, glacial till at lower elevations, and steep slopes of 10 - 30% percent or more dropping abruptly to deeply incised water courses and streams. This topography and this geology do not bode well should a major storm strike Belleayre

Mountain during or at any time after construction.

Conclusions

It is the position of the two chapters that the SEQRE process won't be complete until:

- Belleayre Mountain precipitation is more scrupulously defined.
- Precipitation data for the water budgets are consistent with those for the storm water management plans.
- Extreme conditions are modeled in the water budgets, especially in respect to droughts.
- The water budgets are peer-reviewed
- Irrigation demands and sources are re-done with more realistic numbers

It is further the position of the two chapters that the potential for violent runoff from higher elevations to valley floors during extreme storms makes Catskill Mountaintops fundamentally unsuited to large-scale development of any kind.

Precipitation Table One

TABLE 3
Slide Mountain Precipitation: January 2000 through December 2000

Belleayre Resort
Alpha Project No. 00109

STATION: SLIDE MOUNTAIN STATE: NY ID: 307790
LATITUDE: 42.02 deg LONGITUDE: -74.42 deg ELEVATION: 2649 ft

Day of Month	2000											
	January-00	February-00	March-00	April-00	May-00	June-00	July-00	August-00	September-00	October-00	November-00	December-00
1	0.00	0.01	0.00	0.00	0.00	0.00	0.00	0.08	0.00	0.00	0.00	0.01
2	0.01	0.01	0.01	0.00	0.00	0.00	0.00	0.06	0.52	0.00	0.00	0.00
3	0.01	0.00	0.09	0.00	0.00	0.50	0.00	0.07	0.06	0.00	0.00	0.01
4	0.02	0.10	0.00	1.18	0.00	0.00	0.50	0.06	0.05	0.02	0.00	0.00
5	0.41	0.00	0.00	0.28	0.04	0.10	0.00	0.00	0.03	0.18	0.01	0.00
6	0.00	0.01	0.00	0.00	0.06	0.42	0.00	0.00	0.00	1.18	0.01	0.01
7	0.00	0.00	0.00	0.00	0.00	3.43	0.00	0.54	0.00	0.00	0.00	0.00
8	0.03	0.02	0.02	ND	0.12	0.00	0.00	0.00	0.00	0.00	0.00	0.07
9	0.00	0.00	0.00	0.87	0.02	0.00	0.00	0.16	0.00	0.03	0.00	0.04
10	0.03	0.00	0.00	0.09	0.29	0.00	0.00	0.02	0.60	0.00	0.64	0.00
11	0.78	0.12	0.00	0.00	0.67	0.00	0.00	0.00	0.00	0.02	0.22	0.02
12	0.04	0.01	1.59	0.13	0.28	1.28	0.00	1.76	0.03	0.00	0.05	0.20
13	0.27	0.00	0.04	0.00	0.38	ND	0.00	0.13	2.05	0.00	0.00	0.00
14	0.18	1.06	0.00	0.00	0.53	0.53	0.00	0.01	0.00	0.00	0.02	0.65
15	0.00	0.33	0.03	0.00	0.00	0.02	2.00	0.59	0.17	0.00	0.69	0.01
16	0.60	0.07	0.00	0.00	0.00	0.00	3.85	0.40	0.01	0.00	0.01	0.00
17	0.05	0.02	0.76	0.00	0.00	0.03	0.04	0.00	0.00	0.19	0.00	3.42
18	0.00	0.00	0.03	0.66	0.17	ND	0.00	0.00	0.00	0.44	0.00	1.98
19	0.00	0.75	0.00	0.02	0.47	0.42	0.00	0.01	0.00	0.63	0.00	0.00
20	0.05	0.01	0.00	0.00	0.70	0.00	0.00	0.00	0.16	0.00	0.00	0.20
21	0.15	0.06	0.00	0.28	0.21	0.00	0.00	0.00	0.00	0.00	0.14	0.00
22	0.00	0.00	0.00	0.97	0.05	0.70	0.12	0.00	0.01	0.00	0.00	0.00
23	0.00	0.00	0.00	0.43	0.29	ND	0.00	0.00	0.00	0.00	0.00	0.04
24	0.00	0.00	0.00	0.10	0.97	0.02	0.00	0.00	0.12	0.00	0.00	0.00
25	0.00	0.04	0.00	0.00	0.23	0.00	0.00	0.00	0.00	0.00	0.00	0.01
26	1.04	0.50	0.07	0.00	0.26	0.66	0.00	0.00	0.10	0.00	0.24	0.00
27	0.02	0.00	0.00	0.05	0.00	0.07	0.77	0.00	0.32	0.00	0.40	0.01
28	0.00	0.48	1.50	0.00	0.00	0.07	0.09	0.00	0.00	0.00	0.00	0.01
29	0.00	0.02	0.01	0.00	0.01	0.01	0.10	0.21	0.01	0.00	0.01	0.02
30	0.00		0.11	0.06	0.00	0.17	0.64	0.02	0.00	0.00	0.21	0.08
31	0.93		0.01		0.00		0.22	0.01		0.00		1.25
Monthly Total	4.01	3.62	4.87	5.12	5.75	8.23	8.42	5.11	4.24	2.69	2.65	6.04
30-yr Avg	4.51	4.36	5.07	5.29	5.75	5.1	4.7	4.91	4.72	4.72	6	5.11

Total Precipitation Year 2000 = 62.75"
30-yr Avg. Total Yearly Precip. = 60.24"

ND = No Data
All measurements recorded in inches

Precipitation Table Two: Belleayre Annual Total Inches

Belleayre Mt. 87	39.89	Belleayre Mt. 96	50.72
Belleayre Mt. 88	33.06	Belleayre Mt. 97	34.02
Belleayre Mt. 89	40.47	Belleayre Mt. 98	39.7
Belleayre Mt. 90	43.65	Belleayre Mt. 99	44.02
Belleayre Mt. 91	32.46	Belleayre Mt. 00	51.68
		Belleayre Mt. 01	32.95
Belleayre Mt. 92	41.57	Belleayre Mt. 02	48.23
Belleayre Mt. 93	38.94	Belleayre Mt. 03	49.83
Belleayre Mt. 94	39.9		
Belleayre Mt. 95	39.56	Belleayre averaged	42.59

Precipitation Table Three: Highmount Annual Total Inches

1949	40.79
1950	49.42
1951	51.4
1952	48.13
1953	45.42
1954	49.23
1955	50.62
1956	41.9
1957	34.89
1958	48.41
1959	40.02
1960	49.21
1961	36.76
1962	38.04
1963	39.37
1964	32.59
1965	31.89
1966	35.83
1967	38.55
1968	42.32
1969	44.42
1970	37.24
1971	39.77
1972	45.45
1973	58.3
1974	46.65
1975	43.39
1976	43.57

Highmount averaged	42.98
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Precipitation Table Four

Slide Mountain 6"+Storms		Highmount 6"+Storms	
date	inches	date	inches
1948 12 30-1949 01 01	8.92	1955 10 15 - 1955 10 17	8.42
1952 07 10	6.62	1973 06 29 - 1973 07 01	7.06
1952 11 20-1952 11 23	8.33		
1955 08 13-1955 08 14	10.59		
1955 10 15-1955 10 17	15.11		
1960 09 12-1960 09 14	7.07		
1963 11 06-1963 11 08	9.01		
1972 06 22-1972 06 24	10.42		
1979 09 06 -1979 09 07	6.40		
1985 09 27-1985 09 28	6.84		
1987 04 05	6.64		
1998 05 10-1998 05 12	7.94		

Extreme Weather In The Catskills: National Weather Service narratives.⁵

August 1955 - Back-to-back hurricanes Connie and Diane struck the region following a rather severe drought so their effects were greatly reduced by the existing extremely dry conditions. On August 12, 15 inches of rain at Slide Mountain brought the Esopus Creek only up to 12 feet. Five days later, on August 17, hurricane Diane came right into the Hudson valley, which resulted in the worst flood disaster in the Lower Hudson Valley of New York and in the State of Connecticut. The village of Ellenville was nearly washed off the map, while the riverfront in Kingston was under nearly four feet of water.

October 1955 - Severe Flood on the Schoharie Creek, caused by a slow-moving coastal storm with 16 to 18 inches of rain over the Tannersville area and devastation in the Schoharie Valley.

September 1975 - Hurricane Eloise, caused significant (not record breaking) flooding on the Susquehanna and parts of Catskills.

March 1980 - "The Great Catskill Toilet Flush" with around 10 inches of rain on nearly bare and frozen ground which led to rapidly developing and severe floods on Schoharie, Catskill, and Esopus creeks.

January 1996 - Major flood event throughout the region as a result of rapid meltdown of snowpack along with two to four inches of rain. Record flooding on Schoharie Creek and significant floods on Mohawk River at Schenectady, and on the Hudson at Albany (15.5 ft - greatest since New Years 1949).

Section 2. Questions on Stormwater Management

Construction phase stormwater management

During phase two construction, 14.2 acres on average will be graded at a time on the easterly development alone. There will be twenty-five acres of opened ground at any given time [3.2.2. C]. Eighteen temporary detention basins sized for the design 10-year storm of six inches of precipitation in 24 hours and ranging in capacity from 24,762 cubic feet to 142,371 cubic feet will capture runoff. Grading will take place within 2000 feet of Birch Creek, 1500 feet of Lost Clove Brook and 800 feet of Giggle Hollow [3.2.2]. Previously opened plots will be temporarily stabilized with a mix of grass seed and spray-on geo-textile applied by hydroseeder [Appendix 11, Item E, p. 30]. Similar numbers hold for the westerly development, where there will also be twenty-five acres of opened ground at any given time.

That construction will be kept 2000, 1500 feet and 800 feet from Esopus drainage streams seems a reasonable precaution – until construction phasing plans are compared to contour maps. Many of the eighteen temporary detention basins will be at the brink of steep slopes dropping to Birch Creek, Lost Clove Brook and Giggle Hollow. Risks normally associated with construction-phase stormwater management are accentuated by the terrain and the high quality of nearby streams.

The DEIS assumes a type C soil in its calculations, though some type A and D soils are said to be present. The Windows version of the TR-55 manual assigns to newly graded type C soils a curve number of 91, compared to 98 for pavement and 74 for grass in good condition. Temporarily stabilized acreage is by definition newly graded. This means the total acreage vulnerable to runoff from a major storm will greatly exceed 25 acres, once temporarily stabilized areas are taken into account, as they ought to be, and the volume and rate of runoff from this total acreage will be closer to that of pavement than good-condition grass. The DEIS neglects to mention these pertinent facts.

The term "ten year storm" of course means a one-in-ten chance of a storm with six inches of precipitation occurring within 24 hours in any given year, not that a storm of this magnitude occurs once every ten years. Ten-year-or-better storms can and do occur at intervals of less than ten years. If the temporary detention basins are to be sized for 10-years storms of 6 inches, and Slide Mountain weather data apply, as they are said to apply to the water budgets, then it must again be pointed out that Slide Mountain data show twelve events that exceed the six-inch benchmark, and that these events have a frequency of less than ten years [see section 1].

The questions that need to be answered are not only, what is the statistical probability of a better-than-ten-year storm during the eight years of construction, but what provisions can be made if the remnants of a hurricane drop ten inches of rain on 25 acres of destabilized ground, plus some unstated number of acres of temporarily stabilized

ground with a CN of 91? With such a storm and multiple detention basin overflows, thousands of cubic feet of sediment-laden water will cascade downhill into adjacent waterways. With detention basin failures, the worst-case scenario becomes a full-fledged environmental catastrophe. About such contingencies the DEIS is largely silent. That nothing much could be done is tacitly admitted in 4.3, where it is said, essentially, that the contractor will clean up: "Any fugitive soil materials will be excavated and the area stabilized to reduce further erosion." How this is to be done on steep, wooded slopes, with the escaped soil materials already washed far downhill, goes unexplained.

Operation phase stormwater management.

The approach to stormwater management advocated in the DEC General Permit for Construction Activities: Appendix D is that it be sent to the water table through infiltration techniques. The DEIS describes a vegetated roof for the Big Indian Resort and Spa, under-building parking, built ponds, some use of permeable pavement and some use of infiltration techniques to limit runoff, yet the primary stormwater controls, namely, multiple detention basins, are inconsistent with an infiltration approach. Such structures typically reduce peak flows while prolonging storm runoff (thus giving them a reputation for increasing the frequency of bankfull discharge with subsequent damage to streams). Though detention basins can provide incidental associated infiltration, their purpose is to accept and moderate post-development increases in runoff volume, rather than mitigate those increases by putting them in the ground. The probable reasons for avoiding DEC recommended procedures, that encourage precipitation to soak in, are (1) a surface geology characterized by thin, relatively impermeable soils over impermeable hardpan or bedrock [memo from soil scientist Robert J. Case, included in appendix 12]; (2) the General Permit for Construction Activities: Appendix D prohibition against placing infiltration facilities in areas of fill, that is to say, areas with compacted soils: "Placement of infiltration facilities in areas which have been filled is unacceptable. Compacted fill material loses permeability and the in situ/fill material interfaces may cause slope failure due to slippage." That there will be many such areas is suggested by the total square yardage of fill proposed for both sites: 1,960,917 square yards [Tables 2-1A, 2-1B].

According to the New York State Stormwater Management Design Manual, p. 2-1, "volume of stormwater runoff increases sharply with impervious cover. For example, a one-acre parking lot can produce 16 times more stormwater runoff than a one-acre meadow each year (Schueler, 1994)." The DEIS states that the two development complexes, Big Indian and Wild Acres, will have 85.16 acres total of impervious surface. To visualize the size of this area, it helps to overlay the acreage with football fields. As a football field, not counting end zones, is 48,000 square feet, an acre 43,560 square feet, simple division says the developer wants to build 77 football fields with 16 times the runoff of meadow.

In "Storm Water Calculations," Appendix 9A, the 25 year storm calculation for Existing Conditions uses a curve number of 70. The curve number used to calculate the 25 year storm for Proposed Conditions varies but averages to CN 80.07. As a rough calculation, increasing the curve number for five hundred acres from CN 70 to an average CN 80 increases the volume of runoff by 40%.

Therefore, consider the following: (1) The proposed stormwater controls are predominately of a type that slows the rate of post-development increases in runoff rather than reduce their volume. (2) For the development as a whole the change of curve number from a CN of 70 to a CN of 80.07 represents an increase in runoff volume of approximately 40%, as is consistent with the detention basin approach and square yardage of compacted fill. (3) Of the whole, 77 football fields of woodland with good hydrologic function will be converted to impervious surface shedding roughly 16 times more runoff than meadow. (4) Yet Appendix 10A of the DEIS claims an impressive decrease in runoff volume, post construction - 11% for Big Indian, 29% for Wild Acres - while elsewhere the DEIS claims a slight boost in percolation compared to existing conditions [Appendix 10A, p. 2; and 3.2.1 G.].

The two chapters believe in miracles but nonetheless wonder if these claims could be true. Having located the following passage in the DEIS, the chapters further wonder if even the developer's consultants believe such claims are true:

In general, stormwater control consisting of a series of road side swales, cross culverts and stormwater micropool extended detention basins are proposed to capture, convey and detain stormwater runoff from the developed portions of the project site. By creating positive drainage through site grading within each of the subcatchments, the proposed stormwater control system are capable of reducing post-development runoff rates from a 10, 25 and 100 year storm [2.2.6.].

Note that stormwater is to be "captured, conveyed and detained," not infiltrated, and that runoff rates will be reduced (consistent with a detention approach), not runoff volume. What the document claims on one page, it contradicts on another.

Even if claims for reduced runoff are taken at face value, it should be kept in mind that 529 acres of mostly woodland with good hydrologic function are to be cleared, graded, filled, built-on, paved and (minus that 77 football fields) revegetated over time. Maximum hydrologic benefit of revegetation will not come soon. Runoff volumes to be expected between clearing and grading, temporary stabilization, topsoiling and final planting, and the maturation of grass, tree and shrub plantings many years down the road, are not discussed, to say nothing of non-point source pollutants that may be transported to area streams in the interim. There is no runoff timetable in the DEIS, yet the matter of gradual improvement in hydrologic function must be brought up, as the environmental implications are great. It cannot be repeated often enough that the Catskills are subject to extreme storms with violent runoff, as history shows.

Finally, there is a conflict between 24-hour microdetention of the one year storm to control sediment, phosphorous and stream erosion and 12 hour detention to control thermal pollution. To quote from the DEIS, which in turn quotes the New York State Stormwater Management Design Manual:

The water quality requirement can be met by providing 24 hours of the WQv (provided a micro pool is specified) extended detention. A local jurisdiction may reduce this requirement to as little as 12 hours in trout water to prevent stream warming [SMDM, p. 4-4].

Stream Channel Protection Volume Requirement (Cpv) are designed to protect

stream channels from erosion. In New York State this goal is accomplished by providing 24-hour extended detention of the one-year, 24-hour storm event. Trout waters may be exempted from the 24-hour ED requirements, with only 12 hours of extended detention required to meet this criterion [SMDM, p. 4-5].

In other words, 24-hour detention controls sediments, phosphorous and erosion, but 12 hour detention prevents thermal pollution of cold-water streams. The difficulty is that of addressing different real-world requirements, and the applicant has responded to one requirement more than the other. The DEIS contains little discussion of thermal loading, other than to say the detention basins will provide for settling while minimizing thermal impacts, and that they will be shaded [3.2.3.F]. The two chapters must therefore ask if the temperature of discharges into area waterways and streams will be adequately mitigated, especially since the DEIS makes no mention of specific measures recommended in General Permit for Construction Activities: Appendix D [3.C. (3)].

Conclusions

For reasons presumably having to do with existing site conditions and the scale and scope of the proposed development, the designers are unable to meet New York State BMP requirements. As Belleayre Mountain and vicinity consists of mountainous slopes draining into deeply incised NYC watershed streams mostly classified B and B (TS), conditions are unlike those found in other parts of the State. Thus the two chapters again raise the same fundamental objection they raised in section one: Given remarkable local conditions and an inability on the part of the developer to practice BMP's for stormwater management, the project as currently envisioned is basically unsuited for the site it will occupy. A further objection is this: If the project does proceed substantially as proposed, then, pursuant to the GP-02-01, the five-acre limit on open ground should not be exceeded by a single acre, not to mention the proposed twenty, especially when Appendix E flatly says: "No more than 5 acres of unprotected soil should be exposed at any one time." [Permit No. GP-02-01, p. 11, item 4; General Permit for Construction Activities: Appendix E, E. 1.] Twenty-five acres of opened ground at each resort site, plus an unstated acreage of temporarily stabilized ground with a CN of 91, poses too great a risk in light of the terrain and weather, regardless of the control measures proposed – and raises the specter of legal action should a catastrophe ensue.

To summarize the position of the two chapters:

- The developer should more adequately address the matter of safeguards in the event of a major storm with detention basin failures.
- The developer's claims for runoff volumes and percolation are unpersuasive, and should be independently corroborated by peer-review.
- The developer should provide specific mitigations for detention basin discharge temperatures, and demonstrate in suitable detail that these discharges will not

thermally pollute waterways and streams.

- The certified Professional Erosion Control Specialist should be hired by, and answer to, the DEC, but be paid by the developer.
- As local conditions are remarkable, the potential for environmental impacts great, the developer should not be allowed to exceed the five-acre limit for open ground, especially since doing so would establish a more-than-five-acre precedent for large-scale mountaintop development in New York State.

Section 3. Loss Of Hydrological And Biological Function In Intermittent Streams

In a letter dated July 11, 2003, David A. Stillwell of the FWS wrote to Colonel John B. O'Dowd concerning the Crossroads Ventures Pre-Construction Notification. The letter says, in part,

At least 13 crossings were noted on the project plans of both streams and wetlands. It is unclear if all of the streams including ephemeral and intermittent streams have been shown on the plans. We recently visited the project site and found channels with discernable bed and banks located downslope of mapped channels. For example, we observed channels south of Gunnison Road adjacent to proposed golf tee #5, which are not shown on the plans. If all of the watercourses have not been documented, then not all of the impacts have been considered. Intermittent and ephemeral streams provide important functions on the landscape such as carrying storm flows and providing habitat for life cycles of some species of fish and invertebrates. Given the large quantity of road crossings and potential impacts to watercourses, we believe the Corps should give due consideration to the potential impacts of project construction and operation of surface water quality. [See enclosure 2 for full text.]

Stream flow determines a water body's ability to support aquatic life. Stable streams with year round flows provide the best habitat for fish. Intermittent streams that flow only during snowmelt or after large rainfalls offer habitat for critical stages in a fish's lifecycle such as spawning and rearing. To illustrate best use and water quality standards for the headwaters and intermittent streams located in the proposed development, the two chapters offer the following:

A. Excerpt from Leslie M. Reid and Robert R. Ziemer, Evaluating The Biological Significance Of Intermittent Streams:

Intermittent channels have usually been considered important to fish resources primarily as seasonal sources of water, sediment, and wood delivered downstream to more important habitats. Because intermittent channels form a high proportion of the channel system, they contribute a lot of nutrients to downstream reaches

from primary production and litterfall. Productivity of perennial channels depends on delivery of materials from intermittent channels during at least part of the season. Some intermittent channels are also important as fish habitat. One-third to half the trout production in some Sierra systems is from intermittent channels (Erman and Hawthorne 1976), and intermittent channels are an important winter refuge for juvenile coho (*Oncorhynchus kisutch*) and steelhead (*Salmo gairdneri*) (Peterson and Reid 1984).⁶

B. Excerpt from Judy Meyer, et. al., Where Rivers Are Born: The Scientific Imperative for Defending Small Steams and Wetlands.

Many species depend on small streams and wetlands at some point in their life history. Intermittent streams can offer special protection for young fish, because the small pools that remain in such streams often lack predators. Still other fish species use headwater streams as seasonal feeding areas. For example, headwater streams are vital for maintaining many of America's fish species, including trout and salmon. Both perennial and seasonal streams and wetlands provide valuable habitat. Headwater streams and wetlands also provide a rich resource base that contributes to the productivity of both local food webs and those farther downstream.⁷

C. In a 2001 letter to the Army Corps of Engineers, 43 of the nation's senior aquatic scientists detailed the many ways seemingly inconsequential headwater streams "provide valuable ecological goods and services" and urged that they be protected [see enclosure 3].

D. Dr. Judy Meyer, a professor of stream ecology at the University of Georgia, writes, "Small streams, even if they are fishless, are important producers of insects that drift to the downstream fish assemblage. Headwater streams are the first aquatic systems that see the input from the terrestrial environment."⁸

E. Ben Stout of Wheeling (West Virginia) Jesuit University has found headwater streams in mountaintop-removal country to be even more biologically important than the streams they feed: "The biological community begins in watersheds as small as six acres. In fact, the most diverse communities start right up there at the spring seeps. The majority of taxa we found are leaf-shredders; when they shred leaves the particles feed the whole downstream community. And emerging insects export this energy back to the forest in a form that's available to salamanders, frogs, fish and birds. An intermittent stream is the link between a forest and a river. Fill it, and you break that link."

F. In researching the headwaters of the Rogue River the Oregon Department of Fish and Wildlife found that trout spawn primarily in intermittent streams. "They'd move into them for refuge when they got watered up during winter rains and the mainstems were raging. At that time the developers were diverting and damming these streams, cutting down their riparian forests, building houses next to them, all because they were

thought to be inconsequential. As a result of our research we were able to get more protection for those streams. When we went back in the winter we found that these fish radiated upstream. A lot of intermittent streams that looked insignificant in summer would become major rearing and spawning habitat in winter.”

G. Dr. Louis Kaplan of the Stroud Water Research Center in Avondale, Pennsylvania, which assesses impacts to ecosystems from water-chemistry changes upstream, writes, "First-order streams have their own ecology with their own unique insects and fish [including endangered species] that live nowhere else. They are some of the most diverse and productive environments on earth because, in addition to their own production, they are heavily subsidized by the forests they flow out of. They also provide food material for organisms downstream."

Conclusions

Though unmapped drainages are inventoried in the DEIS [3.2.1 D], it's far from established, in light of Mr. Stillwell's letter to the Corps, that all ephemeral and intermittent watercourses have been identified and given due regulatory consideration. What's more, the importance of these streams to trout must be considered under SEQRE. The level of regulatory protection given to streams classified as trout spawning extends to all tributaries of those streams, including intermittent channels – and Lost Clove Brook, Crystal Spring Brook, Giggle Hollow, Cathedral Glen Brook, Woodchuck Hollow and Birch Creek are all present or proposed TS classified streams.

The General Permit for Construction Activities: Appendix E states: "Natural drainage channels should not be altered or relocated without the proper approvals" [Item E. c.]. Whether there are natural drainage channels that will be overrun by construction when they should be either protected or approved for alteration is an unresolved question at this time.

The developer has not considered the effect the Resort will have on at least two intermittent streams flowing through the golf courses. Section 3.2.2.1 of the DEIS describes one stream being crossed by three golf holes, and another being crossed by two. In addition proposed golf cart paths will be adjacent to said streams. The developer should demonstrate that all watercourses crossing or adjacent to construction zones for both Big Indian and Wildacres have been identified and mapped, without exception, that suitable permission and/or protection for them is forthcoming, and that their fluvial and biological function will be little disrupted. Further study is needed to determine if construction of the Resort will destroy spawning habitat for trout. In all probability these intermittent streams support wild trout and indeed do provide nourishment for trout downstream. A comprehensive study of the effects of the Resort on intermittent streams and their associated springs and wetlands is called for.

Section 4: Other Implications for Aquatic Habitat

Introduction

The argument of this section is that aquatic habitat in Birch Creek has already been impaired, contributing to a loss in numbers throughout the Esopus-Ashokan system, and that the proposed Resort, in combination with other factors, will further impair Birch Creek habitat. The implication is that other area streams will suffer as well. Existing and potential negative impacts discussed here are:

1. The Pine Hill Waste Water Treatment Plant (existing).
2. The Big Indian Waste Water Treatment Plant (potential).
3. Surface water withdrawals for snowmaking (existing and potential).
4. Surface and groundwater withdrawals for the two resort complexes (potential).
5. Discharge from the Pine Hill Day Use Area snowmaking pond (existing).
6. Non-point source contaminants (potential).

Flows

Adequate flows to sustain habitat in Catskill streams is critical, not only during late summer, when these waters typically run low and warm, but during the fall and winter, when brown and brook trout spawn. Brown trout spawn from late September into December, peaking late October to early November. The eggs hatch in 148 days at 1.9 C (35 F) and 33 days at 11 C (51.8 F). In Catskill headwaters, they hatch mainly in March. Esopus rainbows spawn from late March through the second week in April, though some spawning occurs as early as January and as late as May. The eggs hatch in 18 days at a water temperature of 15.5 C (59.5 F), 101 days at 3.2 C (38 F). As temperatures around 10 C are frequent in Catskill headwaters during late winter and early spring, according to available data, rainbow eggs deposited in mid-April can hatch as late as early June. The period of trout egg vulnerability to less than optimum flows is thus late September through early June, with brown trout and brook trout reproduction more likely to be effected, as spring flows are typically ample.⁹ Anchor ice and thermal refuge are other flow-related concerns. Ice-formation on streambeds, promoted by low flows, is deadly to aquatic life, including all species of trout at all life stages. Thermal refuge in headwater brooks, where temperatures are often moderated by spring seeps, helps fish escape heat in the summer, ice in the winter – and these brooks can dry up or be reduced to trickles when flows drop. Though trout fry and adults are vulnerable to unfavorable stream conditions year-round, they can seek best-available conditions through up-or-downstream migration. Macroinvertebrates, a crucial trout food, are vulnerable to poor conditions year-round, and can do little to escape them.

A Tennant minimum flow to preserve Birch Creek habitat was established when the snowmaking diversion weir was built for the Belleayre Mountain Ski Center [3.2.1 I, p. 250]. A hole in the weir was sized to supply a minimum of 5 cfs downstream. It was felt that cutting off the flow entirely would damage the stream, and the application of Tennant (1976)¹⁰ to Birch Creek is discussed in a memo from Region 3 fisheries biologist Wayne Elliot to Bob Bathrick, dated September 21, 1984 [see enclosure 4]: “For winter flows in a stream such as Birch Creek, a constant release of 30% of [the annual average discharge], or approximately 5 cfs . . . is suggested. Tennant indicates that minimum

flows of 10% annual average discharge or less result in 'severe degradation' of aquatic populations."

Tennant writes that thirty percent "is a base flow recommended to sustain good survival habitat for most aquatic life forms," while sixty percent "is a base flow recommended to provide excellent to outstanding habitat for most aquatic life forms during their primary periods of a growth and for the majority of recreational uses." In other words, as Tennant would have it, 5 cfs at the diversion is good but less than ideal.

The two chapters question single numbers for ideal flows, regardless of method, but recognize that Region 3 aquatic biologists were compelled to produce one. Thirty percent of the annual average discharge, or 5 cfs at the weir, has become a de facto threshold for Birch Creek, and will here be referred to as such. Using the current 38-year period of record for the Allaben gage and GIS mapping capabilities to accurately size the drainage at the diversion, the chapters re-worked Tennant. Their result validates the Region 3 result:

Tennant At Diversion Weir

Drainage area, Allaben gage: 63.7 square mile.

Drainage area, Birch Creek at diversion weir: 7.61 square miles.

7.61 is 11.94 % of 63.7.

Grand mean discharge, Allaben, 1963-2001: 141.9

11.94 % of 141.9 = 16.94 cfs

<p>30% of 16.94 cfs (Tennant rated good) = 5.08 cfs 60% of 16.94 cfs (Tennant rated excellent) = 10.16 cfs</p>

Discussing historic flows in Birch Creek, the DEIS rejects data for the Birch Creek Big Indian gage on the grounds that only one year of data are available. Instead, the DEIS references monthly and annual average discharges at the USGS Allaben gage, on the main stem Esopus. This is standard practice in estimating flows in non-gaged sub-sheds, or when at least a 10-year record is required for statistical validity. (It is the practice the chapters followed in their calculations). The DEIS says flows have fallen below the Tennant threshold 109 times since 1963, but fails to substantiate this statement. The lack of any meaningful discussion of low flows in Birch Creek (and other area streams) is noteworthy because low flows must be taken into account in evaluating the impact of the Resort on habitat, especially during droughts, and are also relevant to assimilation capacity and dilution, as discussed below.

As of this comment, four years of data from the Big Indian gage are available, not one. The period of record (1998 10 01 – 2002 09 30) includes an extended dry spell. A drought watch issued in November, 2001, was elevated to a drought emergency by the end of the month. For that reason, the chapters think these data are highly relevant, even though the record is short. The chapters therefore used the 38-year grand mean at Allaben to calculate Tennant at the Big Indian gage, and included in their result 10% of the grand mean discharge. Tennant speaks of 10% as a minimum below which there will be "catastrophic degradation to fish and wildlife resources and harm both [to] aquatic and

riparian environments:”

Tennant At Big Indian Gage

Drainage area, Allaben gage: 63.7 square miles.
 Drainage area, Birch Creek at Big Indian gage: 12.5 square miles.
 12.5 is 19.6% of 63.7.
 Grand mean discharge, Allaben, 1963-2001: 141.9
 19.6% of 141.9 = 27.8 cfs

10% of 27.8 cfs (Tennant rated minimum) = 2.78 cfs
 30% of 27.8 cfs (Tennant rated good) = 8.34 cfs
 60% of 27.8 cfs (Tennant rated excellent) = 16.68 cfs

During the four years of available data, flows at or below the 30% Tennant threshold of 8.3 cfs occurred 465 times. As for the 10% minimum of 2.78 cfs, it can be rounded up to 3 cfs for the sake of simplification, while staying within plus or minus accuracy for the gage. The data show that flows at or below this number occurred 114 times [see enclosure 5]. That is to say, there were 114 daily average flows at a level associated with Tennant’s “catastrophic degradation.” This historical occurrence suggests that any human activity causing significantly lower flows than is already the case during dry spells or official droughts will have a highly negative impact on Birch Creek and other area streams. And this negative impact will extend across three seasons, with implications for fall spawning, anchor ice in winter and sub-lethal or lethal temperatures in summer.

Monthly Averaged Flows At Or Below Tennant 30% Threshold Of 8.3 cfs,
 USGS 013621955 Birch Creek at Big Indian, 1998 10 01 – 2002 09 30
 (estimated readings deleted)¹¹

Month/Year	10/98	11/98	12/98	01/99	06/99	07/99	8/99	09/99	09/00	10/00	11/00	12/00
No. of days	30	30	21	1	12	9	31	15	28	19	27	4
Average cfs	3.9	4.5	5.4	8	6.8	7	4.3	3.4	6.4	5.9	7.1	6

Month/Year	01/01	07/01	08/01	09/01	10/01	11/01	12/01	01/02	07/02	08/02	09/02
No. of days	3	20	14	29	31	29	13	16	22	31	30
Average cfs	8.2	4.9	3	4.1	3.3	3.3	6.8	5.1	5.6	3.1	3.2

Hydrogeology

The chapters have retained a hydrogeologist. His report will be submitted at the appropriate time. In this comment, his remarks can be summarized thus:

- The DEIS relies on old and inadequate groundwater supply reports and fails to acknowledge more recent and comprehensive literature on the Catskills.
- That literature describes stacked multi-aquifer bedrock with little storage, permeable bedding-plane fractures and recharge of the deeper flow system by leakage across the semi-confined units.
- The DEIS claim that the Rosenthal wells “tap a confined aquifer with no connection to the surficial aquifer” is incorrect.
- Withdrawals from Rosenthal wells R1 and R2 cannot be sustained during dry spells at the proposed pumping rates.
- Even at reduced pumping rates baseflow in Crystal Spring Brook, Birch Creek and Emory Brook will be lowered.
- A segment of Crystal Spring Brook could entirely lose baseflow due to its hydraulic connection to the Fleishmanns wells, from which pumping will be increased.
- Pumping groundwater flow from the sides of the valley will intercept Birch Creek baseflow, which baseflow will also be lowered by downward leakage through the valley-fill deposits and direct leakage into bedrock fractures.
- Pumping will substantially pull down residential and other wells in a 1.5-mile radius, up valley and down, including the Pine Hill sewage treatment plant wells.

Withdrawals

The amount of water diverted daily from Birch Creek for snowmaking by the Belleayre Mountain Ski Center is unknown, as the diversion is ungaged. The demand for water from both snowmaking ponds is, however, given in the DEIS – and both ponds are in the Birch Creek drainage. The DEIS states that the current snowmaking demand for the Ski Center is 100,000,000 – 120,000,000 gallons of water total for a five-month season, generally occurring between November 15th and March 15th [3.2.1- 1]. 100,000,000 gallons over the 122 days is 819,672 gpd, and this in turn is 109,016 cubic feet per day, or 1.26 cfs. Water withdrawals from the ponds can't be directly correlated to withdrawals from Birch Creek, as many gallons can be taken from the ponds without drawing from Birch Creek, provided the ponds are full, but all the water in the ponds is diverted Birch Creek water and a total loss over time of 1.26 cfs or more during a time when fall trout eggs must remain viable is noteworthy when flows are sometimes as low as those appearing at the USGS Big Indian gage.

The Pine Hill Water Company draws water for approximately 140 customers from springs on Crystal Spring Brook, a B (TS) tributary of Birch Creek. Though the DEIS doesn't say so, the amount is about 130,000 gpd, expected to drop to around 60,000 gpd

once the system has been freed of leaks, as is planned. The projected average daily demand for potable water for Big Indian Plateau is estimated at 91,854 gpd, for Wildacres, 109,308 gpd [Appendix 7, 3.1 and 3.1.] Table 3-16 in the DEIS shows a daily summertime irrigation withdrawal from Rosenthal Well No. 1 of 82,080 gpd. No number is available for groundwater withdrawals from residential wells along the Birch Creek-Route 28 corridor. It is accordingly impossible in this comment to estimate total withdrawals, present and projected, with much confidence, other than to say that total known wintertime withdrawals for potable water and snowmaking, if the Resort is built, will be 1,080,834 gpd (assuming no increased snowmaking demand), total known summertime withdrawals, 343,242 gpd. All this water, surface and ground, is implicated in regional hydrology, therefore in flow regimes, and much of it is, or will, be taken when adequate flows are needed for fall spawning and overwintering of eggs.

Six coldest months

Current snowmaking (conservative)	819,672 gpd
Big Indian Resort and Spa (projected)	91, 854 gpd
Wildacres Resort (projected)	109,308 gpd
Pine Hill water district (after system upgrade)	60,000 gpd
Potable water withdrawals outside the district	unknown
Future snowmaking	unknown
Total known wintertime withdrawals, best estimate	1,080,834 gpd

Six warmest months

Big Indian Resort and Spa (projected)	91, 854 gpd
Wildacres Resort (projected)	109,308 gpd
Pine Hill water district (after system upgrade)	60,000 gpd
Potable water withdrawals outside the district	unknown
Irrigation water Well R. 1.	82,080 gpd
Total known summertime withdrawals, best estimate	343,242 gpd

A 1,080,834 gpd wintertime withdrawal equals 1.66 cfs, and a 343, 242 gpd summertime withdrawal equals .52 cfs. Of the water taken from Birch Creek, either directly, or from ground water sources feeding Birch Creek, some will return as snow melt runoff, snowmelt groundwater infiltration and sewage effluent, while some will be lost to wintertime sublimation and golf course irrigation, which will be managed to maximize plant uptake and minimize percolation [3.3.2G]. In other words, there will be a net loss of Birch Creek water, overall, in addition to losses described in the hydrogeologist's report, and that segment of the drainage from lower Crystal Spring Brook to the proposed Big Indian SWP outfall will be hardest-hit, though real-world

numbers, in the opinion of the two chapters, are highly uncertain.

What's inarguable is that withdrawals for the proposed expansion of the Ski Center, when added to existing withdrawals for various purposes, are directly relevant to any discussion of water needs for the Resort, as the several actions are interdependent. Any withdrawal from ground or surface water sources that reduces flows in the Birch Creek drainage not only threatens habitat on a strictly flow-related basis; it also increases the concentration of point source and non-point source pollutants in the stream. There is a cause-and-effect correlation between withdrawals and dilution.

Discharges and Dilution

The NYCDEP Pine Hill WWTP on Birch Creek has a permitted capacity of 500,000 gpd. The DEIS reports current peak discharge of approximately 85,000 gpd, but that number is incorrect. The true number averaged for 2003 was twice that amount, and demand went up during the winter months while the Belleayre Mountain Ski Center was in operation, peaking during March at 249,000 gpd:

2003 Average Monthly Discharge
From NYC DEP Pine Hill WWTP
SPDES # NY-0026557¹²

January	155,000 gpd
February	112,000 gpd
March	249,000 gpd
April	179,000 gpd
May	150,000 gpd
June	156,000 gpd
July	90,000 gpd
August	119,000 gpd
September	177,000 gpd
October	201,000 gpd
November	214,000 gpd
December	241,000 gpd
2003 average	170,250

According to the DEIS, the proposed Big Indian Plateau WWTP will discharge into Birch Creek an estimated maximum flow of 173,544 gpd, an estimated daily average flow of 86,772 gpd [1. 2. 4]. The discharge will take place during the six coldest months of the year. During the warmest six months, wastewater will be used for irrigation; and, according to the DEIS, the Big Indian plant "will be able to provide, on average, 108,465 gallons per day" [2.2.5 A]. (The 21,698 gpd difference between an average daily flow of

86,772 gpd and one of 108,465 gpd is substantial, and requires clarification.) Whatever the daily average discharge in the real world (as distinct from hypotheticals), restricting it to the six coldest months is not stipulated in the draft permit. The permit, if granted as written, will be for year-round discharge into Birch Creek.

It should be mentioned in this context that water is withdrawn from Birch Creek during the summer to refresh the day use area snowmaking pond while the beach is open for swimming. This is done to control “swimmer’s itch” and algae, and the warm surface water is discharged into Birch Creek as part of the refreshment process, thus contributing a presumed thermal and nutrient load during the hottest months of the year when stream temperatures peak. A sewage effluent discharge not far downstream at this time would be unfortunate, even if it meets the regulation maximum 70 degrees F.¹³

Adding various discharges from the two plants yields a range of hypothetical combined discharge:

Pine Hill	170,250 gpd (av.)	249,000 gpd (Mar.)	170,250 gpd (av.)	249,000 gpd (Mar.)
Big Indian	86,772 gpd (av.)	86,772 gpd (av.)	173,544 gpd (max.)	173,000 gpd (max.)
Hypothetical totals	257,022 gpd	335,772 gpd	343,794 gpd	422,544 gpd

The DEIS argues, using its wrong number for Pine Hill discharge, that the Pine Hill plant would still have an excess capacity of 328,228 gpd if it accepted wastewater from the Big Indian complex [5.5.1D, p. 5-32]. This assertion must be challenged not only because Pine Hill excess capacity could easily at times be closer to 100,000 gpd, that is, roughly one-third the number claimed, but because no allowance is made for new households and businesses coming online from beyond the Big Indian complex in the years ahead. Development is proceeding rapidly in some regional towns south and east of the proposed resort complex. If the Pine Hill plant hits peak permitted capacity because of future hookups, and the Big Indian part of the complex has its own privately-operated plant, as is currently proposed, the combined discharge into Birch Creek will exceed 500,000 gpd, and flows below the Pine Hill plant during dry spells or official droughts will consist largely of effluent.

This brings us to TOG 1.3.1B, Total Maximum Daily Loads and Water Quality-Based Effluent Limits Amendment – Low and Intermittent Flow Streams which calls for 10:1 dilution of stream water to effluent, provided that intermittent stream effluent limits are met” [see enclosure 6]. There is, however, an escape hatch in the form of a Waste Assimilative Capacity (WAC) analysis, which the DEC has done.¹⁴ But only for dissolved oxygen, not for contaminants. It is therefore noteworthy that the guidance standard of 10:1 dilution will certainly be exceeded, based on known historic flows, to say nothing of the stated WAC analysis 7Q10 of .7 cfs, given the existing discharge from Pine Hill.

For example, during the entire month of October, 2001, – while brown and brook trout were spawning – flows averaged 3.3 cfs at the Big Indian gage. Twelve of those days were below 3 cfs; that is, below the minimum Tennant deemed essential. Taking 3 cfs as representative two miles upstream, at the mouth of Rose Mountain Brook, where

the two discharges will mix with stream water, dilution ratios for three scenarios are:

257,022 gpd. = 7.58:1

343,794 gpd. = 5.77:1

422,544 gpd. = 4.61:1

(1 cubic foot = 7.481 gallon; 1 gallon = 0.1330 cubic foot.)

At the stated 7Q10 of 0.7 cfs, the dilutions are:

257,022 gpd. = 1.76:1

343,794 gpd. = 1.34:1

422,544 gpd. = 1.07:1

Under these scenarios brown trout moving upstream or on their redds would face flows in a range said by Tennant to compromise habitat and, at the same time, a ratio of stream water to effluent exceeding the TOG 1.3.1B 10:1 dilution guidance. Questions rise as to (1) available oxygen for fish eggs and adults, given existing slight enrichment of Birch Creek, and (2) dilution of residual chlorine and ammonia, both of which are highly toxic to eggs and adults, at historic low flows, to say nothing of the 7Q10 of .7 cfs, especially since the 0.1 mg/l limit for chlorine on the draft SPDES permit is the detectable limit (with only daily grab sampling required), while the allowable limit for B and C streams is .005 mg/l [6 NYCRR X, Part 703.5 (f)]. Disinfection is with ultraviolet with chlorine back-up in case of ultraviolet failure, but potable water for the Resort will be chlorinated [Vol. 3, Appendix 7, p. 16], which means chlorine will always be present in the wastewater, to say nothing of metals, some of which are also lethally or sub-lethally toxic. An increasing body of evidence shows subtle effects on salmonid eggs and adult salmonid behavior from chronic exposure to a wide array of trace contaminants.¹⁵ The chapters are not convinced there will be zero significant impairment from the combined outfalls, even if DEC standards are met, and zero significant impairment is the only acceptable outcome under SEQRE and New York State law.

Conclusions

Flows: Given the vagaries of gage data, the guesswork of extrapolating gage data to a non-gaged drainage, or even from the gage to a point a short distance upstream, plus the rough-cut nature of desktop flow-habitat analyses, the chapters consider the numbers used in this comment to be less than conclusive. Though these numbers strongly imply that flows in Birch Creek have already been reduced, and would be much worsened by the Resort, leading to problems with anchor ice, higher base flow temperatures, fewer available thermal refugia, increased enrichment, decreased oxygen, increased concentration of pollutants and, ultimately, lessened complexity of the biota, they are approximations. For a better understanding of flow-habitat relations, a comprehensive workup is needed, incorporating best-available, peer-reviewed hydrogeology, complete and accurate numbers for existing and future withdrawals, more accurate and detailed, peer-reviewed

water budgets and a thoroughgoing flow/habitat study by a qualified professional.

Dilution: The combined effluent discharge from the two waste water treatment plants will exceed 10:1 dilution at times when instream flows are concurrently at or below the 10% Tennant minimum. The chapters anticipate that further study incorporating more accurate numbers for flows at the proposed effluent outflow will further compromise the 10:1 ratio, and ask that such a study be done. The chapters suspect that present water withdrawals for the Belleayre Ski Center worsen the hypothetical dilution ratio, and will worsen it more should additional water be withdrawn for Ski Center expansion. This, too, needs further study, especially since the WAC analysis didn't cover ammonia, chlorine and metals. An additional factor is possible non-point source pollution from the two resort complexes, in addition to that already contributed by Pine Hill Village and Route 28, in particular from golf course fertilizers and biocides. The community of Birch Creek, including microorganisms, macroinvertebrates, sculpin, minnows, fish eggs, trout fry and trout adults, is presumed more vulnerable at all life stages to chronic effects of non-point source trace contaminants when these substances are concentrated during fall and winter low flows and mixed with trace contaminants from sewage effluent. And here, again, more study and better monitoring are needed.

Birch Creek, Lost Clove Brook and other area streams are already subject to a variety of negative impacts, including constructed or straightened channels, flood plain incursions from roadways and buildings, non-point source pollution from roadways and lawns, warm-water discharges from the day-use area pond, acid rain and manmade barriers to fish migration. As was mentioned above, water quality studies conducted by the DEC indicate that Birch Creek is already somewhat nutrient enriched.¹⁶ Large-scale development above steep slopes feeding into these drainages, in a region susceptible to violent runoff events, threatens further harm. According to DEC policy, "Those waters protected for trout spawning purposes require compliance with extremely high water quality standards which prohibit degradation" [Organization and Delegation Memo No. 85-40, 9-9-85]. Yet there will be no try-out for this project. If the Resort is built, alone or in conjunction with Ski Center expansion, and area streams experience still lower flows, in conjunction with an increase of effluent and trace pollutants, with consequent further deterioration of an historic fishery, there will be no recourse, no means of undoing harm done. It is therefore imperative that DEC permits for the Resort impose the strictest standards possible under current regulations and guidances, and that the Agency conduct an environmental review under SEQRE that is conservative, meeting the most comprehensive and stringent requirements available, bar none.

The two chapters' specific recommendations and requests are:

1. That a gage be installed at the snowmaking diversion to measure daily withdrawals from Birch Creek, so as to begin documenting the relationship of snowmaking withdrawals and reduced instream flows, if any;
2. That a flow/habitat study be conducted for Birch Creek, taking into account present and

potential ground and surface water withdrawals, so as to better understand present and predicted flow-habitat relationships in the Creek, before the project is built and remediation is no longer possible;

3. That a concurrent three-year in-stream study with Whitlock-Vibert boxes and brown trout eggs be conducted so as to demonstrate comparable egg mortality from the existing Pine Hill discharge, relative to egg mortality in Birch Creek above Pine Hill; which study, if positive, will validate the proposed Big Indian Plateau discharge;

4. That annual precipitation, percolation rates, withdrawals, discharges and net losses of water to area streams be more accurately and comprehensively documented and explained in the DEIS water budgets;¹⁷

5. That it be convincingly demonstrated though outside peer review that zero migration of nutrients and golf course biocides into area waterways and streams, post development, will occur; or, barring such demonstration, that the developer be required to use biological controls only, as was required for two golf courses in Yaphank, Long Island;

6. That summer discharges from the Pine Hill Day Use area snowmaking pond be documented, both in respect to temperature and nutrients, and that this information be incorporated into a re-calculated Waste Assimilative Capacity (WAC) analysis for the Big Indian SPDES permit;

7. That it be convincingly shown that the 6 NYCRR, Chapter X, Part 703, chlorine standard of .005 mg/l for TS streams can be met at all foreseeable flows and under all foreseeable treatment plant conditions;¹⁸

8. That it be convincingly shown that the Part 703 dissolved oxygen standard of 7.0 mg/L can be met at all foreseeable flows, given a SPDES permit level equal to, and therefore dangerously close to breaching, the standard, especially since background DO is higher at 7.4 to 12.2 (see DEIS Table 3.5);¹⁹

9. That it be convincingly shown that the Part 703 standard for ammonia can be met under all foreseeable conditions;²⁰

10. And that the Big Indian Sewage Treatment Facility SPDES permit be altered

- A. To explicitly prohibit discharge June 1 – September 30.
- B. To replace monthly six-hour composite sampling for ammonia with continuous, 24/7 auto-sampling by chart recorder.
- C. To replace daily grab sampling for effluent chlorine with continuous, 24/7 auto-sampling by chart recorder.
- D. To equip dechlorination equipment with an alarm, an automated phone call or some other suitable device to notify plant operators in the event of dechlorination failure.
- E. To provide for one acute and one chronic biomonitoring test of the effluent

every day, after the first day, in the event of ultraviolet disinfection failure and back-up disinfection with Chlorine.

- F. To provide for one acute and one chronic biomonitoring test of the effluent in the second and fourth winters of operation under routine operating conditions.

April 20, 2004

Contact:

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Enclosures:

1. Letter from Jerome S. Thaler, author of Catskill Weather.
2. Letter from David A Stillwell, FWS, to Colonel John B. O'Dowd, Army Corps of Engineers.
3. Letter of senior aquatic scientists to the U. S. Army Corps of Engineers.
4. 1994 memo from Region 3 fisheries biologist Wayne Elliot to Bob Bathrick.
5. Birch Creek Flows of 8.3 cfs or lower at the Big Indian Gage.
6. TOG 1.3.1B.

¹ H-171-53 Lost Clove Brook 9 26 2000

This Survey was conducted to document if trout fingerlings currently inhabit this stream. Trout fingerlings were found at both sites sampled. This stream should be proposed for upgrading from its current "(T)" standard to "(TS)" Protection should be given to this stream to ensure that trout and trout spawning habitat is not degraded.

H-171-52-3 Giggle Hollow 9 25 200

This survey was conducted to document if trout fingerlings currently inhabit this stream. Trout fingerlings were found at the site sampled. This stream should be proposed for upgrading from its current "(T)" standard to "(TS)." Protection should be given to this stream to ensure that trout and trout spawning habitat is not degraded.

H-171-52-4-1A Cathedral Glen Brook 9.25 2000

This survey was conducted to document if trout fingerlings currently inhabit this stream. Trout adults and fingerlings were found in the 100 foot section sampled. This stream should be proposed for upgrading from its current D classification to a minimum C (TS). Protection should be given to this stream to ensure that trout and trout spawning habitat is not degraded.

H-171-52-4 Crystal Spring Brook 9.25 00 p. 138

This survey was conducted to document if trout fingerlings currently inhabit this stream. Trout fingerlings were found at the site sampled. This stream should be proposed for upgrading from its current "(T)" standard to "(TS)." Protection should be given to this stream to ensure that trout and trout spawning habitat is not degraded.

H-171-52-4-1 Woodchuck Hollow p. 145

This survey was conducted to document if trout adults and/or fingerlings currently inhabit this stream. Trout adults and fingerlings were found in the 90 foot section sampled. This stream should be proposed for upgrading from its current D classification to a minimum C (TS). Protection should be given to this stream to ensure that trout and trout spawning habitat is not degraded. (Remarks from Region 3 Fisheries electrofishing cover sheets).

² Stream Biomonitoring Unit, Bureau of Watershed Assessment and Research, Division of Water, NYS DEC, Stream Biomonitoring in New York Using Periphytic Diatoms, April, 2000, p. 13

³ "Climatological data indicate that the Crystal Spring Brook drainage basin receives more annual precipitation on average than the rest of the upper Esopus Creek drainage basin. Significant variations in the amount of total precipitation occur throughout the Catskills due to orographic effects. Precipitation at the Slide Mountain Station (NOAA Station ID 307799) is likely to be more similar to the project area than any other station since it is the closest, is at a comparable elevation and is in a similar physiographic setting." (Vol. 7, Appendix 19, 2.2.2, p. 8)

⁴ "In the preceding analysis natural pond replenishment by precipitation and also replenishment by stormwater control contribution have not been considered. These two factors will serve to further reduce the demands placed on the proposed irrigation well. Local meteorological data collected at Slide Mountain and summarized for the project area indicates that on average there are 60.24 inches of precipitation for the year. Average annual pan evaporation for the area is 20.5 inches. Based on these data there is a net difference of 39.74 inches of precipitation. Direct precipitation input to the 3.5 acre ponds, less the expected evaporation losses, will be approximately 3.8 million gallons per year, on average. Climatological data indicate that the Crystal Spring Brook drainage basin receives more annual precipitation on average than the rest of the upper Esopus Creek drainage basin. Significant variations in the amount of total precipitation occur throughout the Catskills due to orographic effects caused by the mountainous nature of the geography. Daily precipitation measured at Slide Mountain (NOAA Station ID 307799) is likely to be more similar to the project area than any other station since it is the closest, is at a comparable elevation and is in a similar physiographic setting." (Vol. 1, 3.3.2B, pp. 3.65 - 3.66) (NOTE: The claim that the Crystal Spring Brook drainage receives more precipitation is not supported by any data in the DEIS.)

⁵ Webpage, National Weather Service Albany Office, Past Storms, "Greatest Floods Of The Past 150 Years in New York and Western New England."

⁶ Leslie M. Reid and Robert R. Ziemer, Evaluating The Biological Significance Of Intermittent Streams, USDA Forest Service, Pacific Southwest Research Station; text available at: <http://www.fs.fed.us/psw/rsl/projects/water/2IntermitStr.htm>

⁷ Judy Meyer, et al., Where Rivers Are Born: The Scientific Imperative for Defending Small Steams and Wetlands, River Basin Science and Policy Center, 2003; text available at http://outreach.ecology.uga.edu/publications/pdf/scientific_imperative.pdf

⁸ Meyer, Stout, Oregon DFW and Kaplan are cited in Ted Williams, Upstream And Out Of Mind: The Feds Abandon Protection For Our Headwater Streams, Fly Rod and Reel; text available at <http://www.flyrodreel.com/conservation0603.html>

⁹ According to American Fisheries Society Policy Statement #9, Effects of Altered Stream Flows on Fishery Resources (Revised), "Decreased stream flow can contribute to direct mortality if fish eggs are exposed, covered with silt, or left without sufficient, oxygenated water. Reduction in usable habitat can result in decreased abundance, size, and condition of fishes. Water velocities and the amount of appropriate substrate can be so changed that spawning sites become limited, and in some species, an increase in interspecific hybridization may occur. Anadromous or resident species may not move to appropriate spawning sites if attractant flows are lost or stream passage is inadequate."

¹⁰ Donald Leroy Tennant, "Stream Flow Regimens for Fish, Wildlife, Recreation and Related Environmental Resources," Fisheries, Vol. 1, No. 4 (August, 1976), pp 6-10. This desktop method, sometimes augmented by field work, was developed in the American west, is also called the "Montana Method," and is now routinely employed in its original or modified form in many parts of the world

¹¹ "Records for 013621955 at Big Indian for October 1, 2001 to Sept. 30, 2002 are considered 'good' except those for estimated daily discharges, which are 'poor.' Degree of accuracy of the records is defined as follows: 'Excellent' means that about 95 percent of the daily discharges are within 5 percent; 'good,' within 10 percent; and 'fair,' within 15 percent. 'Poor' means that daily discharges have less than 'fair' accuracy. Different accuracies may be attributed to different parts of a given record." (Margaret Phillips, U. S. Geological Survey, in e-mail to Norman Turner).

¹² Freedom of information act request, 2003 monitoring record for the Pine Hill STP.

¹³ A 70 degree discharge could in any case be a violation (see below), as the highest temperature recorded in Birch Creek, Oct., 2000 – Oct., 2001, was 68 degrees F. (see DEIS Table 3 5).

From 6NYCRR, chapter X, part 704, (2).

(i) No discharge at a temperature over 70 degrees Fahrenheit shall be permitted at any time to streams classified for trout

(ii) From June through September no discharge shall be permitted that will raise the temperature of the stream more than two Fahrenheit degrees over that which existed before the addition of heat of artificial origin

(iii) From October through May no discharge shall be permitted that will raise the temperature of the stream more than five Fahrenheit degrees over that which existed before the addition of heat of artificial origin or to a maximum of 50 degrees Fahrenheit whichever is less.

(iv) From June through September no discharge shall be permitted that will lower the temperature of the stream more than two Fahrenheit degrees from that which existed immediately prior to such lowering

¹⁴ Freedom of information act request, Waste Assimilative Capacity (WAC) Analysis for the Big Indian STP. The 7Q10 is the lowest consecutive 7 day streamflow occurring in a ten year period. It is used to set discharge limits in National Pollutant Discharge Elimination System (NPDES) water quality permits. A permit is supposed to be granted only if a proposed amount of pollutant will not significantly impair designated uses when flow is at the 7Q10 level

¹⁵ See for example, "Poisoned Waters: Pesticide Contamination of Waters and Solutions to Protect Pacific Salmon," a publication of the Clean Water for Salmon Campaign, with bibliography, available online at <http://www/pesticide.org/CleanWaterSalmon.html>

¹⁶ Stream Biomonitoring Unit, Bureau of Watershed Assessment and Research, Division of Water, NYS DEC Assessment of water quality of streams in the New York City watershed based on analysis of invertebrate tissues and invertebrate communities. Part II: 1999 sampling results, p. 16; Stream Biomonitoring in New York Using Periphytic Diatoms. April, 2000, p. 13.

¹⁷ "1. Section 1.2.3. In order to evaluate the frequency that Crystal Spring Brook (CSB) flow rates dropped below a critical threshold value to sustain aquatic life, the consultant correlated the Crystal Spring Brook discharges with the daily flow measurements for Esopus Creek at Allaben. Given the long term record at the Esopus gage compared to the short term record at the Birch creek gage this is understandable; however, I did not see a validation of this surrogate gage by comparing the Esopus Creek flows with Birch Creek flows for the overlapping periods of record. I suspect the comparison will be favorable. It is just a "sloppy" assessment

2. Section 2.1. Was a stage-discharge rating developed for the stream flow measurement stations on CSB and BC? If not, why? The consultant states that the USGS data serve as a check on the quality of stream flow data obtained in this study. How? And what are the results of this check? For instance if one compares the flows presented in table 1a, 3, the consultant-measured flows at the BC below CSB exceeded the flows reported by USGS for the BC at Big Indian gage. The consultant should explain what this means with respect to the quality check. Are there errors in measurement or is the BC a seasonally losing reach between the CSB confluence and the USGS gage? Careful scrutiny of all numbers in all tables should be done.

3. Section 2.2.2. Consultant should back up claim of Slide Mountain data applicability with precipitation distribution map (available from DEP or presented in Thaler (1996) and comparison for similar temporal periods with Belleayre and Highmount data sets.

4. Section 2.2.3. The reference plots that compare Slide Mtn precip. with CSB flows do not show a correlation as implied in the text. Why not use a simple linear regression to test for correlation?

5. General comments on water budget analysis. First this is essentially a very simple analysis based on outflow-inflow=change in storage. The specific parameters representing the variable in the equation should be better explained and an explanation of the limitations and assumptions of the model should be elucidated. What is the source of the mapped soil units? Explanation and justification of the parameter values such as runoff coefficient and potential evapotranspiration rates (for pre and post development) should be presented in the text. For instance, one runoff coefficient value (0.4) is used for all soil types with last letter designations C-F. Is the letter designation a hydrologic group symbol or a slope symbol (with increasing slope in ascending letter order)?" (Comments of a hydrogeologist on Appendix 19).

¹⁸ From 6 NYCRR, Chapter X, Part 703. (5 ug/l = 0005 mg/l)

Chlorine, Total Residual	A, A-S, AA, AA-S, B, C	5
(CAS No. Not Applicable)	D	19
	SA, SB, SC, I	75
	SD	13

¹⁹ From 6 NYCRR, Chapter X, Part 703. Birch Creek is classified B (Trout Spawning)

Dissolved oxygen (DO)	A-Special	In rivers and upper waters of lakes, not less than 6.0 mg/L at any time. In hypolimnetic waters, it should not be less than necessary for the support of fishlife, particularly cold water species.
	AA, A, B, C, AA-Special	For cold waters suitable for trout spawning, the DO concentration shall not be less than 7.0 mg/L from other than natural conditions. For trout waters, the minimum daily average shall not be less than 6.0 mg/L, and at no time shall the concentration be less than 5.0 mg/L. For nontrout waters, the minimum daily average shall not be less than 5.0 mg/L, and at no time shall the DO concentration be less than 4.0 mg/L.

²⁰ From 6 NYCRR, Chapter X, Part 703 Birch Creek is classified B (Trout Spawning)

Un-ionized ammonia as NH₃; tables below provide the standard in ug/L at varying pH and temperature for different classes and specifications. Linear interpolation between the listed pH values and temperatures is applicable.

Classes A, A-S, AA, AA-S, B, C with the (T) or (TS) Specification				
pH	0C	5C	10C	15-30C
6.50	0.7	0.9	1.3	1.9
6.75	1.2	1.7	2.3	3.3
7.00	2.1	2.9	4.2	5.9
7.25	3.7	5.2	7.4	11
7.50	6.6	9.3	13	19
7.75	11	15	22	31
8.0-9.0	13	18	25	35

From: "COX, Graham" <GCox@audubon.org>
To: "ciesluk, alexander, DEC Reg. 3" <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 11:03:39 AM
Subject: Audubon New York comments on proposed Belleayre Resort DEIS

VIA EMAIL afcieslu@gw.dec.state.ny.us

April 23, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: The Belleayre Resort at Catskill Park

Alex, attached are the revised comments from Audubon New York. We submitted initial written and verbal comments during the public meetings in January, 2004, but the comments now attached represent an update and refinement of those comments, particularly with regard to the bird and wildlife aspects of the DEIS. Please use these for the purposes of your public record. Many thanks, Graham Cox, coordinator, forest and wetland programs, Audubon New York

Audubon New York
200 Trillium Lane, Albany, NY 12203

Comments for the public meetings on the Belleayre Resort at Catskill Park, Jan. 14 and 15, 2004, and submitted in a revised form April 23, 2004.

My name is Graham Cox. I am coordinator of Audubon New York's forest and wetland programs. I have an M.S. in economics and a Ph.D. in ecological economics from RPI. Ecological economics is, put simply, the economic study of sustainable development.

Audubon New York is a conservation organization with 45,000 members and 30 chapters across New York State. The mission of Audubon New York is the protection of birds and other wildlife and the habitat that supports them. We are part of a national organization with half a million members throughout North and Central America.

The following chapters represent members in the area impacted by this project: Northern Catskills, Capital Region, Delaware-Otsego, Orange County, Sullivan County, as well as our New York City chapter (with 10,000 members) and seven chapters in the NYC metro area in Putnam, Westchester and Rockland counties. These are all members who are served by the NYC metropolitan water supply, both east and west of the Hudson River. You will be receiving additional comments from several of our chapters, including substantive comments from Audubon's New York City chapter.

It is obvious that many of our members in the Catskill Region and metropolitan area chapters will be directly impacted by the adverse impacts of this resort project -- impacted by the likely changes in water quality and by the tax and fee bills they will be presented with as a result of the adverse impacts of this resort project.

Audubon New York is guided by several policy resolutions which pertain to the Catskill Park and the New York City watershed counties. In summary, we oppose any projects that will adversely affect the drinking water resources of the region; we oppose projects that can harm bird habitat, especially at the higher elevations of the Park and the watershed; we support the state's habitat conservation and bird protection measures for the designated Bird Conservation Areas (BCAs) in the Park and watershed, included the BCA currently designated by the state DEC for the Catskill High Peaks.

Audubon New York has a resolution specific to this Belleayre resort project, stating in part, that we will be active in the SEQRA process, that we will scrutinize the likely impacts of this project on the habitat, regional water quality and water flows, and that we oppose the project as proposed and will do so until such a time that the developer and the state can show that the environmental, economic and social benefits can by far outweigh the costs, both locally and regionally.

The reasons for our opposition were outlined in a letter to the State DEC more than a year ago when the first draft of the EIS was released for review and comment. I will repeat them here:

1. The project involves clearing and altering the terrain on nearly one square mile of high

- elevation habitat in two watersheds -- the Ashokan and Pepacton river systems, both major parts of the bigger New York City watershed. We support maintaining this system in such a way that the city water does not have to be filtered, at considerable cost to all taxpayers.
2. We are concerned about protecting the integrity of higher elevation matrix hardwood forests, as habitat for an array of bird species. Though there is no one species that has been determined as threatened or endangered, it is the conservation of the variety and population numbers that is of most concern to wildlife biologists. This can only be done by protecting the forested habitat as a whole. This is the prime purpose of the Forest Preserve within the Catskill Park. Protecting the forest habitat has the secondary benefits of protecting the watershed and the water quality for all the other dependent uses.
 3. Although Belleayre Mountain is not part of Audubon New York's existing Catskill Peaks IBA, it is part of the newly expanded Catskill IBA that we expect will be approved in the spring of 2004 by a technical review team. Belleayre Mountain is at the edge of this new IBA, which is delineated by the contiguous habitat. The new Catskill IBA was identified because it is one of the largest, most intact habitats for the assemblage of forest responsibility species in New York's portion of the Appalachian Mountains Bird Conservation Region-Responsibility species are those for which the region has responsibility for their long-term conservation because they are found at high relative abundances and/or have a disproportionately high percentage of their populations in this BCR. The Catskill IBA supports the following species from the Appalachian Mountain BCR forest assemblage - Black-and-white Warbler, Black-billed Cuckoo, Black-throated Blue Warbler, Blue-gray Gnatcatcher, Canada Warbler, Cerulean Warbler, Eastern Wood-Pewee, Least Flycatcher, Louisiana Waterthrush, Northern Flicker, Rose-breasted Grosbeak, Scarlet Tanager, Sharp-shinned Hawk, Wood Thrush, and Yellow-throated Vireo. From an Audubon New York bird conservation position, we would oppose large, fragmenting developments within this IBA, because they degrade the intactness and quality of the habitat for breeding birds.
 4. The project is totally out of proportion to the needs and resources of the existing communities along the Route 28 corridor through the Catskill Park. This pertains to the ecological, economic and social environments in total. We are dealing here with the scale and the location of the facilities. In essence, the proposal is akin to a Wal-Mart being located in a struggling rural community. It may look attractive to the economic developers, but it is devastating to the existing business and social structure. It will destroy the existing business, take away their customers, raise their property taxes to support the services needed and cover the additional costs for a host of social services. Further, it will generate and concentrate traffic problems, take precious drinking water resources from the local communities, result in surface and groundwater pollution and so result in a degradation of the watershed resources.
 5. We believe there are better alternatives to this project which have not been considered seriously by the developer and the State DEC. These alternatives would provide many more benefits to the ecological and social communities in the watershed. Investing in the existing communities, putting the golf courses and conference center in existing communities, investing in the small businesses (shops, restaurants, bed & breakfast units) along the length of the Route 28 corridor, are some suggestions. We believe that this sort of alternative -- small scale, fitting in to the existing communities, minimizing the impacts, following the precautionary principle -- have not been seriously considered in this impact statement because the developer is locked in to the two properties they have purchased.

A first review of the Draft EIS as published now has not changed our opinions about this project.

Our prime concerns focus on the "smart growth" implications, that is to say, this does not follow the smart growth principles which are now becoming accepted by the planning community across this and many other states and which are now being embodied in the policies of this state governor and this state government. They are summarized by the governor's Quality Communities executive order of January 2000, the report of the Quality Communities Task Force of February, 2001, and in state legislation introduced in sessions of the State Legislature since 2000. We will remind you of some of these smart growth principles:

1. The basic idea is to encourage the use of the existing development infrastructure, rather than foster sprawl, so as to preserve open space, natural habitat and agricultural resources. It is to enhance urban centers and neighborhoods, support traditional cities, villages and hamlets, and where possible support the continued viability of rural communities.
2. This can be achieved by local communities developing a collaborative smart growth plan of their own, laying out their own vision for their own communities. This does not include a vision imposed from outside, nor does it include development of such a scale that it overwhelms the community and their resources.
3. The principles work to enhance a sense of community; protect investment in existing communities and neighborhoods; protect environmental quality and conserve open space; protect the farming community; decrease congestion by providing alternative modes of transport; use energy conservation as a foundation for planning and design; and make efficient use of limited public financial resources.
4. The key to this is coordinated planning at the community, regional and state levels.

We are of the opinion that these basic principles are violated by the sheer size and character of this project. Furthermore, the process of community involvement and collaboration on a development plan for this region that is of an appropriate scale and character has been ignored and thwarted by the developer and by the state. Put bluntly, this is not by any measure a development that could be considered a sustainable development project; it violates all the principles I have listed above.

Thank you for considering our concerns.

For further information, please contact: Graham L. Cox, Ph.D., coordinator of forest and wetlands programs, Audubon New York, 200 Trillium Lane, Albany, NY 12203; telephone 518-869-9731; e-mail to gcox@audubon.org

Comments prepared by Dr. Graham Cox and reviewed by Dr. Michael Burger, director of bird conservation, Audubon New York, mburger@audubon.org.

From: "gberke@hvc.rr.com" <gberke@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 6:42:38 AM
Subject: re: catskills development

If you destroy my upstate new york social and environmental ecology, I will not forgive you.
There may be little gratitude in the maintenance of good order and much from the bestowing of wealth, but that's the way things are.
Make the right choice.

gerald berke
woodstock,ny 12498

bcc: Thinking of the destroyed lands and the bitterness that lasts through generations

mail2web - Check your email from the web at
<http://mail2web.com/>

From: Bill Forbes <wjforbes3@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 11:19:20 PM
Subject: the Belleayre project

Mr. Ciesluk-

I am writing to voice my opinion about the Belleayre Resort project proposed by Dean Gitter. I own a store in Phoenicia called The Tender Land and apparently the DEIS lists my business as being a supporter of the project. I want to make it clear that I DO NOT SUPPORT this project in its present form. I guess filling out a questionnaire several years ago which was distributed by the Crossroads Organization qualified me as a supporter in their eyes - perhaps because I didn't slam the door in their faces. I believe that the scope and locale of this project is wrong for this area. I'm sure you've noticed by now that what we have here in this part of the Catskills is unique & irreplaceable & quickly becoming an anomaly when one looks at what is going on in the rest of this country. Every time I venture to Florida I see thousands (I'm not exaggerating) of new homes & their obligatory strip malls. At some time in my life I fully believe that every square inch of that state will be developed. I do not want that to happen here and I'm afraid that should the DEC, and the DEP and the local government say yes to this project, it will be far more difficult to say no in the future. There are so many unknowns involved with this project - how much traffic will be added to Rt. 28?, where will the employees live?, where will their children go to school?, how will the huge amounts of chemicals used to maintain "2 world class golf courses" affect the streams & wildlife?, etc., etc. I'm sure you've heard them all a million times by now. But there's a reason that these questions come up over and over - because we who live & work here treasure what we have & would like to continue to have it. We too are the stewards of the Catskills and we have as much, if not more, to lose here as the DEC. Doesn't this whole thing gnaw at your stomach? It does mine. It's too risky and for what rewards - a few individuals may make a lot of money on this project. If my observations about the resorts that I've been to are correct, the people coming to this resort will stay at this resort the whole time they are there. I don't believe the outlying communities will benefit in any significant way in terms of added business. In terms of added costs, the local communities will be up to their eyeballs in maintaining roads, finding classroom spaces and creating low-cost housing. I think A hotel is a marvelous idea. I think A golf course (in the right location) is acceptable. I think this project in its present form is a disaster waiting to happen. I

don't envy your position as "Solomon" in this dispute.
However, I pray that you have the wisdom of Solomon &
say no to the Belleayre project

Yours truly,

William J. Forbes
The Tender Land
PO Box 220
Phoenicia, NY 12464
(845) 688-2001

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From: <GSSOLE@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 10:44:03 PM
Subject: Cross Roads Venture Project - Pine Hill/Big Indian

George Sole
222 East 82nd Street
Apartment 6B
New York, New York 10028
TEL: 212-861-7187
FAX: 212-861-7187
E-mail: Gssole@Aol.com

April 22, 2004

Via E-mail and Regular Mail
afcieslu@gw.dec.state.ny.us

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Cross Roads Venture Project
Pine Hill/Big Indian

Dear Mr. Ciesluk:

I am a summer/weekend resident of Pine Hill, 108 Academy Street. My property is located at the intersection of Academy Street and School Lane and is adjacent to the Route 28 Bridge, which bisects the village. I wish to register my objection to the scale of the project, as I believe it will have a negative impact on the general quality of life in the area. More importantly, I respectfully ask you to insure that all environmental studies with respect to noise pollution associated with this project are performed as required by law.

As you are aware, the Route 28 Bridge was reconstructed in 1996. It is my understanding that the State did not perform an Environmental Impact Study with respect to Noise Pollution at that time, since the elevation and lateral position of the Highway was not modified. However, it is my opinion (and I believe also of my neighbors) that there has been a substantial increase in noise and vibration associated with traffic on the new Bridge. As a Mechanical Engineer, I attribute this increase to the substantial changes in the fundamental design of the bridge, which in part are as follows:

- Increased width of the highway
- Change from concrete to steel construction
- Increase of span lengths
- Change of Road Surface Material
- Vibrating Steel Panels

As a resident living alongside this highway, I can attest the high levels of noise and vibration associated with the current traffic level, which is especially onerous on summer nights when windows are open and trucks are using Jake Brakes. I am concerned that traffic vibration is damaging the structure, as the house windows routinely rattle when large trucks pass. I believe the Cross Roads project will only compound what is already an unacceptable

situation.

I believe it is appropriate to request the State of New York perform a quantitative assessment of existing noise/vibration levels to insure they are within acceptable levels and to provide a base line for extrapolating the impact of the Cross Roads venture proposal. I would be pleased to have further discussion with you regarding this matter if you wish.

Thank you for your attention.

Sincerely,

George Sole

CC: <GSSOLE@aol.com>

From: <BRawl59453@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 10:25:13 PM
Subject: re:Proposed Resort in the Catskill Park

Att; NY'S DEC'S Alexander F Ciesluk

Gentlemen:

In our judgment it would be a big mistake if the government allowed the construction of the new resort project in the picturesque valley overlooking the Catskill Park. Therefore I am hereby registering my protest to the project and to state the importance of preserving the beauty of the Catskill Park area.

Sincerely,
Bruce Rawlins

CC: <peter@ipatools.com>

From: "gberke@hvc.rr.com" <gberke@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 8:00:36 PM

I am opposed to the development in the Catskill preserves that seeks 2 golf courses, and an influx of high priced weekend shut in tourists:

The traffic alone will be unacceptable, and will force a 4 lane highway into the region up route 28, and totally trash the existing 4 lane section which is pretty heavily populated now.

Personally, I do NOT like the kind of person such a resort will attract: we HAVE recreation here: it is hiking and tubing and running, walking, biking, and the peaceful enjoyment of nature. If people want to give big dollars to a shut in resort, there is the old catskill region in sullivan county: let them go there, if the people there will have them: I am utterly opposed. I LIKE the people who are here, I LIKE what they are doing, I LIKE their work and their spirit and I object to being a Banana Republic, occupied by outside interests, outside money, that disrupts the social ecology as well as the natural one.

Thank you for your attention.

Think of the future. Think Central Park. Think Adirondacks. Keep Catskills green

gerald berke
89 vandale road
woodstock, ny 12498
845-679-6240

mail2web - Check your email from the web at
<http://mail2web.com/>

CC: <catskillmtflower@msn.com>

From: <Ronsgonefishing@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 7:58:10 PM
Subject: Comment Letter DEIS

Mr Alexander Ciesluk Jr.

I am sending the attached letter in reference to the DEIS of Crossroads ventures.

I also am mailing the hard copy to you Thanks,

RON URBAN

NYS Trout Unlimited * Council Chairman

PO Box 815 * 146 Bayard Street

Port Ewen, New York 12466

phone: 845-339-5938

cell: 914-388-3878

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CC: <wpelliot@gw.dec.state.ny.us>, <ecrotty@gw.dec.state.ny.us>



New York State Council Trout Unlimited

Ronald D Urban, Chairman

*P O Box 815 * 146 Bayard Street, Kingston, NY 12466*

(845) 339-5938 Ronsgonefishing@aol.com

April 22 2004

Alexander Ciesluk, Jr
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Proposed Bellayre Resort

Dear Mr. Ciesluk,

I, as you can see, am the NYS Council Chairman of Trout Unlimited. We are an 8200 member nationally affiliated organization that is better known as a conservation organization. You have heard from some of my fellow members at the meetings in Margaretville and Onteora (Boiceville). Our Mission is to "Conserve, Protect and Restore" coldwater fisheries and their watersheds.

I am writing you to express my and NYS Council TU opposition and concerns with the proposed Bellayre Resort project. To begin with, I am a resident in Ulster County and an avid fly fisherman for trout and person that enjoys the beauty of the Catskills. As such, I have several concerns with this project as it was presented to the general public.

I am deeply concerned about the increased traffic flow on the NYS Route 28 corridor and cost of additional services that this project bring about. Route 28 is a one-lane highway from the intersection of Route 375 northwest and the size and scope of the proposed project would have significant adverse impacts on the traffic and costs of services associated with Route 28.

Secondly, I am deeply concerned about the project's serious negative environmental impacts to the New York City watershed and on the quality of drinking water. Degradation and pollution of the water quality would have long-term negative impacts on our region and the City's drinking water effecting millions of residents of this state.

Third, I have serious concerns about the negative impacts of run-off and effluent entering our local trout streams, namely Birch Creek, Lost Clove, and the upper Esopus. This in term would negatively impact our wild fish and the aquatic eco-system that supports a wild trout fishery. I am also very concerned about increased water temperatures in these waterways resulting from direct discharges into the streams.

Fourth, I have very serious concerns about the project's encroachment on adjacent NYS Forest Preserve Lands. These mountains attract thousands of tourists to the area every year and our Catskills are world renown for their history and environment. I question whether the size and scope of this proposal is a best fit for the Catskill Mountains. Clearly this is the single largest endeavor undertaken in the Catskills since the construction of the New York City's reservoir system that benefited millions of New Yorkers. On the other hand, few people, at the expense of many, will benefit from this undertaking.

I attended the first hearing in Boiceville at the Onteora Central School. There was overwhelming opposition to this proposal then, and subsequent hearings, as I am aware. The need for the project is truly questionable, few benefit from it, and its costs and impacts affects millions of New Yorkers. Short of



New York State Council Trout Unlimited

disapproving this proposal, I ask that further evidentiary hearings be conducted to address the issues that I, and I'm sure hundreds, of others have raised.

The magnitude of this project and its location cause me definite concerns. The Esopus Creek has been and will be a pristine fishery again through the efforts of concerned citizens and Trout Unlimited. I urge you and the law judge that presided over the meetings to review the piles of evidence showing the misguided, misleading and miscalculated DEIS presented by Dean Gitter. I have never seen any expensive, extensive and inept piece of work that has neglected the true environmental study required for this project.

As will notice, we are supporting our local chapters and are supported by our national office and organization. I also, refer to issues on the Croton and Kensico Watersheds that in the past created concerns with runoffs and contamination to their systems in reference to golf courses. I believe Judge Wissler oversaw those decisions

Trout Unlimited is not antidevelopment. We definitely support good science and facts to understand the DEIS. I feel that we were severely shortened in scope and principles in the DEIS as presented. There is no way to accept and proceed as the current DEIS is presented. There are too many nonbelievers and concerned TU members in this matter compared to chosen parties that support the development.

Thank you for the opportunity to express my concerns and those of NYS Trout Unlimited

Sincerely yours,

Ron Urban, NYS Council Chairman

From: Peter Thompson <Peter.Thompson@aslf.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 5:48:41 PM
Subject: Proposed Bellayre Resort

22 April, 2004

Mr. Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York

Dear Mr. Ciesluk;

For several years I shared an office with a Region 7 DEC Forester. As a seasonal employee of the Fisheries Division of the NYSDEC and through conversations with my office mate, I came to understand that the NYSDEC is just as likely to support the exploiters of our state's extremely valuable natural resources as it is to work to protect those resources. What a shame that the agency entrusted with protection of the state's single most important public trust is so willing to permit its use to greedy self-interested money-grubbing developers

I'd like to remind you that the name of the agency for which you work and from which you derive your livelihood (at the taxpayers' expense) is called the New York State Department of Environmental CONSERVATION, not the NYS Department of Environmental EXPLOITATION. Damn it man, pay attention here! You are employed by the citizens of the state of New York, not by the private developers. The people of the state entrust you with the conservation, the protection of the natural resources that, in this still marginally free country, belong to us all.

Do the right thing in the Bellayre expansion case, protect the peoples' resources. Be worthy of the peoples' trust in the DEC to conserve our resources, not to exploit them.

Sincerely,

Peter Thompson

From: Linda Rodgers <linda_basil@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 5:31:52 PM
Subject: Opposition to proposed Belleayre Resort

Mr. Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am writing to voice my very strong opposition to the proposed Belleayre Golf resort. I have been a fulltime resident of Shandaken for the past thirty-one years, and I am opposed to the building of this resort for many reasons, some of which are as follows:

There are numerous traffic concerns which have not been adequately addressed in the DEIS report. Route 28 and the other feeder roads cannot sustain the additional construction and weekend traffic.

I feel the tourist industry and general economic state of this area will be adversely affected by a resort of the size of the proposed resort. Tourists and second home buyers come here primarily to enjoy the beauty and the peace and quiet we enjoy here. The resort would compete with the existing businesses.

The present existing population is not adequate to nearly fill the construction jobs or the ones eventually available and essential to the running of the resort. There are already numerous jobs constantly going unfilled in the \$7.00 and \$8.00 per hour range. In particular there are "Help Wanted" ads

in the classified sections of the local papers every week for Dean Gitter's other establishments Catskill Corners and The Emerson located in Mt. Tremper, NY.

The pesticides and chemicals necessary to maintain two golf courses will have a very negative impact on the water resources necessary to the surrounding area and New York City. The heavy use of water by the resort during the summer may put a huge drain on the supply necessary to the homes in the Pine Hill village.

The effects of the projected resort on the quality of life we enjoy here and the community character, available housing for the hundreds of workers that will have to be imported, and the cost to the Town of Shandaken for increased community services such as police protection and increased enrollment in the local schools are all of enormous concern.

Thank you for your consideration of my concerns.

Sincerely,

Linda Berenguer Rodgers
331 Broadstreet Hollow
Shandaken, NY 12480

Do you Yahoo!?
Yahoo! Tax Center - File online by April 15th
<http://taxes.yahoo.com/filing.html>

From: "Tom Alworth" <talworth@catskillcenter.org>
To: "Alec Ciesluk" <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 4:26:21 PM
Subject: Catskill Center's Final Comment on Belleayre Resort

Hello Alec:

Please find attached Catskill Center's final comments and cover letter in response to the DEIS for the Belleayre Resort at Catskill Park. We have mailed them express to you today as well, so a hard copy should be on your desk tomorrow April 23rd.

Thanks for your efforts on this complicated project. Please feel free to contact me with any questions you may have.

Sincerely,

Tom Alworth
Executive Director

[Catskill Center Letterhead]

BY OVERNIGHT DELIVERY / RECEIPT CONFIRMATION

April 21, 2004

Mr. Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Crossroads Ventures, LLC
DEC Application Nos. 0-9999-00096/00001,3,7,9, and 10
Written Comments on the proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

Thank you for providing us with an opportunity to submit comments with respect to the Draft Environmental Impact Statement ("DEIS") and draft permits for Crossroad Ventures LLC's proposed Belleayre Resort at Catskill Park ("Project").

This Project is the largest of its kind ever proposed in the Northeastern United States. Slated for construction in the Catskill Park, the Project imperils important natural resources of the State as well as the unique character of nearby communities. Moreover, with the Project's proposed location on high elevation, steep-sloped lands at the headwaters of the Ashokan and Pepacton Reservoirs in New York City's West-of-Hudson Watershed, the project could mean the end to "no filtration" for the New York City water supply. With so much at stake, we hope that you will give our comments due consideration, particularly our suggestion that the best interests of the community and the environment, as well as the goals of the developer, may be reconciled by limiting development to the western component of the present proposal.

The enclosed comments discuss a number of significant deficiencies with the proposed Project. More specifically, the DEIS and DEC draft permits are inadequate because the Project Sponsor and DEC: (a) fail to analyze reasonable alternatives; (b) fail to acknowledge and mitigate significant impacts to community character; (c) rely upon unproven technology which, at a minimum, must be subject to pilot and field testing, and should be guaranteed by performance bonds (or equivalent financial assurance) to ensure that the environmental mitigation measures will actually perform as promised; (d) overlook cumulative impacts

including traffic; and (e) neglect the requirement for a mining permit. These shortcomings require substantial additional work and discussion that must be incorporated into a draft supplement to the DEIS; moreover, they preclude the DEC from issuing a Final Environmental Impact Statement ("FEIS") and its SEQRA findings statement. To the extent that DEC may disagree with this conclusion, at a minimum the issues raised herein are substantive and significant within the meaning of 6 NYCRR 624.4(c) and thus merit adjudication.

Sincerely,

Thomas J. Alworth
Executive Director
Catskill Center for Conservation and Development
P.O. Box 504, Route 28
Arkville, New York 12406

Enclosure

cc: Daniel A. Ruzow, Esq. (w/ encl.)

SEQRA DEIS and draft DEC permits
Belleayre Resort at Catskill Park
Towns of Shandaken and Middletown
Ulster and Delaware Counties, New York

Comments of the Catskill Center for Conservation and Development

The Catskill Center for Conservation and Development (“Catskill Center” or “Center”) stimulates, conducts, and supports integrated actions to protect vital ecosystems and unique landscapes, to enhance economic opportunities for all the region's residents, to preserve cultural and historic assets and to further a regional vision and spirit. The Center encourages appropriate economic and cultural development balanced with the protection of natural resources. The Catskill Center appreciates the opportunity to present these comments on the Draft Environmental Impact Statement (“DEIS”) for Crossroad Ventures LLC’s (“Project Sponsor”) proposed Belleayre Resort at Catskill Park (“Belleayre Resort” or “Project”).

I. Introduction and General Comments

The current Belleayre Resort proposal calls for the development of two assemblages of properties south of NY Route 28, both to the east and west of the State owned Belleayre Mountain Ski Center ("Ski Center"). On the eastern side of the Ski Center, the Project Sponsor proposes to build an 18-hole golf course, a 150-room hotel and spa complex, and an additional 77 buildings housing a total of 183 detached lodging units (to be sold as timeshares). West of the Ski Center, the Project Sponsor intends to construct a second 18-hole golf course, a second hotel complex (with 250 rooms), and 22 buildings containing 88 detached lodging units. The proposed development, which the Project Sponsor intends to operate as a four-season resort, will entail 573 acres of development.¹

It is very disturbing that such an enormous project has been proposed for such a sensitive and valuable area. The Project, as currently planned, pits the personal vision and financial interests of a single developer against the character of the local community, the beauty of an important natural resource and the integrity of the New York City Watershed. That Watershed is the source of unfiltered drinking water for almost half the population of the State of New York.² Although the Project Sponsor pledges to limit environmental impacts through the use of "space age" technology,³ the Catskill Center regards this proposed experiment as irresponsible, given that a failure of the Project's mitigation measures could necessitate the construction of water filtration plants at a cost to the general public of approximately \$6 billion.⁴ Moreover, failure of mitigation measures would mar the beauty of the Catskills. The margin for error is particularly narrow with respect to the high-elevation, mountain-side development slated for the eastern component of the Project, which is hydrologically connected by the Esopus Creek to the Ashokan Reservoir. The Esopus Creek is already stressed by high levels of suspended solids;⁵ the water quality of the Ashokan is critical because it is a terminal reservoir for New York City.

The Project Sponsor's willingness to compromise the welfare of the local community and to place at risk the water resources of the State is disappointing, especially

¹ DEIS at i-ii.

² The United States Census Bureau estimates that the total population of New York is 19,011,378. See U.S. Census Bureau, "State and County Quick Facts," available at <http://quickfacts.census.gov/qfd/states/36000.html>. The New York City Watershed provides drinking water to 9 million people. See City of New York DEP, "Watershed Agreement Overview," <http://www.nyc.gov/html/dep/html/agreement.html>.

³ In public discussions, Project Sponsor Dean Gitter has used the phrase "space age" to describe the Project's proposed environmental mitigation measures.

⁴ See Lisa W. Foderaro, "Buying Woodland and Meadow to Save the City's Water," N.Y. Times, Dec. 20, 2003, at B5.

⁵ See Department of Environmental Conservation, "2004 Section 303d List of Impaired Waters Requiring a TMDL," (Jan. 28, 2004) available at www.dec.state.ny.us/website/dow/303dlist.pdf.

because the Sponsor's own analysis suggests that lower-risk and more responsible development is possible. Such a smaller alternative—which would limit the Project to the golf course, hotel and timeshares currently proposed for the western component—would avoid the more severe environmental impacts associated with the eastern portion of the Project. It would also permit development on a scale more in-line with the local community character. It is the position of the Catskill Center that a smaller alternative development, limited to the Project Sponsor's current proposal for the western side of the Ski Center, could present a win-win outcome for all interested parties.

Although the Catskill Center believes that the smaller, western alternative identified above could be acceptable, the Center otherwise opposes the Project Sponsor's planned Belleayre Resort at Catskill Park. In our view, the Project should not go forward for three key reasons:

- First, the Project, at its present scale, is not compatible with Catskill Park. The Project is unprecedented in size, within not only the Catskill Region but indeed, the entire northeastern United States.⁶ A Project of this type is not compatible with the character or values of the surrounding community.
- Second, from an environmental standpoint, the proposed Project requires dramatic disruption in a particularly sensitive and valuable area. The Project is within New York City's West-of-Hudson Watershed. The site is located at high elevations,⁷ on steep slopes,⁸ at the headwaters of both the Ashokan and Pepacton Reservoirs.⁹ This is a recipe for the contamination of the New York City water supply. Environmental concerns are particularly acute on the high-elevation eastern side of the Project,¹⁰ where a disproportionate share of the environmental impacts will result. Here the disruption of shallow, clayey soils threatens the Esopus Creek, a water body already

⁶ The Economic Evaluation conducted by HVS Consulting, included in Appendix 27 of the DEIS, noted that it was difficult to follow standard projection procedures to forecast the income and expenses of the hotel portions of the proposed development because comparable data was unavailable for review. According to the HVS consultants, "[T]he proposed subject properties represent unique entries in the local lodging market. ... No comparable facility exists in the Catskill Mountains. Various resorts and conference centers do offer comparable mountain locations, with proximity to New York City, but no existing resort's facilities match the caliber and scope of those proposed for the Belleayre Resort." See HVS Economic Evaluation, DEIS Appendix 27, at 3-2 (emphasis added). The proposed facility will be so big, in fact, that "[t]he caliber of the development arguably exceeds that of anything existing throughout the Northeastern United States, in terms of both quality, and the scope of the facilities." See *id.* at 3-11 (emphasis added).

⁷ DEIS at 3-2

⁸ *Id.* at 3-3

⁹ *Id.* at 1-1.

¹⁰ *Id.* at 2-2.

impaired by silt.¹¹

- Third, despite the extraordinarily high environmental stakes, the Project relies upon unproven technology and fails to provide for the comprehensive field testing of mitigation measures at each stage of construction. In addition, it lacks performance bonding or comparable financial assurance to guarantee that mitigation measures are constructed and that they perform as promised.

The Project's threat to community character and the environment are not offset by financial considerations. The economic benefits of the Project to area residents will be negligible. The DEIS projects that the resort will create about 500 full-time jobs, with an average salary of only \$27,000.¹² The DEIS concedes that the average salary for local residents would generally be between \$20,000 to \$30,000,¹³ well below the average household income for the area.¹⁴ While residents would generally be given lower-quality jobs, the DEIS indicates that the Project's highest paying jobs—management positions with salaries in the range of \$50,000 to \$150,000—may be filled by non-residents.¹⁵ The Project also describes an additional 300 or so jobs that will be part-time or seasonal.¹⁶ It is unclear, however, who in the community would fill such jobs.

In sum, the Catskill Center believes the proposed Belleayre Resort at Catskill Park is the wrong type of development for such a beautiful and unique region. It will have serious negative impacts on community character and the environment without offering significant economic benefits.

Section I of this document has provided an overview of why the Catskill Center challenges the proposed Belleayre Resort. Sections II through VI identify specific shortcomings of the Project's DEIS and the associated draft permits that have been issued by the New York State Department of Environmental Conservation ("DEC"). More specifically, the DEIS and draft permits are inadequate because the Project Sponsor and DEC: (a) fail to analyze reasonable alternatives; (b) fail to acknowledge and mitigate significant impacts to community character; (c) rely upon unproven technology which, at a minimum, must be subject to pilot and field testing, and should be guaranteed by performance bonds (or equivalent financial assurance) to ensure that the environmental mitigation measures will actually perform as promised; (d) overlook cumulative impacts, including traffic; and (e) neglect the requirement for a mining permit and financial surety. These shortcomings require substantial additional work and discussion that

¹¹ See 2004 Section 303d List of Impaired Waters Requiring a TMDL, *supra* n. 5.

¹² DEIS at iii.

¹³ *Id.* at 3-201.

¹⁴ See *id.* at iii ("[T]he average household income of \$39,524 in the area is approximately \$26,000 less than the New York State overall average ...").

¹⁵ The DEIS states: "The resort would provide a small number of mid- and upper-management jobs, however, that may be filled by non-residents. These positions would have salaries in the approximately \$50,000 to \$150,000 range." *Id.* at xx.

¹⁶ *Id.* at iv.

must be incorporated into a draft supplement to the DEIS; moreover, those shortcomings preclude the DEC from issuing a Final Environmental Impact Statement (FEIS") and its SEQRA findings statement. To the extent that the DEC may disagree with this conclusion, at a minimum the issues raised herein are substantive and significant¹⁷ and thus merit adjudication.

II. Alternatives Analysis

The State Environmental Quality Review Act (SEQRA)¹⁸ mandates that an environmental impact statement discuss alternatives to a proposed action. This requirement is stated in the statute in no less than three separate places.¹⁹ The DEC's implementing regulations reiterate the SEQRA requirement that an "EIS must ... evaluate all reasonable alternatives."²⁰ New York courts have dubbed alternatives analysis the "heart of the SEQRA process."²¹

SEQRA regulations indicate that an EIS should consider "scale or magnitude" alternatives where appropriate²² and at least two courts and the DEC Commissioner have struck down EISs for failure to consider reasonable, smaller-scaled Projects.²³

¹⁷ See 6 NYCRR 624.4(c).

¹⁸ Environmental Conservation Law (ECL) §§ 8-0101 to 8-0117.

¹⁹ See ECL § 8-0109(2)(d) (EIS "shall include a detailed statement setting forth ... alternatives to the proposed action"); ECL § 8-0109(4) (draft EIS "shall describe the proposed action and reasonable alternatives to the action"); ECL § 8-0109(2) (among the purposes of an EIS is to "suggest alternatives to such an action so as to form the basis for a decision whether or not to undertake or approve such action").

²⁰ 6 NYCRR 617.9(b)(1).

²¹ *Shawangunk Mountain Envtl. Ass'n v. Planning Bd. of Town of Gardiner*, 157 A.D.2d 273, (N.Y. App. Div. 3d Dep't 1990); see also *Coalition for Responsible Planning, Inc. v. Koch*, 148 A.D.2d 230, (N.Y. App. Div. 1st Dep't 1989), appeal denied, 75 N.Y.2d 704 (1990).

²² 6 NYCRR 617.9(b)(5)(v)(c).

²³ In one case, *Grape Hollow Residents' Association v. Beekman Planning Board*, an EIS for the development of a subdivision was found inadequate where the subdivision's opponents preferred a smaller number of units. See No. 1986/284 (Sup. Ct. Dutchess Co. Oct. 16, 1986). The *Grape Hollow Residents' Association* court noted that no alternative design for the subdivision was provided in the DEIS, nor was the alternative of further reducing the number of lots considered; the court declared, "Under SEQRA, this is precisely what respondent Board was required to do." Accordingly, the court concluded that the respondent planning board had not satisfied SEQRA and vacated the Board's approval of the subdivision.

In *Brookville Taxpayer's Association, Inc. v. Town of Oyster Bay*, the court struck down a re-zoning ordinance that permitted higher-density development without evaluating and comparing the impacts of zoning schemes of intermediate density. N.Y.L.J., May 8, 1985, at 15, col. 3 and 16, col. 3 and 4 (Sup. Ct. Nassau Co.). The *Brookville Taxpayer's Association* court declared that "the failure to include in the EIS a description and evaluation of [the smaller scale

While SEQRA mandates that decision-makers undertake a comparative assessment of all reasonable alternatives, the Belleayre Resort DEIS fails to seriously consider any alternative to the present proposal. Instead, the Project Sponsor attempts to use the DEIS to prove that the Project, as proposed, is the only version of the Project that is feasible and reasonable. Relying upon an economic evaluation conducted by HVS Consulting Services (“HVS”) at the behest of the developer, the DEIS concludes that “the proposed Project – namely, full development of all Project components – is the only feasible and viable approach.”²⁴ However, the analysis undertaken by HVS and the conclusion reached by the DEIS are both blatantly deficient.

First, it defies all reason to conclude that a Project as large as the present proposal could not be built on a smaller scale. According to HVS, the enormous scale of the proposed Project complicated the consultants’ financial and marketing projections because the “caliber of the development arguably exceeds that of anything existing throughout the Northeastern United States, in terms of both quality, and the scope of the facilities.”²⁵ HVS’s assertion that the Project will exceed the scope of any other resort in the Northeast belies the fact that all other resorts in the region are necessarily smaller. Given that all other resorts in the region are smaller, the construction of something smaller than what is presently proposed for Belleayre Mountain is obviously possible.

Second, to the extent that the HVS study considers and dismisses the economic feasibility of alternatives to the Project, it does so under a faulty methodology. In what is obviously a disingenuous attempt to assess the financial viability of smaller alternatives, the HVS study takes the four core elements of the present Project—two golf courses and two hotels that were designed concurrently and intended to operate synergistically—and considers the feasibility of the Project with one or more of the core elements eliminated. Given that the golf courses and hotels were developed as complementary pieces of a larger whole, it should come as no surprise that lopping off any one portion of the Project as it is presently designed undermines the feasibility of the remaining whole. This “mix and match” approach does not constitute genuine alternatives analysis and it offends SEQRA’s requirement that all reasonable alternatives be considered. A more genuine and statutorily acceptable alternatives analysis would not proceed by merely subtracting elements from the Project’s current design; rather, such an analysis would consider the pros and cons of a resort that is intended, from its inception, to operate on a smaller alternative] invalidates it as a document on which a proper comparative assessment can be based” and declared the higher density rezoning ordinance null and void as violative of SEQRA and its implementing regulations. *Id.* at 16, col. 3 and 4.

A prior decision of the DEC Commissioner similarly struck down a proposed Project under SEQRA for failure to consider smaller scaled alternatives. *In re: the Application of Bonded Concrete, Inc.* pertained to an application for a sand and gravel mine. DEC Comm’r Decision, Apr. 9, 1984. Approval for the Project was denied by the Commissioner, who observed that “no attempt has been made to evaluate the feasibility of alternative size[s] or configurations of the areas on the Site to be mined” and the advantages that might be achieved by said alternatives.

²⁴ DEIS at 5-12.

²⁵ See HVS Economic Evaluation at 3-2, 3-11.

scale and is designed accordingly.

Third, the conclusion drawn by HVS and the DEIS that the Project is only feasible with the full development of all Project components²⁶ is itself inconsistent with the underlying results of the study. Significantly, the mix and match analysis described above examined the feasibility of various combinations of the two hotels and two golf courses but does not account for the feasibility of the associated detached lodging units or the residential subdivision.²⁷

This parsing of the feasibility numbers—analyzing the golf courses and hotels wholly exclusive of the attached lodging units—skews any conclusion drawn about overall Project feasibility. This is because of the exceptional rate of return expected for the detached lodging units, which will provide accommodations for more than two-thirds of the overnight visitors to the Resort.²⁸ While the HVS study determined that the expected rate of return for the hotels and golf courses was at or near the industry threshold for a financially sound project—with figures varying somewhat depending on the specific “mix and match” combination analyzed—the consultants concluded that the rate of return on the proposed detached lodging units “well exceeds industry threshold.”²⁹ A closer read of the results of the feasibility analysis thus reveals the possibility of at least two smaller alternatives that are financially feasible. Those alternatives are as follows:

Alternative 1: Construction of golf course, hotel, and detached lodging units on western assemblage.

Given the superior rate of return expected for the detached lodging units in the western portion of the Project³⁰ and the only marginally sub-par rate of return expected for the western hotel and golf course in isolation,³¹ it appears that the western half of the present proposal—consisting of one golf course, one hotel,

²⁶ DEIS at 5-12; HVS Economic Evaluation at 1-3.

²⁷ HVS Economic Evaluation at 1-4.

²⁸ The DEIS states: “based upon the number of units, projected occupancy rates, and average number of occupants per unit, an estimated 435,860 persons would stay at the [detached lodging] units per year.” *Id.* at 3-210.; *see also id.* at Table 3-77 (estimated timeshare visitation is 435,860 total visitor nights per year). The two hotels, by contrast, will only account for 195,250 visitor nights per year. *Compare id.* at Table 3-77 and *id.* at Table 3-80.

²⁹ DEIS at 5-12, Table 5-3.

³⁰ The consultants calculated the internal rate of return for the western detached lodging units to be 33.5 percent. The industry threshold for viability is 25 percent. Thus, the potential rate of return for the western detached lodging units “well exceeds industry threshold.” *See* DEIS 5-12 at Table 5-3.

³¹ The consultants calculated the internal rate of return for the western hotel and golf course standing alone to be 10.7 percent, slightly below the industry threshold for viability (14 percent). *See* DEIS 5-12 at Table 5-3. Although Table 5-3 also states that “addition of detached lodging units would still not be sufficient to overcome lower [internal rate of return],” no direct citation to the HVS study is provided and review of the study reveals no such conclusion.

and the associated timeshares—could meet the industry threshold for profitability. In addition to potentially providing an attractive rate of return, such an alternative would also avoid the most severe environmental impacts which are anticipated for the Project's eastern component. Remarkably, this possibility was not clearly analyzed by the HVS study.

Alternative 2: Construction of hotels and golf courses without detached lodging units and residential subdivision.

The HVS study concluded that that the proposed Project, exclusive of the detached lodging units, “generally meets the industry threshold for a financially sound Project.”³² Although the consultants suggest that the detached lodging units add value,³³ the consultants' own analysis states unequivocally that the hotel and golf courses—built without the 93 buildings that comprise the detached lodging units and 21 homes that will comprise the subdivision—themselves meet the industry threshold for viability.³⁴

The foregoing makes it obvious that the DEIS's alternatives analysis fails to meet the SEQRA requirement to evaluate all reasonable alternatives.³⁵ Instead of analyzing true alternatives, the DEIS discusses fragments of the existing proposal and implicitly dismisses any version of the Project that does not maximize the Project Sponsor's profits. This approach is wholly inconsistent with the court-tested notion that alternatives analysis is the “heart of the SEQRA process.”³⁶ A more genuine, legitimate, and statutorily sufficient analysis of the financial feasibility of Project alternatives must be conducted. Such an analysis would not hinge on adding and subtracting entire chunks of the present Project; instead, and more sensibly, the analysis would consider the feasibility of the Project if the hotels, detached lodging units, and golf courses were built on a smaller scale.

The Catskill Center firmly believes that additional analysis should be conducted to determine whether a smaller-scale resort development is feasible on the western side of the Belleayre Mountain Ski Center. Such a development would undoubtedly have some negative impacts; however, such an alternative would avoid the more severe environmental impacts associated with the eastern portion of the project and would permit development on a scale more acceptable to the local community. The HVS study suggests that a two golf course, two hotel alternative—without the detached lodging units—is also feasible. However, while such an alternative is preferable to the present Project, because it entails development on the sensitive eastern side, it is still much less desirable than the all-western alternative.

³² *Id.* at 5-12, Table 5-3.

³³ HVS Economic Evaluation at 1-4.

³⁴ The addition of the detached lodging units only “add[s] to overall viability.” *See* DEIS at 5-12, Table 5-3.

³⁵ 6 NYCRR 617.9(b)(1).

³⁶ *Shawangunk Mountain Envtl. Ass'n*, 157 A.D.2d 273; *see also Coalition for Responsible Planning, Inc. v. Koch*, 148 A.D.2d 230.

III. Community Character

SEQRA also requires agencies to “choose alternatives which, consistent with social, economic and other essential considerations, to the maximum extent practicable, minimize or avoid adverse environmental effects.”³⁷ SEQRA defines “environment” broadly: “the physical conditions which will be affected by a proposed action, including ... existing patterns of population concentration, distribution, or growth, and existing community or character.”³⁸ Accordingly, “the impact that a Project may have on population patterns or existing community character ... is a relevant concern in an environmental analysis.”³⁹

The DEIS concludes that, with respect to the existing use of the Project site and the land use and community character of adjacent land, no mitigation measures are required because no adverse or significant impacts have been identified.⁴⁰ The DEIS’s conclusion that there will be no impact upon community character is based upon its assertions that: (1) “the Resort will be fairly self-contained [and thus] there will not be an affect on community character;”⁴¹ and (2) the Project will merely “re-introduce resort development uses into an area that historically supported such development locally and on a large scale.”⁴²

The DEIS is critically flawed because it fails to acknowledge the significant impacts that the Project will have upon the character of the surrounding community. The Project Sponsor’s own consultants describe the area as “low key and low density.”⁴³ Scenic vistas and existing community character have been identified by local community leaders as among the area’s top assets.⁴⁴ Despite the DEIS’s suggestion that the resort will be “fairly self-contained,” it defies logic to think that the Project will not negatively impact the area’s scenic vistas and destroy the existing sense of community character: the Project is a near 600-acre behemoth⁴⁵ with two golf courses, two hotels, and an additional 99 structures for detached lodging units⁴⁶ and the Project is expected to attract an estimated 600,000 visitors per year.⁴⁷ This is obviously not “low key and low density.”

³⁷ ECL § 8-0109(1).

³⁸ ECL § 8-0105(6).

³⁹ *Chinese Staff and Workers Ass’n v. City of New York*, 68 N.Y.2d 359, 366 (1986).

⁴⁰ DEIS at 3-135, 3-140.

⁴¹ *Id.* at 3-139.

⁴² *Id.*

⁴³ HVS Economic Evaluation, at 2-3.

⁴⁴ Hamilton, Rabinovitz & Aschuler, Incorporated, “West of Hudson Economic Development Study for the Catskill Watershed Corporation,” Technical Appendix 1: “Baseline Economic Analysis and Community Assessment,” (“HR&A Study”) (June 22, 1998; revised January 6, 1999) at 72.

⁴⁵ DEIS at i.

⁴⁶ *Id.* at i-ii, 1-3, 1-4.

⁴⁷ See *id.* at Tables 3-77 and 3-80.

Furthermore, the secondary development that can be expected to accompany the Project will also affect community character. The DEIS assumes that the Project's need for 500 full-time employees—on top of 330 part-time and seasonal employees—will be filled by local residents and individuals within commuting distance.⁴⁸ The Catskill Watershed, however, is a tight labor market.⁴⁹ It seems likely, therefore, that the development of such an enormous resort will attract new residents to fill the new jobs; such an influx requires new housing and new retail outlets. It has the potential to exacerbate the traffic impact, to burden area schools, and to over-extend community and emergency services. All of the foregoing would serve to undermine the character of a community that is proudly regarded as “low key and low density.”

While the DEIS declares that the Project will merely “re-introduce resort development uses into an area that historically supported such development locally and on a large scale,” this statement is incredibly misleading. Though tourism generated by the area's plentiful natural resources and ready opportunities for year-round recreation has been and continues to be central to the regional economy,⁵⁰ the Catskills have never seen a resort development akin to the proposed Belleayre Resort. This fact is stated in the DEIS itself, which acknowledges that the proposed development “exceeds that of anything existing throughout the Northeastern United States.”

Consistent with the importance of maintaining viewsheds and community character, economic studies of the region have indicated that tourism may be best revitalized through “a focus on existing destinations and a series of niche-based accommodations,” including “historic village preservation with Bed and Breakfasts and shops.”⁵¹ Such development is most appropriate in “[e]xisting hamlets and villages [which] have unique character and can become focal points for development.”⁵² Significantly, one study, “Resource Protection and Economic Development Strategy for the Route 28 Corridor,” recommended: “Rather than recreate the over-sized resorts of Sullivan County and the southern part of Ulster County, four or five 100-room facilities built over a five to ten year period would be far more viable than either a multiplicity of smaller units or dependence on a mammoth new resort.”⁵³ This Route 28 Corridor Study, authored by a committee chaired by Project Sponsor Dean Gitter, also noted that the local community “recoils from the idea of over-population,” that “[a]ssaults on our viewsheds would be tragic” and that “the Long-Islandization of the Catskills is unthinkable.”⁵⁴

The Catskill Center supports such smaller-scale and sustainable development,

⁴⁸ *Id.* at xix.

⁴⁹ HR&A Study at 84.

⁵⁰ *Id.* at 17

⁵¹ *Id.* at 83, 88.

⁵² Route 28 Corridor Committee, “Resource Protection and Economic Development Strategy for the Route 28 Corridor,” (“Route 28 Corridor Study”) (Mar. 1994) at 20.

⁵³ *Id.* at 29.

⁵⁴ *Id.*, “Letter of Transmittal” at 3.

consistent with community character. The proposed Belleayre Resort is wholly incongruent with the character of the Catskill community. The failure of the DEIS to acknowledge and mitigate the Project's expected impacts on community character renders it incomplete under SEQRA.

VI. Unproven Technology and Design – Need for Pilot Studies, Field Monitoring, and Performance Bonding

The DEIS identifies—and the Project Sponsor, in public discussions, is always quick to highlight—an array of technology that is intended to reduce the environmental impacts of the proposed resort, especially on the eastern side of the Project. The effectiveness of such technology, however, must be proven and guaranteed by performance bonds or equivalent financial assurance. Unproven technology cannot be used to justify the issuance of a State Pollutant Discharge Elimination System (SPDES) permit by the DEC. Under applicable regulation, the DEC may only grant a SPDES permit based upon a determination that “compliance with the specified permit provisions will reasonably assure compliance with applicable water quality standards.”⁵⁵ The requirement that the SPDES permit be premised upon demonstrated technology is particularly critical with respect to this Project, which is unprecedented in size, built on especially challenging high-slope, and shallow-soiled terrain, and slated for construction in an area that is of exceptional environmental sensitivity and value. Because the draft SPDES permit relies on unproven technology, it is inadequate as a matter of law.⁵⁶

Similar to the technology cited as justification for the issuance of a SPDES permit, the Project Sponsor also relies upon unproven innovation to mitigate the visual impact of the Project. The DEIS acknowledges that the eastern portion of the development will be visible from several nearby viewpoints.⁵⁷ In response to the complaints of local hiking groups and in an effort to reduce this visual impact, the Project Sponsor has proposed a “pioneering design” for the eastern hotel and spa which allegedly renders visual impact of the complex “virtually eliminated.”⁵⁸ Unfortunately, the Project Sponsor does not offer any study or research to validate its assertion that the innovative design will minimize the negative impact of the hotel upon the viewshed. Because the area's viewsheds have been identified by local community leaders as among the community's top assets,⁵⁹ the DEC cannot accept the Project Sponsor's assurances regarding the visual impact of the Project without adequate substantiation.

Because the failure of the Project's environmental mitigation measures could

⁵⁵ 6 NYCRR 754.1. See also *In the Matter of the Application of Seven Springs, LLC*, 2002 N.Y. ENV LEXIS 42, *31-*47 (N.Y. Dep't of Env't'l Conservation Aug. 23, 2002) (“*Seven Springs*”) (holding that DEC was precluded from making requisite findings for SPDES permit pursuant to 6 NYCRR 754.1(b) for a “state-of-the-art process to be employed in the protection of water quality” at the Seven Springs Golf Course because such process was untested).

⁵⁶ See *Seven Springs*, 2002 N.Y. ENV LEXIS 42 at *31-*47.

⁵⁷ See, e.g., DEIS at 3-168.

⁵⁸ *Id.*

⁵⁹ See HR&A Study at 72.

cause irreparable harm to the natural resources of the area, the DEC should adopt a three-tiered approach to ensure that the environmental mitigation measures proposed by the Project Sponsor are both effective and implemented as promised:

- First, before any final permits are issued to the Project Sponsor by DEC, the Agency should require appropriate pilot testing. Such testing is an absolute requirement for the issuance of a SPDES permit, which must be based upon a determination that “compliance with the specified permit provisions will reasonably assure compliance with applicable water quality standards.”⁶⁰ Such pilot testing should similarly be required for all other permits issued to the Project Sponsor.
- Second, even in the event that the Project Sponsor is able to demonstrate through pilot studies that the environmental mitigation technology is satisfactory, a rigorous monitoring and oversight protocol should be written into all permits associated with environmental mitigation to guarantee that the technology is installed and functions as promised. The Environmental Protection Agency (“EPA”) has itself endorsed such an approach with respect to this Project. According to EPA, a special condition should be added to the SPDES permit requiring that construction of any subsequent subphase of the Project cannot commence until substantive completion of the previous phase, as determined by the NYSDEC Regional Water Engineer. Such substantive completion would be demonstrated by a statement from a licensed professional that the previous construction phase was completed and stabilized in accordance with the Project’s Stormwater Pollution Prevention Plan (“SPPP”).⁶¹ Additionally, substantive completion would be demonstrated by periodic water quality testing, ensuring that—in addition to meeting SPPP specifications—the environmental control measures are preventing any deterioration of water quality within the watershed. Periodic field testing, during construction, should also be required for other environmental mitigation measures as appropriate.
- As a final safeguard against irreversible environmental degradation, DEC should demand that the Project Sponsor post mitigation technology performance bonds as a special permit condition. An endeavor the scale of the proposed Belleayre Resort creates a risk that the Project Sponsor may begin construction, discover its proposed mitigation technology is not effective in the field, and decide it does not have the financial resources to complete the Project. Under this scenario, the land is left scarred, and water quality left compromised, without any financial means of restoration. To prevent such an affront the Project Sponsor should be required to post financial assurance—in the form of performance bonds or equivalent financial assurance—which would guarantee that, in the event that the proposed mitigation technology proves faulty in the field, a ready source of funding exists to either enhance the mitigation measures or restore the project site.

⁶⁰ 6 NYCRR 754.1 See also *In the Matter of the Application of Seven Springs*, at *31-*47.

⁶¹ Letter from Walter Mugden, Director, EPA Region 2 Division of Environmental Planning and Protection, to Alexander Ciesluk, Jr., Deputy Regional Permit Administrator, NYSDEC (Mar. 23, 2004).

V. Cumulative Impacts and Traffic

A. SEQRA Requires Cumulative Impact Analysis

A critical shortcoming of the DEIS is its failure to account for planned improvements to, and anticipated attendance increases at, the adjacent Belleayre Mountain Ski Center ("Ski Center"). According to the DEIS, the most recent version of the Ski Center's unit management plan calls for increasing snowmaking capacity, adding parking spaces, expanding the lodge, and constructing new ski trails.⁶² These ambitious improvements are aimed at substantially increasing annual skier visits to the Ski Center.⁶³ Moreover, the planned improvements are cited as a factor critical to the success of the Project. The HVS Economic Evaluation states:

An important consideration here is the potential for future improvements to the [Belleayre Mountain] Ski Center. In order for the Ski Center to truly function on the level of the proposed Resort (and not, in fact, detract from the Resort's market orientation), a major redevelopment of the lodges and other supporting facilities should be completed. Although the facility is currently state-owned, the current management team appears to be aware that a major upgrade will be necessary for the Ski Center to function in this regard.⁶⁴

Although future improvements at the Ski Center are cited in the DEIS as support for the Project's "purpose, need and benefits,"⁶⁵ the DEIS makes no effort to otherwise identify and assess how the simultaneous development of the Project and expansion of the Ski Center will cumulatively impact the environment. Pursuant to SEQRA regulation, an EIS is required to assess significant cumulative impacts.⁶⁶ "Cumulative impacts" are defined as "impacts on the environment that result from the incremental or increased impact of an action(s) when the impacts of that action are added to other past, present and reasonably foreseeable future actions."⁶⁷ The requirement that a DEIS identify and assess cumulative impacts was discussed in *In re Ungermann Excavating, Inc.*, where the administrative law judge stated: "Cumulative impacts must be assessed when actions are proposed to or will foreseeably take place

⁶² DEIS at 1-7.

⁶³ Annual visits at the Ski Center between 1998 and 2002 ranged from 75,000 to 142,000 visits; according to the DEIS, future plans call for an increase in the usage to 225,000 skier visits. *See id.*; *see also* HVS Economic Evaluation at 2-5. A higher goal of 250,000 annual skier visits has been attributed to Ski Center Superintendent Tony Lanza in the local media. *See* Jay Braman Jr., "Belleayre seeks trails into Pine Hill Community," *Catskill Mountain News*, Mar. 5, 2003.

⁶⁴ *Id.* at 2-5.

⁶⁵ *See* DEIS at 1-5 to 1-7.

⁶⁶ 6 NYCRR 617.9(b)(5)(iii)(a).

⁶⁷ *See In re Ungermann Excavating, Inc.*, 2000 N.Y. ENV LEXIS 34, at *28 (NYSDEC, May 18, 2000).

simultaneously or sequentially in a way that their combined impacts may be significant. Assessment of cumulative impacts is limited to consideration of probable impacts, not speculative ones.⁶⁸

The failure of the DEIS to incorporate an assessment of the expansion planned for the Ski Center is confounding, given that the Ski Center is State-owned and operated by the DEC. The DEC is itself responsible for the planned upgrade, which is not speculative but certain. The DEC's Ski Center expansion plans, which call for "ambitious expansion of the size of the facility," have existed as at least a "rough draft" since at least May 2002.⁶⁹ In fact, these expansion plans were discussed at a public meeting at the Ski Center in March of last year.⁷⁰ The DEC's status as the lead agency for the proposed Belleayre Resort's SEQRA analysis thus presents an obvious conflict of interest. Although the Catskill Center supports expansion of the Ski Center, we are troubled by the DEIS's apparent lack of candor and analysis with respect to planned improvements to the Ski Center and related cumulative impacts.

B. DEIS Fails to Address Cumulative Traffic Impacts

The DEIS's analysis of traffic impacts is exemplary of the document's overall failure to address cumulative impacts. The DEIS includes an appended traffic impact study⁷¹ which concludes that the traffic increase occasioned by the proposed Project "will typically not be noticeable."⁷² The traffic impact study noted, however, that traffic in the area varies significantly by season, time of day, and day of the week,⁷³ and concluded that the greatest increases in traffic will occur during the morning and evening hours of the peak ski season.⁷⁴ To accommodate these increases, the consultants recommended numerous improvements and mitigation measures, including additional turn lanes at two intersections on NY Route 28 and a new traffic signal.⁷⁵

In its present form, the traffic study addresses the traffic generated by the Ski Center in only two respects. First, a weekend of record attendance at the Ski Center in year 2000 was used to develop the background traffic level during the peak seasons.⁷⁶ Second, the study noted that annual traffic volumes on Route 28 have been increasing two percent annually; to account for "some additional growth that is expected at the Belleayre Ski Resort," the consultant

⁶⁸ *Id.*

⁶⁹ Jay Braman Jr., "Belleayre planning underway," Catskill Mountain News, May 22, 2002 (attributing information to Ski Center Superintendent Tony Lanza).

⁷⁰ "Belleayre Officials Asking For Input From Public," Ulster County Townsman, March 6, 2003.

⁷¹ Creighton Manning Engineering, LLP, "Traffic Impact Study; Belleayre Resort at Catskill Park," ("Traffic Impact Study") (January 21, 2002) found at Appendix 25 of the DEIS.

⁷² DEIS at xiv.

⁷³ Traffic Impact Study at 44; DEIS at xiv.

⁷⁴ Traffic Impact Study at 3.

⁷⁵ *Id.* at 44-45; DEIS at xiv-xv.

⁷⁶ Traffic Impact Study at 3.

used a three percent annual growth rate to project the background traffic volume for 2008, the year the proposed Project is expected to be fully open.⁷⁷ With respect to this latter modeling assumption, the consultant noted that the extra one percent added to the annual growth rate in background traffic accounted for only “some” additional growth at the Ski Center. According to the consultant, “[a]ny specific developments proposed for the [Ski Center] would typically require the completion of a traffic impact analysis specific to the Project ... the additional one percent added to the background growth rate is not meant to replace the SEQRA requirements of an additional development.”⁷⁸

As the traffic consultant itself acknowledged, to the extent that additional development is planned at the Ski Center, such development undermines the sufficiency of the DEIS’s present projections and requires additional SEQRA analysis. As noted above, additional development is most certainly planned for the Ski Center, including increased snowmaking capacity, additional parking spaces, expansion of the lodge, and construction of new ski trails.⁷⁹ According to the DEIS, the aim of these improvements is to attract 200,000 to 225,000 skier visits annually. Because annual skier visits between 1998 and 2002 ranged from 75,000 to 142,000 visits,⁸⁰ and year 2000 data was used to develop peak traffic estimates,⁸¹ the reported development plans of the Ski Center represent a substantial increase in visits and related traffic that have not been accounted for in the DEIS’s impact analysis. The DEIS is thus incomplete until appropriate cumulative impact analysis is completed. Such analysis must account for the traffic increases associated with the expansion of the Belleayre Mountain Ski Center, as well as any other environmental impacts expected to result from the development and increased attendance.

Apart from the failure to address cumulative impacts, the DEIS and its traffic impact study are also inadequate because of their singular focus on NY Route 28. NY Route 47 represents an alternative travel route to the proposed Belleayre Resort, particularly for visitors traveling to the site from locations to the South and West. Although less direct, some travelers destined for the proposed resort will undoubtedly choose Route 47. It is very scenic, and may allow travelers to avoid congestion on Route 28. If travelers choose Route 47 in sufficient numbers, however, the integrity and safety of this route may be compromised. Because this likely possibility is not addressed by the DEIS, the DEIS cannot be accepted in its present form.

C. Segmentation and Cumulative Impacts

It is the Catskill Center’s understanding that the Project Sponsor—or some form of affiliate of the Project Sponsor or its principal—has purchased other parcels of land in the vicinity of the proposed Project. If the present proposal is approved, the Sponsor may undertake complementary and related development at these additional parcels. This fact undermines the

⁷⁷ *Id.* at 18.

⁷⁸ *Id.*

⁷⁹ DEIS at 1-7.

⁸⁰ *Id.*

⁸¹ Traffic Impact Study at 4.

sufficiency of the DEIS's present analysis of secondary economic development and presents the specter of additional cumulative impacts that are unaddressed as a consequence of this segmentation. It is well established under both SEQRA regulation and applicable caselaw that "[c]onsidering only a part or segment of an action is contrary to the intent of SEQRA."⁸² The DEIS is thus incomplete until appropriate cumulative impact analysis accounting for the Project Sponsor's actions with respect to other nearby properties is completed.

VI. Mining Permit and Financial Assurance

The Sponsor of the proposed Belleayre Resort has not sought, nor has the DEC considered the need for, a mined land reclamation permit.⁸³ Pursuant to the New York State Mined Land Reclamation Law⁸⁴ and its implementing regulations, a mining permit is required for the proposed development.

The Mined Land Reclamation Law requires that: "any person who mines or proposes to mine from each mine site more than one thousand [1,000] tons or seven hundred fifty [750] cubic yards, whichever is less, of minerals from the earth within twelve successive calendar months ... shall not engage in such mining unless a permit for such mining operation has been obtained from the [DEC]."⁸⁵ The statute defines "mining" as "the extraction of overburden and minerals from the earth" and "mineral" means "any naturally formed ... solid material located on or below the surface of the earth," including peat and topsoil.⁸⁶ Although the Mined Land Reclamation Law does not require a permit for the excavation, removal and disposition of minerals from construction Projects or excavations in aid of agricultural activities, this exception is "exclusive of the creation of water bodies."⁸⁷

According to the DEIS, development of the proposed Belleayre Resort will necessitate the cutting and filling of nearly 1 million cubic yards of soil and bedrock.⁸⁸ Some of this extractive activity may be exempt from mining permit requirements under the exception made for construction Projects; however, a portion of this extractive activity clearly is not. According to the DEIS, the first year of construction on the eastern component of the proposed Project will necessitate the stripping of 6,800 cubic yards of soil and the blasting of 18,200 cubic yards of rock to create the Project's detention ponds for treated wastewater.⁸⁹ These plans, which involve the mining of 25,000 cubic yards of minerals (more than 30 times the minimum amount

⁸² 6 NYCRR 617.3(g)(1); see, also *City of Buffalo v. N.Y. State Dep't of Env't Conservation*, 707 N.Y.S.2d 606 (N.Y. Sup. Ct. 2000) (held that the DEC's failure to consider the cumulative impact of bridge expansion and plaza construction was a violation of their obligation under SEQRA because both actions were really part of the same plan to relieve traffic congestion).

⁸³ See DEIS at v-vii.

⁸⁴ See ECL §§ 23-2701 et seq.

⁸⁵ ECL § 23-2711(i); 6 NYCRR 421.1(a).

⁸⁶ See § 23-2705(7), (8); 6 NYCRR 420.1(j), (k).

⁸⁷ See § 23-2705(8); 6 NYCRR 420.1(k).

⁸⁸ DEIS at 3-6.

required to trigger the statute) within a 12-month period for the creation of a water body, clearly fall within the scope of activities for which a mining permit is required.⁹⁰

Given the immense quantities of rock to be blasted and soil to be stripped, there may be additional extractive activities planned for the Project that require mining permits. The failure of the Project Sponsor and the DEC to comply with the requirements of the Mined Land Reclamation Act preclude any finding that the DEIS is complete.

Significantly, all mining permit applicants must develop a land-use plan and furnish a financial surety.⁹¹ A Project's land-use plan sets forth in detail the applicant's mining and reclamation methods;⁹² the financial surety, established as a condition precedent to the issuance of a permit, is conditioned upon conformance with the applicant's mined land-use plan.⁹³ The surety—which may be furnished in the form of a bond, irrevocable letter of credit, or certificate of deposit—is intended to insure that a Project Sponsor does not begin extractive activities without the financial wherewithal to complete the appropriate reclamation.⁹⁴

The need for a mining permit and the requisite financial security is particularly acute for the proposed Belleayre Resort. As noted above, according to the DEIS, development of the proposed Resort will necessitate the cutting and filling of nearly 1 million cubic yards of soil and bedrock.⁹⁵ Remarkably, despite this enormous amount of proposed blasting and earthmoving, the Project Sponsor and the DEIS concede that the financing is not yet in place for the Project's construction.⁹⁶ Project approval in the absence of a financial surety raises the possibility that construction of the Project might begin—entailing the blasting of bedrock and the stripping of soil on a scale never before seen in the region—without any guarantee that the Project will ever be finished. The present terms of the DEC's draft permits therefore leave open

⁸⁹ See DEIS at 2-55.

⁹⁰ The DEC has previously required project sponsors to obtain a mining permit where the construction of a water body is proposed. For example, *Osborne v. Steidle*, a decision of the Freshwater Wetlands Appeals Board, discusses a permit granted by DEC pursuant to the Mined Land Reclamation Law and the Freshwater Wetlands Act which authorized the excavation of 5,000 cubic yards of material for the purpose of creating a three-quarter acre pond within a freshwater wetland. See *id.*, No. 90-2, 1990 N.Y. ENV LEXIS 135, at *1 (Aug. 20, 1990). The ponds that the Project Sponsor proposes to create on Belleayre Mountain entail the excavation of 25,000 cubic yards of material.

⁹¹ 6 NYCRR 422.1, 423.1.

⁹² 6 NYCRR 422.1

⁹³ See generally 6 NYCRR 423.

⁹⁴ 6 NYCRR 423.1(c), (d).

⁹⁵ DEIS at 3-6.

⁹⁶ The HVS Economic Evaluation notes, for instance, that the developer intends to affiliate both components of the proposed resort—eastern and western—with nationally recognized hotel chains. However, brand affiliation (and the accompanying financing) has not yet been established for the Project. See *id.* at 1-2.

the possibility that substantial damage may be done to the mountain without any degree of accountability if the Project does not come to fruition. Accordingly, a mining permit and the attendant financial surety is an absolute must for this Project.

VII. Conclusion

The Catskill Center believes the proposed Belleayre Resort at Catskill Park is the wrong type of development for a beautiful and unique area. It will have serious deleterious impacts on community character, and present significant environmental risk, without offering significant economic benefits. Moreover, in their current form, the Project's DEIS and DEC draft permits are inadequate because the Project Sponsor and DEC: (a) fail to analyze reasonable alternatives; (b) fail to acknowledge and mitigate significant impacts to community character; (c) rely upon unproven technology which, at a minimum, must be subject to pilot and field testing, and should be guaranteed by performance bonds (or equivalent financial assurance) to ensure that the environmental mitigation measures will actually perform as promised; (d) overlook cumulative impacts including traffic; and (e) neglect the requirement for a mining permit. As noted above, these shortcomings require substantial additional work and discussion that must be incorporated into a draft supplement to the DEIS; moreover, these shortcomings preclude the DEC from issuing a FEIS and SEQRA findings statement. Finally, in the event that the DEC disputes this conclusion, at a minimum the issues raised herein are substantive and significant and merit adjudication.

From: Norman Cowie <ncowie@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 3:53:04 PM
Subject: [Maybe Spam] Public Comment on Belleayre Development

Dear Alexander:

We are writing as New York City residents and owners of a small cabin in Shandaken to join the chorus of voices expressing outrage over Dean Gitter's plans to reshape a landscape we cherish.

To our mind, arguments against the project far outweigh prospective benefits. Salient among them is the water quality issue for NYC residents, and quality of life degradation, particularly in the form of highway congestion, for those upstate.

As taxpayers in both regions and citizens of the state, we have no interest in paying for either a water filtration system or a Rte 28 widening project, or standing idly by as one man's passion devours an historic public resource.

The Catskill's watershed will always be in jeopardy due to its proximity to New York City. As a public servant, the DEC must "step up" and accept every challenge to protect it. There can be no other choice in a matter of such consequence.

Sincerely Yours,

Norman Cowie and Cara Mertes

332 West 101st St #3F, NY, NY 10025
339 Broadstreet Hollow Rd, Shandaken, NY 12480

CC: <mertes@pov.org>, <gennaro@council.nyc.ny.us>, <miller@council.nyc.ny.us>, <perkins@council.nyc.ny.us>, <odonnell@assembly.state.ny.us>, <schneide@senate.state.ny.us>, <bp@manhattanbp.org>

From: <CRAZ23BEAUTIFUL@aol.com>
To: <afcieslu@gw dec state ny us>
Date: 4/22/2004 3:38:32 PM
Subject: CATSKILL MTN PARK

I have visited many of times to Rose Mountain and for this place is the most beautiful. There are not that many tranquil places left in this area for view. Parks should be relaxing places instead of money making projects.

Many people that live in other states come there to stay and shop in the little towns. the tourist industry is stronger due to the occupants among Rose Mountain.

Why does it have to be in a park setting?

Thank-you

Tiffany Vinci

From: "S. Auchincloss" <sauchincloss@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 3:36:23 PM
Subject: DEIS Comments: Belleayre Resort

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator, NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620
Re: The Belleayre Resort at Catskill Park
Dear Mr. Ciesluk:

We have a cabin in the Lake Hill part of Woodstock. Although we only visit on weekends now, my wife Susan and I plan to live in Woodstock when we retire in the next couple of years. I write to submit comments on the draft environmental impact statement (DEIS) for the proposed Belleayre Resort at Catskill Park. I understand that the proposed resort would be the largest of its kind in the northeastern United States. I have the following concerns:

1. The project is located within the Catskill Park, which is supposed to be "forever wild". Since the project will take place on private property it is not bound by the "no logging" rules, but whatever discretionary judgements the DEC makes should seek to protect those values on the State-owned land within the Park. I do not think this development does so.
2. When considering the "economic impact" of a project the state must consider the question, "Whose economy?" The local, small scale economy of the area will not benefit from this large project financed mostly by big money from out of the region. Because of this form of financing, profits from the project will flow out of the area, probably in the direction of Wall Street. Even during construction, most of the work will probably be done by large companies from out of the area, since the job is too large for the small scale contractors that are supported by the natural business in the area. Years ago an economic comparison of the towns of Arvin and Dinuba in the Central Valley of California effectively demonstrated how much better the quality of civic life was in Dinuba, which was a hub for many family owned farms. Arvin, on the other hand, which was the hub for one giant corporate farm, DiGiorgio Inc., had only one paved street and almost no commerce or civic life. Approval of the Gitter project will push the economy of this part of the Catskills in that direction.
3. What about the cumulative impacts that would be caused by the proposed expansion of the adjoining state-run Belleayre Mountain Ski Center.

Please consider these aspects of this proposal as you review the DEIS, and require the developer to mitigate them all in a very big way if you allow the project to proceed. Better still, just kill it.

Thank you for your consideration

Stuart Auchincloss

Stuart Auchincloss, 367 Strawtown Road, New City, NY 10956

Tel. (845) 639-6972, Fax (845) 639-7032

Want to see something interesting?

Check out the Sierra Club Global Warming Website:

<http://www.sierraclub.org/globalwarming/>

To learn more about the Sustainable (Corporate) Governance Campaign visit:

www.ceres.org

From: <Potent.Jeffrey@epamail.epa.gov>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 1:13:13 PM
Subject: Please provide the DEC Fax number?

Mr. Ciesluk,

Please provide the DEC fax number for submitting comments on the Belleayre Resort project by the April 23 deadline.

Thank you

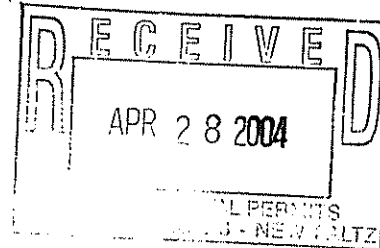
Jeff Potent



THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NY 10007

GIFFORD MILLER
SPEAKER

TELEPHONE
212-788-7210



April 23, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Draft Environmental Impact Statement and Draft State Pollution Discharge
Elimination System permits for the Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

The New York City Council (Council) is submitting this letter for the purpose of commenting on the Draft Environmental Impact Statement (DEIS) and Draft State Pollution Discharge Elimination System permits for the proposed Belleayre Resort at Catskill Park (Belleayre Project) in the towns of Shandanken and Middletown, New York. The fifty-one Members of the Council collectively represent more than eight million New York City residents for whom their drinking water supply is a critical natural resource. In addition, the Council's Committee on Environmental Protection has jurisdiction over the New York City Department of Environmental Protection (NYCDEP), which has "charge and control of and [is] responsible for all those functions

and operations of the city relating to the provision of a pure, wholesome and adequate supply of water.”¹

In addition to the millions of New York City residents who rely on the City’s drinking water supply, this asset also supports approximately one million residents of Westchester, Putnam, Ulster, and Orange counties, and a multitude of others who work in and visit the City throughout the year.² The City’s water is primarily delivered from nineteen reservoirs and three controlled lakes within a 1,972 square-mile watershed that extends 125 miles north and west of the City.³ The Catskill/Delaware watershed, located in Delaware, Greene, Schoharie, Sullivan, and Ulster counties, west of the Hudson River, provides approximately 90% of the City’s surface water supply.⁴ The Belleayre Project would be constructed within this watershed.

The Council’s foremost concern regarding the Belleayre Project is the impact that this proposal, and any potential secondary growth stemming from it, might have on the viability of the Filtration Avoidance Determination (FAD) for the City’s Catskill/Delaware watershed. The loss of the FAD would be a great blow to the City of New York and the protection of our City’s drinking water supply. In addition, it would necessitate the construction of a water filtration plant that would cost several billion dollars to build and hundreds of millions of dollars to operate each year.

The federal Surface Water Treatment Rule (SWTR) and the Interim Enhanced Surface Water Treatment Rule (IESWTR) require that all surface drinking water sources,

¹ New York City Charter, § 1403.

² “2001 Annual Water Quality Report”, Report by the New York City Department of Environmental Protection, p. 2; <http://www.nyc.gov/html/dep/pdf/wsstat01a.pdf>.

³ *Id.*

⁴ *Id.*

such as New York City's, meet objective, "stringent water quality, disinfection and site-specific avoidance criteria" or be filtered.⁵ The United States Environmental Protection Agency (EPA) issued the most recent conditional FAD for the Catskill/Delaware system in November 2002, which is scheduled for its next revision in April 2007. However, "[a]t any time, EPA or the primacy agency may make a determination that the City's watershed program no longer provides adequate protection of the City's water supply, pursuant to the SWTR/IESWTR and/or other avoidance criteria in the SWTR/IESWTR and require the City to filter its Catskill/Delaware water supply."⁶ According to the SWTR, if a system fails to meet the criteria for filtration avoidance, such system may be required to provide filtration within eighteen months of such failure.⁷

The EPA states in its March 23, 2004, comments on the Belleayre Project that, "[a] project of this magnitude can significantly lessen the margin of safety under which [the EPA] provided New York City a FAD."⁸ This statement is particularly disconcerting considering the EPA's role as primacy agency with respect to the FAD and in light of its assertion that a watershed's existing "margin of safety" is a critical factor in its FAD decision.⁹ In its comments, the EPA voices two major concerns: the first relating to the potential for water quality impacts during and after project construction, and the second regarding the project's impact on potential future development in the watershed, outside of the existing town centers.¹⁰

⁵ New York City Filtration Avoidance Determination, USEPA – November 2002, Surface Water Treatment Rule Determination for New York City's Catskill/Delaware Water Supply System ("2002 FAD"), p. 2.

⁶ *Id.*, p. 1.

⁷ 40 C.F.R. § 141.71 (2003).

⁸ Letter from Walter Mugdan, Director of the Division of Environmental Planning and Protection, EPA to Alexander Ciesluk, Jr., Deputy Regional Permit Administrator, NYSDEC, dated March 23, 2004 ("EPA Comments"), p. 2.

⁹ *Id.*, p. 1.

¹⁰ *Id.*, p. 2.

The proposed Belleayre Project—the biggest project ever proposed within New York City’s watershed—would encompass a total of approximately 573 developed acres, in addition to approximately 1,387 acres that, we are told, would remain preserved through deed restrictions or conservation easements. For the construction phase of the project, which is scheduled to last for approximately eight years, the DEIS describes an intricate system for addressing erosion—particularly from the portion of the project that involves construction on a mountain slope. Erosion and sediment from construction sites can have detrimental effects on bodies of water, including increased nutrient loading and the impairment of the ability of chlorine to disinfect a water supply. Potential impacts resulting from the construction of the Belleayre Project are acknowledged in the DEIS, which the document states will be avoided or mitigated by the project’s sediment and erosion control plan.¹¹

In order for the Belleayre Project’s system of construction phasing and retention basins to effectively work, however, careful and long-term oversight needs to be provided for the project—both by the agencies responsible for enforcement and by the owner itself. The EPA points out in its comments that “although the developer has designed a program to minimize water quality impacts during construction, there is a substantial risk associated with [such] a project . . .” and “even the most carefully designed program will not be successful unless it is meticulously implemented, both during and after

¹¹ “Grading of the site will cause the disruption of soils and the increased potential for erosion during construction. In addition, the short-term removal of vegetation . . . will create a greater susceptibility to exposed soils to erosive factors such as wind, rain and surface runoff. Soil transported by surface runoff could potentially find its way into nearby surface waters where it may settle out as sediment.” Draft Environmental Impact Statement for Belleayre Resort at Catskill Park, September 2003 (DEIS), p. vii. “Sedimentation of nearby surface water could negatively affect aquatic habitat quality, water quality, and the suitability of surface waters as a potable water source.” *Id.*, p. 3-24.

construction.”¹² Thus, it is imperative that the NYCDEP, the State of New York, and the owner of the Belleayre Project, among others, have the resources and the determination to provide the attention needed to ensure that the erosion control systems are working as planned. It is clear that a number of different elements need to be smoothly integrated and achieved so that harm to the watershed is avoided, both pre- and post-construction—a difficult task, to say the least.

The EPA’s second concern—and perhaps a far greater threat to New York City’s watershed—deals with potential future development in the area. The EPA states in its comments that if such development does result in forested areas outside of town centers, the City’s ability to comply with the SWTR could be called into question. The EPA specifically mentions the City’s ability to comply with the requirement that our public water system “demonstrate through ownership or written agreements with landowners in the watershed, or a combination of both, that it controls all human activities which may have an adverse effect on the microbiological quality of the source water.”¹³

Although it is anticipated that a total of 85.16 acres¹⁴ of new, impervious surfaces will result from the Belleayre Project itself, the greater concern would arise from impervious surfaces created by future development. According to the Center for Watershed Protection, impervious coverage is the biggest problem facing urban watersheds.¹⁵ “Storm water discharges are generated by runoff from land and impervious areas such as paved streets, parking lots, and building rooftops during rainfall and snow events that often contain pollutants in quantities that could adversely affect water

¹² EPA Comments, p. 2.

¹³ 40 C.F.R. § 141.71(b)(2); EPA Comments, p.2.

¹⁴ DEIS, p. 2-38.

¹⁵ <http://www.waterlaws.com/guest/guest1.html>.

quality.”¹⁶ The storm water that travels over developed areas picks up such pollutants as oil, antifreeze, heavy metals, pesticides, fertilizers, grease and animal wastes. High levels of impervious surfaces created for developments often prevent polluted runoff from infiltrating “into the ground where it is naturally cleaned by soils, plants and biological activity. Rather, the contaminant laden water is jettisoned directly into a stream or lake, as opposed to entering the water body as ‘purified’ ground water.”¹⁷ Effects of stormwater runoff include increased phosphorus loads and resultant algal blooms, which cause eutrophication. According to the 1996 National Water Quality Inventory, a biennial summary of state surveys of water quality, “13 percent of impaired rivers, 21 percent of impaired lake acres and 45 percent of impaired estuaries are affected by urban/suburban storm water runoff and 6 percent of impaired rivers, 11 percent of impaired lake acres and 11 percent of impaired estuaries are affected by construction site discharges.”¹⁸

The DEIS concludes that the Belleayre Project “could be expected to generate a need for an additional 76,700 square feet of commercial development in the area”.¹⁹ In addition, the DEIS does not anticipate “that there will be a significant amount of new construction resulting from the project” and further concludes that “[t]he proposed project is expected to have a negligible effect on year-round residential development in the study area.”²⁰

¹⁶ “National Pollutant Discharge Elimination System (NPDES) – Stormwater Program - Overview”, United States Environmental Protection Agency; http://cfpub.epa.gov/npdes/home.cfm?program_id=6.

¹⁷ James M. Tierney, Watershed Inspector General, Office of the New York State Attorney General, “Phase II Construction Storm Water General Permit – Recommendations of the Watershed Inspector General to the New York State Department of Environmental Conservation,” November 18, 2002, p. 1.

¹⁸ United States Environmental Protection Agency, “Storm Water Phase II Final Rule, An Overview”, EPA 833-F-00-001, January 2000, Fact Sheet 1.0, p.1.

¹⁹ DEIS, p. xix.

²⁰ *Id.*

The Council agrees with the EPA, however, that the DEIS has overly simplified the necessary analysis and has not adequately examined this issue.²¹ This concern primarily arises from the reliance on three case studies in the DEIS—Windham and Gore Mountain in New York, and Greylock Center in Massachusetts—which either do not closely parallel the character of the Belleayre Project or have not yet been completed. Thus, the assertion that these projects “provide an important perspective on the manner in which resort-type development affects the surrounding community in terms of commercial and residential demand and growth”²² appears to be unfounded.

The DEIS states that there is currently not a concentration of “commercial strip” development in the area, except for locations adjacent to two towns, and that this pattern will likely continue, primarily due to “local regulations governing new development and environmental constraints within the NYS Route 28 corridor.”²³ This assertion, however, relies upon the strength of local controls, and the DEIS even concedes that “[t]he potential impact of induced commercial development is largely a function of how strongly local regulations and plans are enforced.”²⁴

The NYCDEP, the EPA and the State of New York, among others, have expended incredible effort and resources to protect New York City’s watershed and have worked hard to ensure that the requisite standards are met for maintaining the City’s FAD. The Council understands that it is important to foster the economic success of the watershed

²¹ “The DEIS has not provided a substantial basis for its conclusion that commercial and residential development resulting from this project will be negligible.” EPA Comments, p. 2; *Id.*, “Technical Comments and Recommendations”, pp. 4-5.

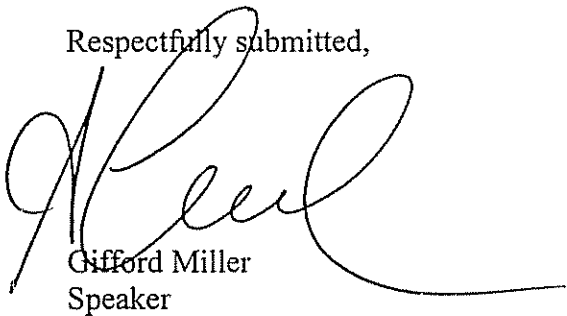
²² DEIS, Appendix 26, p. 7-1.

²³ *Id.*, p. 7-8. “The primary method for controlling the location, scale, appearance, and character of any new development is through local zoning codes. The zoning codes of the Towns of Shandaken and Middletown direct commercial development into the existing villages and hamlets.” *Id.*


²⁴ *Id.*

towns. It is imperative, however, that this objective is not met at the cost of watershed protection. As the parties to the 1997 New York City Watershed Memorandum of Agreement (MOA) recognized, “the goals of drinking water protection and economic vitality within Watershed communities are not inconsistent and it is the intention of the Parties . . . to cooperate in the development and implementation of a Watershed protection program that maintains and enhances the quality of the New York City drinking water supply system and the economic vitality and social character of the Watershed communities”.²⁵ The Council is concerned that the scope of the project goes beyond the type of development that was envisioned by the MOA, a point made by the EPA, which is an important signatory to that document.²⁶ The Council urges the State to take a close look at the Belleayre Project, its consistency with the MOA and the potential impacts that it, and any potential future development that it may trigger, might have on the water supply on which nine million people rely.

Respectfully submitted,



Gifford Miller
Speaker



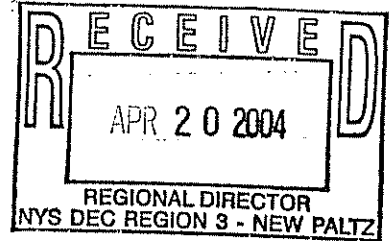
James F. Gennaro
Chair, Committee on Environmental
Protection

²⁵ New York City Watershed Memorandum of Agreement, January 21, 1997, p. 2.

²⁶ EPA Comments, p. 1.

Y. [unclear] [unclear]
AA

COMMISSIONER ERIN M. CROTTY
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
625 BROADWAY
ALBANY, NY 12233-1011



APRIL 11, 2004

DEAR COMMISSIONER CROTTY,

I HOPE THE NEW YORK STATE DEC WILL DENY THE PERMITS FOR THE CROSSROADS VENTURES PROJECT FOR BELLEVUE MOUNTAIN AS PRESENTLY PROPOSED. THIS DEVELOPMENT STRADDLES THE ASHOKAN AND PEPACTON WATERSHEDS, WHICH ARE MAJOR SOURCES OF DRINKING WATER FOR OVER 9 MILLION PEOPLE. REPLACING 529 ACRES OF EXISTING WOODS WITH PAVEMENT, A HOTEL, 2 18-HOLE GOLF COURSES, A 21 LOT HOUSING SUBDIVISION, 291 DETACHED LOGGING UNITS, 2 SEWAGE TREATMENT PLANTS, CLUBHOUSES AND ROADS IS NOT CONSISTENT WITH PROTECTING A PRISTINE AND FRAGILE AQUATIC RESOURCE. THE RISK TO FISH, WILDLIFE, AND WETLANDS FROM SEDIMENT, ADDITIONAL SEWAGE EFFLUENT, AND GOLF COURSE PESTICIDE AND FERTILIZER RUNOFF IS SIMPLY TOO GREAT. THE NEW YORK WATERSHED AGREEMENT CALLS FOR ECONOMICALLY SOUND ECONOMIC DEVELOPMENT IN THIS REGION. THIS PROPOSAL DOES NOT MEET THIS CRITERIA. IT IS

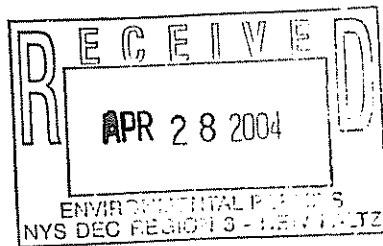
OVER →

NOT ONLY THE WRONG KIND OF DEVELOPMENT FOR
THE AREA DUE TO THE ENORMITY AND GRANDSCALE OF
THE PROJECT, BUT IT IS IN THE WRONG PLACE, WITH
RISK! SUCH A SENSITIVE RESOURCE THAT IS
INDISPENSABLE TO THE STATE OF NEW YORK? THANK
YOU FOR YOUR TIME AND ATTENTION ON THIS MATTER

SINCERELY,

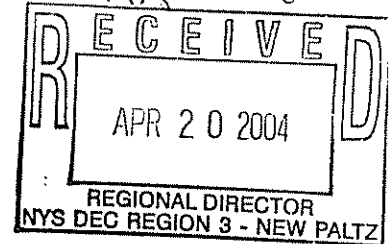
STEVEN W. DWES / CONCERNED CITIZEN

Steven W. Dwes



My Cran-thru-Tuff Day
AA

4/11/04



Dear Commissioner Crotty,

As evidenced by the public outcry seen at the recent DEIS hearings in Margaretville and Boiceville the majority of local residents; second homeowners and out-of-town visitors (both old-timers and new arrivals) are adamantly against the Belleayre mega-resort. You can add my name to the list of those strongly opposed. The many people who spoke at the two meetings brought to light (using intelligent, insightful and factual discourse) a long list of reasons why this development is not only a bad idea environmentally but also a potential economic disaster for the towns of Shandaken and Middletown.

Central to the proposed resort's economic viability is the business investment exemption they received from Ulster County and the Townships. This exemption reduces the assessed value of the mega-resort's property tax by 50% in its first year of existence. The assessment is then increased by 5% annually, which means the owners of the mega-resort will not pay full taxes until the year 2025. [DEIS, p. 3-205-206]

The DEIS states the "annual property tax increase" to the town of Shandaken and Ulster County would be \$1,503,154 but that figure is based on full assessment. This is misleading to say the least and has little to do with the reality of the tax levy that is written into the project's development. An analysis prepared by Community Consulting Services (a not-for-profit organization that provides technical services to community leaders seeking sustainable development) states:

"By not reporting background trend-based growth of property tax revenues over the 22 years before the full property taxes are paid to the Townships, the DEIS gives an inaccurate impression of the significance of the contribution from the project. Thus, what appears to be a 10% increase from the Resort of \$526,000 to Middletown in 2001 dollars to the total current tax levy of \$5,157,000 would be 8% if there were just a 1% annual growth in the Town's total tax levy over 22 years. If the tax levy grows at 3%/year, the 2025 Resort contribution will be 5%. At recent 8% growth rates, the Resort taxes would add 2%."

A little digging and analysis tells us that the "promised" 10% increase in tax revenues could easily (and most likely) drop to only 2% annually. Furthermore, the above study states: "It is similarly misleading not to make clear that sales taxes to the counties and sales in the Route 28 corridor will take until 2022 to fully materialize. This is because 76% of resort user off-site sales are attributed to time share owners and country club members for which full operation and occupancy are forecast to take from 2006 to 2018 to achieve. [DEIS, p. 3-203, Table 7-3, Appendix 26, RCI, HVS, Table 6-3]"

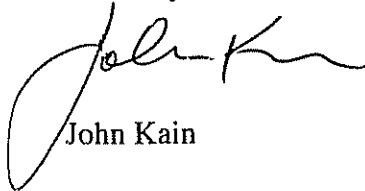
The construction phase of the mega-resort is projected to be 8 years. Who will pay for the increased costs in highway maintenance over that span? We will—the individual taxpayer. Who will pay for the increased medical and support costs due to construction accidents (both on the job and on the highways)? We will. After the mega-resort is finished and the 872 full and part-time resort jobs plus 200 off-site jobs are filled who is going to pay for the increased number of students in our schools? Certainly not the developers who state that not one student will be added to the school system during or after the project is completed. According to the 2000 census there are just over 200

unemployed people in Shandaken and Middletown. Does that mean that the extra 872 employees needed to run the resort will all have to sign a waiver stating that they do not have children and will not have children in the future—of course not. This development WILL add many students to the school system. Who will pay the increased costs? You guessed it.

But there's more. There will certainly be increased costs for police and fire protection and the DEP. Remember we're adding a lot more traffic on Route 28—already one of the most dangerous highways in the state—and increasing the number of visitors to the area exponentially. There will be increased housing needs, other infrastructure upgrades and a Pandora's box of unforeseen costs as sewage and wastewater and chemical runoff from the golf courses are added to the watershed. Is a 2% annual increase in tax revenue going to offset these substantial cash outlays? Simply put, no. The question then is this: Are we willing to let a handful of developers increase our tax burden so they can get a better return on their investment dollars?

Please stop this wrong-headed mega-resort in its tracks. If you allow it to go through the beauty of the Catskill Park will be scarred and the area transformed into a prohibitively unaffordable and sadly undesirable piece of real estate.

Sincerely,

A handwritten signature in black ink, appearing to read "John Kain". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

John Kain

From: "Kristian Roebing" <krisroebing@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/29/2004 5:08:13 PM
Subject: Proposed Belleayre Resort

Dear Mr. Ciesluk,

My name is Kristian Roebing. My Great, Great Grandfather, Washington A. Roebing, built the Brooklyn Bridge.

i often visit the town of Pine Hill, NY, in order to hike, relax, etc. It has come to my attention that somebody has come up with the utterly disastrous idea of placing a huge resort on the ridge that is just above Pine Hill. Does anything really need to be said about this idea that isn't already painfully obvious? A place of immense natural beauty, a town that is both architecturally splendid and yet still "local", not over-exploited. Who would want to destroy such a gem if they ever had the opportunity to see it for themselves? Who could possibly sleep at night if they were responsible for the utter destruction of both the environment, the history and the local flavor of such a wonderful locale? Let me just say shame on whoever even suggested such a tragic and selfish project. There are few places in NY State that remain as sublime and pristine as Pine Hill. I dearly hope that, in regards to the prospect of this resort being built, the "angels of mankind's better nature" win out over the rampant greed that would allow a simple revenue stream to destroy such a rare and splendid place as Pine Hill.

Regards,
Kristian Roebing

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<http://join.msn.com/?pgmarket=en-us&page=hotmail/es2&ST=1/go/onm00200362ave/direct/01/>

From: "EA Interns" <Interns@eany.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/29/2004 11:53:58 AM
Subject: Belleayre comments

<<Belleayrecomments4.04.doc>>

Dear Mr. Ciesluk,

Attached are a few comments on the Belleayre Resort proposal. I realize I am late and the comment period is over. However, I would like to ask for special consideration and have the comments included in your review.

Thank you,

Nancy Tudor
Environmental Advocates
353 Hamilton Street
Albany, NY 12210
518.462.5526 tel.
518.427.0381 fax



ENVIRONMENTAL
ADVOCATES of NY

Working to protect New York State's
Community of people, land & wildlife.

April 29, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Proposed Revisions to the *Phase II Phosphorus Total Maximum Daily Loads (TMDLs) for Reservoirs in the New York City Water Supply Watershed (June 2000)*

Dear Mr. Ciesluk:

On behalf of Environmental Advocates of New York (EANY), I am writing to submit comments on the proposed revisions to the *Phase II Phosphorus Total Maximum Daily Loads (TMDLs) for Reservoirs in the New York City Water Supply Watershed* due to the proposed Belleayre Resort at Catskill Park's influence on the Ashokan Reservoir. EANY opposes any revision that increases the phosphorus TMDL in the reservoirs in the New York City Watershed.

Environmental Advocates of New York, founded in 1969, serves the people of New York as a watchdog and advocate on a wide range of important state environmental issues. Through advocacy, coalition building, citizen education and policy development, we work to safeguard public health and preserve our unique natural heritage.

Crossroads Ventures has submitted applications and an Environmental Impact Statement (EIS) for a proposed development "The Belleayre Resort at Catskill Park." The project includes a total of 400 hotel rooms, 351 additional hotel and housing units, a 21-lot single-family residential subdivision and two 18-hole golf courses. The project would be developed within 1,960 acres in the Catskill Mountains of Ulster and Delaware Counties, with a total of 573 acres disturbed and the remainder left undisturbed. This project will significantly disturb the New York City watershed resources and therefore EANY is opposed to this development.

Upon reviewing the proposed phosphorus TMDL revisions for the *Phase II Phosphorus Total Maximum Daily Loads (TMDLs) for Reservoirs in the New York City Water Supply Watershed (June 2000)*, EANY is concerned with exceeding the 15 ug/L water quality guidance value to protect source water reservoirs for the Ashokan Reservoir. The Phase II Report uses the annual monitoring data from 1992 through 1996 for calculating TMDLs.



ENVIRONMENTAL
ADVOCATES of NY

Working to protect New York State's
Community of people, land & wildlife

In 1996, the mean phosphorus concentration was 22.6 ug/L. in the west basin and 16.2 ug/L for the east basin. Both these levels already exceed the 15 ug/L water quality guidance value without the added increase due to the Belleayre Resort. The Phase II Report references the phosphorus five year average for the east and west basins, which are 12.6 ug/L. and 13.1 ug/L., respectively. The 5-year average for 1992-1996 is extremely close to reaching the 15 ug/L. guidance value; therefore, if the Belleayre Resort adds the estimated additional 108 Kg/year it is highly likely that the 15ug/L. will be exceeded.

We oppose the compromising of the water supply for New York City through water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs, deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through pesticide use in golf courses.

Thank you for the opportunity to submit comments. We urge you to reject any increase in the phosphorus TMDL or any exceedance of the 15 ug/L water quality guidance value to protect source water reservoirs for the Ashokan Reservoir, and to ultimately reject this proposal to build the Belleayre Resort on Catskill Park.

Sincerely,

Nancy M. Tudor
Environmental Advocates of New York

From: "Megan" <Megan@request-usa.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/26/2004 10:11:58 AM
Subject: Belleayre Resort

Dear Mr. Ciesluk Jr,

I am writing in regards to the proposition to build a resort in Belleayre. I believe building a monstrosity like this would ruin the pristine natural resources of Belleayre and its surrounding areas. I visit Pine Hill and Belleayre several times a year to enjoy the small town charm, hiking, swimming and skiing. It is so refreshing to see untouched nature that reflects the history of the towns. I am also drawn to the fact that the little shops and restaurant are all run by the towns inhabitants and not by some commercial superpower.

More important than my personal offense to the Belleayre resort is the effect that it would have on the environment. Trees would have to be cleared out and the construction alone would upset the reservoirs and other water resources. It seems that the plan of this resort will not work with the natural resources that are present, as Belleayre Ski Resort does, but it will destroy or permanently damage them.

Please take into consideration what I have stated above and what others have said about why you should not build the Belleayre resort. Also take a look at what Belleayre and the towns around it have to offer and what they have done to preserve their history and the nature that surrounds them.

Sincerely,
Megan O'Neill
23-33 30th Avenue
Astoria, NY 11102
Email: megan@request-usa.com

From: "Ramona Richardson-Young" <RamonaRY@msn.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 8:47:23 PM
Subject: Catskill Park Resort

Dear Mr. Ciesluk,

I am writing to voice my strong opposition to the plan to construct a massive resort within the Catskill Park. I have followed the controversy closely and I can only hope and pray that the DEC can stop these people from further pursuing this misguided plan. We all live here for our own reasons, but many of us chose this place to live because of the beauty and quaintness of the area. We do not want such a mega-complex and all the problems it will bring with it. I can't even imagine how this will affect the beauty of these mountains which all of us here so dearly enjoy.

Thank you for your attention and work on this extremely important decision. My best regards.

Sincerely,

Ramona Richardson-Young
P.O. Box 372
West Hurley, NY 12491

From: "Charles M. Hudson" <cmh03@health.state.ny.us>
To: <tbakner@woh.com>
Date: 4/26/2004 1:28.25 PM
Subject: Belleayre Resort

Terresa, attached is our comment letter as you requested. Regards, Charlie

(See attached file: BEL42304.DOC)

CC: "John M. Dunn" <jmd02@health.state.ny.us>, <afcieslu@gw.dec.state.ny.us>, <mdholt@gw.dec.state.ny.us>



STATE OF NEW YORK DEPARTMENT OF HEALTH

Flanigan Square, 547 River Street, Troy, New York 12180-2216

Antonia C. Novello, M.D., M.P.H., Dr.P.H.
Commissioner

Dennis P. Whalen
Executive Deputy Commissioner

April 23, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
New York State Department of
Environmental Conservation, Region 3
21 South Putt Corners Road
New Paltz, New York 12561

RE: The Belleayre Resort
at Catskill Park DEIS

Dear Mr. Ciesluk:

Thank you for the opportunity to comment on the DEIS for the proposed Belleayre Resort at the Catskill Park. The location and magnitude of this proposed project is of particular concern to us. The project site straddles the geographical divide between the drainage basins of the Esopus Creek and the East Branch of the Delaware River which feed New York City's Ashokan and Pepacton Reservoirs, respectively. These reservoirs are key water sources of NYC's Catskill and Delaware water systems that supply about 90 percent of the drinking water to over nine million New Yorkers. Since NYC has been granted a Filtration Avoidance Determination for these systems, unfiltered drinking water is delivered directly to consumers. To protect water quality, we urge careful scrutiny of all proposed activities in these watersheds, especially those the size of Belleayre Resort.

We believe that the following water supply, irrigation and stormwater issues need further attention. We request that, where appropriate, they be addressed as special conditions of the water supply and wastewater permits. These comments were prepared in consultation with the Ulster County Health Department.

A. Protection of Water Supply Sources:

A pre-blast survey of private wells in the vicinity of this project by the blasting contractor is proposed to establish baseline conditions such as well construction, production and usage, prior to blasting activities. We support the proposal and recommend that the survey include all public and private water sources, including springs and wells, within one-half mile of blasting. The benchmark data should be expanded to include baseline testing for bacteriological contamination and turbidity since blasting may impact water quantity and quality.

B. WSA #10.455 Big Indian Plateau:

1. The application needs to be updated to include all three proposed Rosenthal Wells. Water demands should be the calculated demands (115,000 gpd average, 190,000 gpd max.) without taking into account any reductions, as indicated in Delaware Engineering's March 1, 2004 response to January 21, 2004 meeting comments. Any reference to reduction in demands should be eliminated from the application.
2. Approved well capacities should be based on the results of the April 2004 combined pump test of wells RW1, RW2, and RW3. The Department will consider approval of these wells once we receive and review the pump test and water quality data and analysis.
3. It appears that portions of the 100-ft and 200-ft control radius areas for wells RW1, RW2, and RW3 are outside of the property owned by the developer. How does the applicant propose to provide adequate protection of these wells and the aquifer from which they feed if the surrounding lands are not owned and/or controlled by the project owner?
4. A sulfur odor was detected during the first two pump tests of RW2. If necessary, the applicant should provide details regarding the proposed treatment for odor removal during the design stage.
5. The applicant should confirm the revised location of the treated wastewater effluent, and provide a site map indicating its proximity to the proposed wells. The applicant should also confirm and provide drawings to show physical separation of the potable water system from the irrigation/wastewater effluent piping.
6. Arsenic was detected in the samples taken after the November 2001 and September 2002 pump tests of RW2, at 16-parts per billion (ppb) and 15-ppb. These levels are above the newly promulgated federal maximum contaminant level (MCL) of 10-ppb, which will be enforceable starting on January 23, 2006. Depending on arsenic results from the April 2004 pump test, additional treatment may be required.
7. Further evaluation, in accordance with NYSDOH Environmental Health Manual, Item No. PWS 42, "Identification of Ground Water Sources Under the Direct Influence of Surface Water" will be required in order to make a final determination of surface water influence for the three proposed wells. Daily comparative testing of temperature and conductivity between wells RW1, RW2, and RW3 and Birch Creek should begin as soon as possible. This information should be collected for a one year period, and submitted quarterly to the Ulster County Health Department for review. Pending review of the April 2004 pump test data, the Department may give conditional approval to use the wells while this evaluation is taking place.
8. During the November 2001 and September 2002 pump tests of RW2, turbidity levels were initially relatively high until the well had been pumped for a few hours, at which time the

turbidity lowered to acceptable levels. This is most likely due to the well standing idle for long periods in between pumping. Well RW2, however, may need to be pumped to waste upon start-up until acceptable turbidity levels are reached. Results from the April 2004 pump test will help to further characterize turbidity levels in RW2.

9. Prior to or during the design stage of this project, the applicant must address the physical upgrade and water quality/treatment aspects of Silo A Spring. A full Part-5 water quality analysis must be provided for Silo A Spring as part of this evaluation. In accordance with NYSDOH Environmental Health Manual Item No. PWS 42, any spring source must undergo a detailed evaluation to determine or rule out surface water influence. Silo A Spring must undergo such an evaluation. Any existing data regarding GWUDI testing on Silo A Spring should be submitted to the Department for review.
10. The applicant should discuss and confirm that no wastewater effluent, fertilizers, pesticides, herbicides, or other possible contaminant will be applied in the vicinity of RW1, RW2, RW3, and Silo A Spring. Any waste effluent and/or possible chemical contamination source must not be applied within 200 feet of any proposed ground water source.

C. WSA #10,566 Wildacres Resort / Highmount Golf Club / Highmount Estates:

1. The application should be revised to clearly identify the applicant (legal entity that will be authorized to develop and operate the water system). From the January 21 and March 3, 2004 meetings at NYSDEC Headquarters, it was clear that the applicant intends to create a water company. The water company filing should be initiated prior to issuance of the water supply permit. Also, the property to be owned by the water company should be described in the application and noted on the plans.
2. The application should be revised to conform to the usual practice of requesting authorization for the maximum day water demand rather than average day. Also, the application needs to be updated to indicate the most current water demands to be used. Water demands should be the calculated demands (136,635 gpd average, 225,448 gpd max.) without taking into account any reductions, as indicated in Delaware Engineering's March 1, 2004 response to January 21, 2004 meeting comments. Any reference to reduction in demands should be eliminated from the application.
3. Fleischmanns Well #1 is currently not functional. There is no pump, the casing terminates in a vault that must be eliminated, and there is no piping connecting the well to the distribution system. The 3/1/04 Delaware Engineering letter indicates that this well will be put back into service as part of this project. The rehabilitation of Fleischmanns Well #1, in accordance with NYSDOH standards, needs to be incorporated into the permit conditions.
4. A formal pump test, in accordance with NYSDOH standards, will be required as part of the rehabilitation work for Fleischmanns Well #1. The applicant's yield rating for Well #1 is questionable, since the well has not been formally pump tested. Also, some of the yield data from the December 21, 2000 "Water Supply Evaluation" report (Appendix 7, DEIS) is

contradictory. The text and Table 2 indicate a pumping rate of 94 gpm, while Appendix E-1 (p.2) indicates a rate of 83 gpm. This should be clarified.

5. The yield rating for the Fleischmanns spring may be high. This yield estimate was based on flow measured during drought conditions (December 2001), but not a drought of record. The applicant should compare the December 2001 drought conditions with a drought of record and adjust the springs yield rate accordingly.
6. Wells #1 and #2 and the springs are potentially Ground Water Under the Direct Influence of Surface Water (GWUDI). The NYSDOH has concluded that there may be surface water intrusion into the springs, and there may be a significant connection between Well #2 and the nearby stream. Since it is similar to Well #2, Well #1 is also suspected of being influenced by surface water. Any source determined to be GWUDI will require filtration or similar treatment, or replacement with an alternate source. The applicant should explain how any source(s) determined to be GWUDI will be treated or replaced.
7. One proposed source alternative for the project is development of a new well near the Village's existing Well #3. This option should not be counted on until well testing confirms available yield and no adverse effects on existing Village water sources.
8. The Village of Fleischmanns has committed in writing only "an expression of interest in selling water to the proposed developments". An executed contract between the applicant and the Village, detailing the amounts and conditions of water purchases, should be provided before the permit is issued, or as a permit condition.
9. The Delaware County Soil and Water District has provided comments on the water budget analysis. These comments concluded that the net effect on the Village's springs may be a decrease in recharge to the springs, not an increase as indicated in the application. Although the applicant has disputed this analysis, they should address the possibility that the project may have an adverse impact on the Fleischmanns springs yield and/or quality, and how this issue will be resolved if it occurs. Additional related concerns are described in items 10, 11, and D.2.a below.
10. Designated wetland 16 and several isolated wetlands (17,18,19,20,21) are located in the recharge zone of the Fleischmanns spring sources. Wetlands, and isolated wetlands in particular, are likely sources of groundwater recharge. Isolated wetland 21 is of particular concern as its clearly defined stream and streambed disappear on a topographical bench about 500 feet from the springs. Direct communication may exist between isolated wetland 21 and the groundwater that recharges the springs, necessitating special protective measures around this wetland.
11. The exact locations of the various Fleischmanns spring collection areas are not shown in the application documents. These locations should be shown on all appropriate site plans. The catchment area south of the railroad tracks is of particular concern – a lagoon (TP #101) is proposed very near that area, immediately below the proposed water treatment plant. This

lagoon and the exact springs location relate to concerns described in item 9 above.

D. SPDES #027-0661 Wildacres Resort and #027-0679 Big Indian Plateau

1. Irrigation:

The applicant has proposed utilizing tertiary treated effluent for spray irrigation of golf courses and grounds. However, for these effluents, designated outfall 002 at Wildacres and 002 at Big Indian, the respective footnotes related to "achieving 99.9% and 99.99% removal and/or inactivation, respectively, for *Giardia lamblia* cysts and enteric viruses", may not be reasonably protective for irrigation purposes in the case of enteric viruses. For example, if the effluent contains 10^8 virus particles per ml (typical high-end value for diluted viruses under conditions of illness) and there is no removal via microfiltration, but 99.99% disinfection, 10^4 viable virus particles per ml would be present in the effluent discharged to the irrigation pond. Exposure to the elements (especially sunlight) could further reduce this concentration but, if there is little or no retention in the pond, this concentration of viruses ultimately may be present in the sprayed irrigant. The World Health Organization has extensively examined the issue of treated wastewater uses and has recommended guidelines that protect public health. Discharge virus numbers are indirectly managed by the WHO using the levels of Fecal Coliform present i.e. if the effluent criteria for FC is met as a result of treatment, the presumed virus levels will be acceptable. It is critical, therefore, to get accurate FC counts. In order to have good confidence in the disinfection methods and the actual numbers of microorganisms in the effluent, we suggest an increased frequency of sampling when the receiving ponds are in use. Further, due to the potential for human exposure to aerosolized irrigation water, we recommend disinfection by both chlorination and UV to maximize removal/deactivation of protozoa, bacteria and enteric viruses.

2. Stormwater:

a. At Wildacres, proposed stormwater basins 14, 15, 17, 20 and 23 are located in the recharge zone of the Fleischmanns spring sources. The basins will collect contaminated runoff from golf course tees, greens and fairways and housing units 3, 4 and 5. Basin 15 is of particular concern since it is located in the likely recharge area of isolated wetland 21. Proposed basins 10, 22 and 24 are also in the recharge area but farther from the springs. The applicant should determine if the stormwater detention basins have the potential to affect the quality and quantity of the springs and propose mitigative measures for each possibility. Special restrictions on the use of treated wastewater for irrigation, fertilizers and pesticides should be implemented in the catchment areas within the recharge zone.

b. An important objective of the Stormwater Pollution Prevention Plan is to insure that all disturbed areas are stabilized prior to winter freeze up or snow cover. Allowing for continued disturbance until winter freeze up or snow cover will result in unstabilized soils left vulnerable to winter season thaws and the spring thaw. Given the vulnerability of the critical slopes and areas of thin soils at Belleayre and the potential for impacting the Ashokan and Pepacton Reservoirs, special conditions should be imposed to insure complete site stabilization prior to winter. New areas should not be opened after December 1, allowing sufficient time for site stabilization. New areas opened after November 1 should be restricted in size and unprotected areas should be

stabilized as soon as possible after that date.

Again, thank you for the opportunity to comment on this proposed project. If you have any questions, please call me at (518) 402-7650.

Sincerely,

John M. Dunn, P.E.
Assistant Bureau Director
Bureau of Water Supply Protection

cc: Mr. Tramontano
Mr. Svenson
Mr. Burke
Mr. Montysko
Mr. Devine, MARO
Mr. France, Oneonta District Office
Mr. Dumas, Ulster County Health Department
Mr. Holt, NYSDEC
Mr. Snow, NYSDEC
Mr. Tierney, OAG, WIG
Dr. Principe, NYCDEP
Mr. Gratz, USEPA

From: Art & Peg Winters <drprof winters@verizon net>
To: <afcieslu@gw dec.state.ny.us>
Date: 4/24/2004 2:32.23 PM
Subject: Belleayre Resort

ATT: Alexander Ciesluk / DEP representative

Please add our voices of discontent regarding the plans by Mr Gitter for the expansion of Belleayre

It amazes me that people like Gitter and companies like CVS want to come into towns and villages that DO NOT WANT THEM

You are no doubt aware of all the false statements made by Gitter and the cronies he has brought in to speak for this project. The small communities around here can not handle the concept, traffic, or attitude of this type of project.

We do not want this area to change into the environmentally damaging aftermath of this type of resort on the local community and the water supply of New York City.

All of the public comments and meetings have aired the details that we oppose. Please represent the people who live in this part of New York as well as the people in NYC and stop this project from proceeding.

Thank you
Prof. Peggy Winters and Dr. Arthur A. Winters
Bearsville, NY 12409

From: <LauraL6000@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/25/2004 5:35:24 PM
Subject: Crossroads Ventures - NO from this business owner!

Dear Mr. Ciesluck,

It was heartening to read in yesterday's NY Times (Water Woes Put Catskills Golf Resort in Doubt By ANTHONY DePALMA) that New York City has sided with the majority of businesses and residents of the Town of Shandaken in the Catskills in their fight to prevent the destruction of their mountaintops and the construction of a monstrous and inappropriate golf resort in the heart of their small wilderness community. The DEP have been able to read through the propoganda, hyperbole and outright lies presented by Crossroads Ventures in their attempts to impose this large-scale development on a community which does not welcome it

That is why we find it all the more amusing that the response to this setback by the developer, Dean Gitter, "accused the city of trying to impose its will on upstate communities. " The city has been our ally in this battle; we all wish for the same things: clean water and responsible environmental growth in the watershed region. The only party who has been attempting to impose his will on the community has been Gitter himself.

Likewise, his statement that the city has "declared war on the people of the Catskills" is but another transparent attempt to create a rift between upstates and downstaters that simply does not exist. In no way does Crossroads Ventures represent nor speak for "the people of the Catskills," who have made their views against this development plainly known by the thousands in petitions, hearings, and letters.

Along with many of our fellow shop owners in the area, we applaud the city for their support in helping us to preserve the character and environment of one of New York's most precious resources.

Laura, Mona, & Bernard Levine
Mystery Spot Antiques
60 Main Street
Phoenicia, NY
(845) 688-7535 (home)

From: "Lemmon, David" <LemmonD@sunyulster.edu>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 7:51:25 PM
Subject: Belleayre Resort

To Whom It May Concern:

As a year-round resident of the area, I want add my voice to the opposition to the development of the Belleayre Resort. I have nothing new to add to the comprehensive and reasoned arguments already made by my neighbors, other than to reiterate that the development is simply out of proportion to the area and would bring many more problems than benefits. I cannot believe that such an overwhelming opposition, for all the right reasons, can be ignored.

David Lemmon

Broadstreet Hollow

Shandaken

From: karwac <karwac@attglobal.net>
To: Alexander Ciesluk <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 7:05:09 PM
Subject: Comments for Proposed Belleayre Resort

April 23, 2004
Alexander Ciesluk, Jr
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Subject: Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk,

I am writing to voice my strong opposition to the construction of the proposed Belleayre Resort at Catskill Park. I have been a resident of the Catskills for the last 26 years. I live here because of the pristine environment and rural community settings. My passion for the creeks and mountains of the Catskills have led me to be active in several community and environmental organizations and to realize that this proposed mega-resort will pose a significant threat to the environment and character of the Catskills. The Draft Environmental Impact Statement (DEIS) does not fully reflect the impacts of this proposed project. This large development will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution, and significantly change the character of our community.

The DEIS does not adequately describe the affect this development will have on the natural and cultural resources of this region and it fails to completely address reasonable alternatives to this proposal. This large scale development would be wholly inconsistent with the character of the Catskill Park and its hamlets, and a significant risk to the ecosystem of the Catskills.

Here are several other risks that are NOT addressed in the DEIS;

- 1) The green roofs of the Hotel complex will have several acres of earth and turf roofing. This is not a proven technology, especially on high Mountain environments. This technology is primarily employed in urban settings and the DEIS states that the correct mix of water, fertilizers and pesticides will be arrived at via a trial and error method. This is unacceptable. A demonstration project should be built to analyze the effectiveness and management best practices to prevent chemical and polluted water runoff conditions.
- 2) There is no reference to the cumulative effect of the 21 home subdivision on surface and ground water quality.
- 3) There is an assumption that the effluent of the wastewater treatment plant will only go into Birch Creek for 6 months a year. The rest of the time it will be discharged into the irrigation system. This is not management practice that can be implemented for the life of the project and therefore realistic assessments need to be made.
- 4) There is NO analysis of the effect to air quality of the hundreds of wood burning and gas fireplaces that will be built throughout the proposed Resort. Studies in several eastern and western ski resorts have proven air quality impacts due to intensive Hotel, condominium, second home development projects. (As reported: Bob Diddlebock, San Francisco Examiner, 21 December 1986)
- 5) The DEIS does NOT provide the potential affect on Deer Wintering

Habitat in Region 3. There are several letters from Region 3 and Region 4 in the DEIS but no formal statement regarding the actual impact in Region 3.

6) Many of the pesticides listed in the DEIS do NOT have any standard established for NYS drinking water, and therefore the developers statement that the water within 2 inches of the golf course will meet NYS Drinking Water standards is factually true but extremely dangerous. This resort must NOT allow any pesticide, herbicides, fungicides or chemicals of any nature that do not yet have proven safety standards.

7) The DEIS FAILS to assess the impact of the resorts landscaping policy which allows them to clear-cut ANY tree anywhere on the resort property that is six inches or smaller or ANY limb on any tree. This can significantly affect runoff characteristics of the resort and the buffering capability of the forest.

8) The use of Stream Geomorphology best practices must be considered in the construction of bridges, in riparian areas and for the construction of all impervious surface runoff structures. With 8 miles of roads and countless miles of paths, the runoff patterns for the entire site will be affected, and should be considered in their affect on the quantity and quality of water that enters natural waters and tributaries.

I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and I oppose the loss of a pristine ecosystem and the damage to its plant life and animal habitat. This mega-resort will devastate the magnificent view and night sky of the State Forest Preserve and Catskill Park. I oppose the loss of a unique environment, a prized asset for all the people of New York. The DEIS minimizes expected secondary sprawl and development impacts, as well as traffic impacts. Further, it fails to adequately address the water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs and are spawning areas for Brook, Rainbow and Brown trout. I oppose the compromising of the water supply for New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses and through evaporation and air dispersal.

Since the developer refuses to provide a more comprehensive analysis of alternatives, as required in the State Environmental Quality Review Act process, I request that you reject this proposal to build the Belleayre Resort on Catskill Park.

Respectfully,

Chester Karwatowski
111 High Point Mountain Road
West Shokan, New York 12494
(845) 657-2312

Chester Karwatowski
111 High Point Mountain Road
West Shokan, New York 12494
(845) 657-2312
April 23, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

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demonstration project should be built to analyze the effectiveness and management best practices to prevent chemical and polluted water runoff conditions.

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- 3) There is an assumption that the effluent of the wastewater treatment plant will only go into Birch Creek for 6 months a year. The rest of the time it will be discharged into the irrigation system. This is not management practice that can be implemented for the life of the project and therefore realistic assessments need to be made.
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Respectfully,

Chester Karwatowski

From: Jad Daley <jdaley@outdoors.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 6:36:38 PM
Subject: Re: The Belleayre Resort at Catskill Park

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

I am writing to offer the comments of the Appalachian Mountain Club on the proposed development for Belleayre Mountain, "The Belleayre Resort at Catskill Park." It is our opinion that the likely aesthetic environmental impacts of the proposed development are unacceptable, and that the project should not move forward.

AMC's Interest in the Proposed Project

The Appalachian Mountain Club has an interest in the potential impacts of the proposed project on a number of levels. The Appalachian Mountain Club has 14,000 members in New York, including some residing within sight of the project area. The Catskill region is a magnet for the general public as well as our many members in New York as well as adjoining states, a group that totals more than 22,000 individuals from Connecticut, New Jersey and Pennsylvania combined.

Impacts on Recreation and Open Space

The nature of the project proposal is incompatible with the many other recreational uses in the area, including but not limited to hiking and other backcountry travel. The existing ski resort certainly causes some aesthetic disturbance, but the proposed golf courses and housing would totally change the feel of this area and accordingly the viewshed from many surrounding peaks. This would greatly diminish the quality of backcountry recreation in the region.

Impact on Fragile Natural Areas

The proposed development is adjacent or in close proximity to important trout-producing waterways and high alpine environments. The project would produce significant runoff into local waterways, with damage to aquatic populations and public water supplies. The high alpine areas and interior forests would be irreparably changed by the golf course and other disturbances. The impacts on these fragile natural systems could not be mitigated and would be inconsistent with the overall purposes of the Catskill Preserve.

Impact on Wildlife and Natural Balance

The proposed development would take an area that is now still primarily unfragmented interior forest and create a patchwork of trees, lawns, and roads. This would have impacts on wildlife and the natural balance of the entire region. The fragmented lands around and across the proposed project area would draw nuisance and predatory wildlife and other organisms, such as blue jays, raccoons, and deer ticks (which have been shown to thrive in fragmented forest areas). These creatures would travel far beyond the project boundary to affect wildlife populations.

and recreationists alike in the whole area. New residences would also introduce house pets, such as cats and dogs, as well as invasive plant species. The impacts of all these new invaders, domestic and otherwise, could range from egg predation of threatened and endangered songbird species.

Impacts of New Noise and Light Pollution

The character of this portion of the Catskills is significantly enhanced by two characteristics: the relative absence of background noise and the minimal light pollution. The proposed development would bring vastly increased noise and light to the affected area, and would dramatically change its character. These changes would also tarnish the experience of recreational users in the surrounding area.

In closing, the Appalachian Mountain Club is strongly opposed to the proposed development, and would suggest that it should not proceed.

Sincerely,

James A. Daley III

Jad Daley, Regional Conservation Director
Appalachian Mountain Club
Mid-Atlantic Office
PO Box 118
Titusville, NJ 08560
609-818-9898
jdaley@outdoors.org

From: <DIETPEPSI1023@netscape.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 6:23:53 PM

Erik Karwatowski
111 High Point Mt Rd
West Shokan, NY 12494
(845)657-2312

April 23, 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, NY

Dear Alexander Ciesluk, Jr.,

I am a lifelong resident of the town of Olive. I am a student at Onteora High School. I ski every year at the Belleayre Ski Center, and Bike there during the summer. As a resident of the Catskill Park, and a student I support the 'forever wild' intent of the Catskill Park, and depend on the preservation of the community character for my family and my friends.

The Belleayre Resort development proposal is a serious threat to my family and livelihood, and also threatens the public health and safety of our community and the NYC Watershed and the 9 million people who depend on it for a safe drinking water supply. The Belleayre Resort development poses significant impacts to public safety and health in the following ways:

Golf Course chemical use (herbicides, pesticides, fungicides) contamination of surface and groundwater.
Increased traffic during the construction and completion phase of the project adding to an already stressed Route 28 corridor, resulting in increased air pollution and accidents, and the resultant 'sprawl' to service the traffic.

Quality of life in our community will be adversely impacted by the destabilizing effect of a large-scale 'exclusive' resort and the induced rapid growth it will cause.

The DEIS is incomplete and does not adequately state the impact on our region and the watershed, and it offers no alternative plan to mitigate the primary and secondary impacts of a project that is out of character with the lifestyles, values, environment, and economy of the Catskill Park communities of Shandaken, Olive, and Middletown and the NYC water users. The permits for this project should not be granted.

Sincerely,

Erik Karwatowski

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From: <DIETPEPSI1023@netscape.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/23/2004 6:15:51 PM

Anne-Marie Johansson
111 High Point Mt. Rd.
West Shokan, NY 12494
(845)657-2312

April 23, 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, NY

Dear Alexander Ciesluk, Jr.,

I am a lifelong resident of the towns of Shandaken and Olive. I am a small business owner and serve on the local Library Board. I am currently serving my second term on the Town of Olive Planning Board. As a resident of the Catskill Park, and a B&B owner, I support the 'forever wild' intent of the Catskill Park, and depend on the preservation of the community character for my family and my clientele.

The Belleayre Resort development proposal is a serious threat to my family and livelihood, and also threatens the public health and safety of our community and the NYC Watershed and the 9 million people who depend on it for a safe drinking water supply. The Belleayre Resort development poses significant impacts to public safety and health in the following ways:

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Sincerely,

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From: CHARLENE EISENKRAFT <cme@nyc rr.com>
To: <afcieslu@gw dec state ny.us>
Date: 4/22/2004 10:23:01 AM
Subject: [Maybe Spam] Belleayre Mountain

Dear Mr. Ciesluk,

As a NYC resident and a Highmount property owner, I strongly oppose the development of Belleayre Mountain. While this project may well increase the monetary value of my property - what I value most will begin a downward spiral if the razing of Belleayre is permitted.

As I am sure you are aware, golf courses are a major environmental concern particularly with regard to the detrimental chemicals used in fertilizers, weed killers and insecticides - all of which make their way into the ground water as well as the atmosphere.

This proposed project, like so many that place the environment in peril, financially benefit the influential few while promising much more. The economic benefits to those who may actually find employment as a result of this development will fall far short of its proponents'.

I implore you to let the palpable joys of a pristine environment as well as your astute knowledge of the detriments of urban sprawl and its resultant pollutants guide you to protect our Catskill mountains.

Charlene McLaughlin-Eisenkraft
1655 201 Street
Bayside, New York 11360
718 352 4774

From: Peter Vinci <peter@ipatools.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 10:10:07 AM
Subject: Catskill project coment

Dear Mr Ciesluk:

I realize you may be overwhelmed with all these messages so I will keep my comments brief. We live on Rose mountain across from the proposed building site of the resort. My Family and I have worked our entire life to be able to buy our property and live here. We purchased it in 1997 and built our home. If this resort was to be built it would be a tremendous hard ship for my Family and I. There are twelve of us that live here. We all spend a lot of time upon the mountain enjoying the wonderful gift of the "view". The point is, the view would be ruined. The landscape would not hold that rare original beautiful and that beauty is the reason anyone Loves , lives and visits these mountains

Please do not allow this to happen. There are no more sacred places left on this planet. Man and the need for money has taken everything all ready if this was allowed to happen all will be lost. When they start blasting every animal on the ground and in the sky will leave. All the animals will be driven out of Catskill park. There will be no more hunting in these mountains. The run off will kill the fish in the streams and there will be no more fishing. There are many reasons this resort should not be built but the above are the ones that will ruin our dream. Please help!

My very best regards to you and yours.

Sincerely,
Peter Vinci
845-688-2300
786 Anbu Lane
Shandaken, NY 12480

From: "Ethan @Shokan" <ecampbell@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/22/2004 7:53:41 AM
Subject: Belleayre Mountain Proposal

Dear Mr. Ciesluk,

I am writing to register my adamant opposition to the Belleayre Mountain resort propopsed by Crossroads Ventures. There is not one shred of benefit to be gained by the region in which this resort would exist, and an almost endless catalogue of harm.

One major issue not addressed in the developer's impact statement is the true impact of the increased traffic on Route 28. During the construction phase, the many thousands of trips by heavy trucks carrying blasted material away from the site would cause a tremendous amount of wear and tear on the road surface. This would result in a need for money to be spent well ahead of the otherwise expected lifespan of the road surface as it breaks down under this added load. Of course, this burden would be borne by the local municipalities, and ultimately the taxpayers in the region.

Secondly, during the operation of the resort, the increase in traffic as projected by the developers would certainly result in a need for traffic lights at key intersections, and quite possibly for 28 to be widened along its entire length from the Thruway to the resort. Either of these eventualities would be a catastrophic negative blow to the character of this area, which still manages to retain much of its rural charm. It is of course that very charm which makes the Catskills so attractive to the tourists who now enjoy its natural beauty and relative quiet. These values are of no concern to the developers of the proposed resort, who plan a complete "vacation destination," which would include a full complement of restaurants and shops, thus deterring guests from venturing out into the community and patronizing local merchants.

Crossroads' promises of bringing valuable jobs to the area are also fraudulent. First of all, there is no shortage of jobs; there is actually a shortage of labor to fill available jobs. Second, the type of job created by the resort would be low level service jobs of a type most local residents would shun. These two factors would combine to create the necessity to import hundreds of workers, thus increasing the load on the infrastructure and social services network of the area, and thus costing taxpayers still more money.

The environmental impact also would be disastrous, not just for the Catskills themselves, but also for the City of New York, which would find it necessary to build a water filtration plant costing billions. The run-off from not one but TWO 18 hole golf courses would contain a densely toxic cocktail of the many herbicides that are essential to maintaining a golf course in the artificially pristine condition required by patrons of the sport. The run-off would of course go right into the watershed, and right into the Ashokan Reservoir, and from there into the homes of New York City residents.

In addition, scientists have determined that the loss of tree cover from the massive clear cutting entailed in the project would expose so much of what had been forest floor to direct impact of rainfall, that erosion and run-off

would be significantly increased, to the point where gullies and stream beds would be significantly widened, even to the point of changing course in some cases. This scenario would even threaten a recent flood control project which cost close to \$1 million to complete.

All of the foregoing constitutes sufficient reason to block the plans of an enormously wealthy outside developer who has no concern for the wellbeing of the area which it proposes to invade. It is my profound hope that you will do everything in your power to assure that this ghastly project never breaks ground.

Sincerely,

Ethan A. Campbell
12 Ridge Road
Shokan, NY 12481

From: "Laurence Kirby" <vanini@netstep.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/21/2004 10:36:55 PM
Subject: Belleayre Resort

Dear Mr. Ciesluk,

This is a comment on the proposed Belleayre Resort. I strongly oppose this project. It would be an environmental disaster for our region. It is inappropriate in concept and scale for the fragile ecology of the high Catskills. Water pollution, noise pollution, light pollution, and traffic congestion would be among its many deleterious effects. I am particularly concerned about the large quantities of persistent organic pollutants that would inevitably be unleashed on our environment in order to maintain 2 golf courses in such an unsuitable location. It would bring no economic benefits to the community at large, only increased tax burdens and strains on services such as police and schools. It would adversely affect the quality of life in the whole region and would be a first step toward destroying the precious beauty that is the Catskills' greatest asset.

I write as a resident of Woodstock since 1985.

Thank you,
Laurence Kirby
36 Purdy Hollow Rd
Woodstock Ny 12498

From: "Scott Petricig" <scott4381@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/21/2004 7:31.09 PM
Subject: Comments on proposed Belleayre Resort

Please see attached MS Word document.

Watch LIVE baseball games on your computer with MLB TV, included with MSN Premium!
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From: "Alexandra Thomas" <sandythomas44@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/21/2004 9:14:12 PM
Subject: Porposed Crossroads Resort

Dear Mr. Ciesluk,

I am a NYC resident and Ulster County homeowner who, like many other people from the city, came all too close to the devastation of the 9/11 attacks (I work next door to ground zero and my brother worked in the World Trade Center) and decided to seek refuge in the beauty and tranquility of the Catskills, where I grew up. When I first started traveling back up to the area, I was delighted to note how little it had changed, and that its rural character and natural beauty were still intact. Because local residents had been able to stave off commercialism and development, the area was just as compelling to me as it had always been, and I rented for two years while I saved for my dream, which was to buy my own house there. I now own a house not far off of Route 28.

I know that the arguments for the Crossroads development have everything to do with bringing increased tax revenues to local governments and desperately needed employment opportunities to local residents, and both of those points are very important. Having said that, I can tell you right now: if the project goes through, and Route 28 is widened and there is construction traffic and resort traffic and the road is littered with "amenities" catering to the kind of people who like their nature tamed and cultivated, people like me - second homeowners in search of "uncommercialized" local goods and services will (literally) seek greener pastures and the capital and tax revenues we currently -- and increasingly -- bring to the area will evaporate.

More important, however, is the impact the project will have on the NYC water supply, which also happens to impact me personally, not only because I enjoy drinking the best unfiltered tap water in the world, but also because building a massive billion-dollar filtration plant for water that could otherwise be kept clean seems counterintuitive.

You get my drift. I am against the Crossroads venture and wish I could back up my convictions with the kind of sophisticated environmental arguments that I know others have (not my area of expertise) but I can't. Suffice it to say, there are many many of us who feel the same way and I hope our views will be heard.

Thank you very much for your time and attention.

Alexandra A. Thomas

Is your PC infected? Get a FREE online computer virus scan from McAfee® Security <http://clinic.mcafee.com/clinic/ibuy/campaign.asp?cid=3963>

From: "Marisa Iannacito" <miannac1@nycap.rr.com>
To: <meduke@gw.dec.state.ny.us>
Date: 4/22/2004 3:38:42 PM
Subject: Written comments on Belleayre Resort at Catskill Park

Dear Ms. Duke:

Attached and pasted below, please find the Adirondack Mountain Club and New York-New Jersey Trail Conference's written comments on the DEIS for the Belleayre Resort at Catskill Park

Due to the fact that Alex Ciesluk is out of the office until April 27th, I was told to email my comments to you and I have also faxed a copy to the Region 3 General Permits office

At your earliest convenience, please send me a confirmation that you have received our comments.

Thank you.

Sincerely,

Marisa Iannacito

Marisa Iannacito
Legislative Associate
Adirondack Mountain Club
301 Hamilton Street
Albany, NY 12210
(518) 449-3870 phone
(518) 449-3875 fax
Visit us at www.adk.org

April 22, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: Applicant: Crossroads Ventures, LLC, PO Box 267, Mt. Tremper, NY 12457

Project: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

Upon reviewing the Crossroads Ventures DEIS for the Belleayre Resort at Catskill Park, the Adirondack Mountain Club (ADK) and the New York-New Jersey Trail Conference (Trail Conference) have serious concerns about the size and scope of the proposed project and its impact on surrounding Forest Preserve lands. The DEIS fails to adequately discuss the effect of secondary and induced growth from the project on levels of use of surrounding state Forest Preserve lands, including the Slide Mountain Wilderness and the newly proposed Hunter-Westkill Wilderness Area. The

project site lies in the heart of the Catskill High Peaks region. Additionally, ADK and the Trail Conference believe that DEC itself must explore the impact of the proposed resort on the surrounding Forest Preserve lands.

Size and Scope of Proposed Project

The Crossroads Ventures assemblage consists of approximately 1,960 acres of private land located to the east and west of Belleayre Mountain Ski Center. 1,242 acres are located to the east of the Belleayre Ski Center and 718 acres are located to the west of the Ski Center. 573 of the 1,960 acres are to be developed (331 acres on east side and 242 acres on the west side) (DEIS, 1-2)

The eastern portion of the project site is referred to as the Big Indian Plateau. There will be two sub-areas separated by Giggle Hollow. 263 acres to the east of Giggle Hollow will be developed into the Big Indian Country Club, Resort and Spa and 68 acres to the west of Giggle Hollow will be developed into Belleayre Highlands. The 263 acre parcel will be composed of the Big Indian Country Club Championship Signature 18-hole golf course (154 acres) and the Big Indian Resort & Spa (109 acres). The Resort and Spa would include a 150-unit hotel building, 95 detached hotel lodging units in 55 structures, a golf clubhouse, golf maintenance buildings and a wastewater treatment facility. Approximately 3.5 miles of roadway and 292 parking spaces are proposed. The Belleayre Highlands portion of the Big Indian Plateau would include 88 detached hotel lodging units in 22 4-unit structures, tennis courts and a swimming pool. An additional 2.4 miles of roadway would be constructed to access the area. (DEIS, 2-1)

The western portion of the project site will be composed of the Wild Acres Resort, Highmount Estates and a Wilderness Activities Center. The Wild Acres Resort would include another 18-hole golf course (138 acres) as well as a 240-unit hotel, 168 detached housing units in 21 structures, a wastewater treatment facility and golf course maintenance buildings. Approximately two miles of roadway and parking areas accommodating a couple of hundred parking spaces would be constructed. Highmount Estates will be composed of a 21-lot residential subdivision. Lots can range from 2 to 16.8 acres. 2,400 feet of internal roads would be constructed. The Wilderness Activities Center would use existing buildings and one 15 x 25 ft warming hut. (DEIS, 2-2, 2-3)

The eastern portion of the project is located on the eastern portion of the Belleayre Mountain ridgeline and on some of the steep south slopes and a portion of the northern slopes above Lost Clove. The DEIS claims that the "major" development of the Big Indian Country Club and associated buildings will be located on the plateau on the eastern ridge of Belleayre Mountain. Downslope of the plateau there are a series of flat benches connected by areas of steeper slope. Slopes on either side of Giggle Hollow (which separates the eastern portion of the project) are steep. (DEIS, 3-3)

Construction will require grading for access roads, building locations and golf courses. Rock blasting will be necessary to accomplish some of the proposed grading on the project site (Draft DEIS, 3-3).

Impact of the Project on the Forest Preserve

The project site is in close proximity to Forest Preserve lands. According to the DEIS, just in the Town of Shandaken, New York State owns 73 percent of the Town's total acreage (DEIS, 1-1). Of this percentage, approximately 56,000 acres "are classified as 'Forever Wild,' and only 2,000 acres are designated as 'Intensive Use Area' ." (DEIS, 1-1)

The DEIS claims that the project will "generate a new non-skier market" for its housing and overnight lodging facilities (DEIS, 7-11). According to the DEIS one of the resort amenities generating this non-skier market will be "Catskill Forest Preserve access " (DEIS, 7-11). The draft DEIS states that additional trails will be constructed on the project site, "some connecting to and augmenting access to existing state trails administered by NYSDEC." (DEIS, 1-24)

The DEIS refers to the number of people staying at its various amenities as visitor nights per year. According to estimates contained in Appendix 26 of the DEIS, "an estimated 435,860 persons would stay at the timeshare and Club interval ownership units per year " (DEIS, Appendix 26 p. 4-15). The number of visitors per year or visitor nights per year staying at the various hotels is estimated to be 195,250 (DEIS, Appendix 26 p. 4-21). Additionally, Highmount Estates (21 detached single-family residences) would add another 6,707 people per year or visitor nights per year (DEIS, Appendix 26 p. 4-23). The total estimated number of visitors to the resort per year is approximately 637,800 people. Since Crossroads has unequivocally stated that it will market its close proximity to the Forest Preserve in generating a "non-skier market," it is of great concern to us that a potentially large number of resort visitors will be encouraged to use surrounding Wilderness and Wild Forest areas.

The Big Indian-Beaverkill Range Wilderness is separated from the Big Indian Plateau portion of the project site only by the private lands in Lost Clove. Close to the project site the unit can be accessed by state hiking trails in Lost Clove and Woodchuck Hollow.

The Slide Mountain Wilderness is located to the south of the project site. This Wilderness area is a very popular wilderness destination in the Catskills. ADK has been unable to find any analysis of the effect of this project on the use levels of this unit in the DEIS. The Slide Mountain Unit Management Plan (UMP) states that the "largest threat to Wilderness character is from recreational overuse on the Slide-Cornell-Wittenburg-Woodland Valley-Panther-Giant Ledge hiking complex " (Slide Mountain UMP, 2)

While the Slide Mountain Wilderness Area does not adjoin the project site, the most popular trailheads are located within a short drive from the proposed Resort. If the Resort intends to aggressively market access to the Forest Preserve as part of their plan to create a large four-season resort complex, it is axiomatic that many more visitors are likely to be drawn to already popular trails of the Catskill High Peak region (DEIS, 7-11).

For example, visitors can access the network of trails in the unit from a parking area on Fox Hollow Road, which is located approximately 5 miles southeast of the project site off of Route 28 just east of Shandaken. Additionally, the Woodland Valley parking area, which provides access to the well-known Wittenburg-Cornell-Slide Trail is located approximately fourteen miles southeast of the project site. Visitors can also access the popular

Giant Ledge and Panther Mountain trails off of Ulster County Route 47 – only a short drive of approximately 8 miles from the eastern portion of the project site. Several other access areas to the unit can be easily reached from the Route 28 corridor.

Other popular destinations in the Catskill Forest Preserve can be easily reached from the project site. To the east of the project site lies the Westkill Wilderness Area and Hunter Mountain Wild Forest. Pending adoption of the draft revision of the Catskill Park State Land Master Plan these two areas will be consolidated to create the Hunter-Westkill Wilderness. This Wilderness Area will be easily accessible for resort visitors via Route 28 and Route 42. Hikers can access the parking areas off of the Spruceton Road, which is located approximately 13 miles northeast of the project site. These areas are already very popular with hikers and other outdoor enthusiasts. Additionally, the scenic Dry Brook Ridge Wild Forest would be just a short drive from the Resort on Route 28.

DEC's Final Scoping Document for the Proposed Belleayre Resort at Catskill Park, transmitted to Crossroads Ventures LLC on November 3, 2000, states that the "analysis of secondary and cumulative impacts shall include... effects on... Forest Lands, and the added visitors to Forest Preserve Land." (DEC Final Scoping Document, 20) Upon review of Section 7.0 of the DEIS we have been unable to find any such analysis. Section 1 of the DEIS briefly discusses regional documents such as the Catskill Park State Land Master Plan, the Big Indian-Beaverkill Range Wilderness Area UMP and the Shandaken Wild Forest UMP but fails to concretely discuss the impact of the proposed project on these plans. The DEIS does not analyze the impact of the number of visitors to the Resort on usage levels and the carrying capacity of these areas of the Catskill Forest Preserve.

Furthermore, the DEIS does not at all address the impact of the project on usage levels on popular Forest Preserve units in close proximity to the project site such as the Slide Mountain Wilderness and the newly proposed Hunter-Westkill Wilderness Area. The DEIS apparently fails to discuss the impact of the number of Resort visitors on these Forest Preserve destinations because they do not directly abut the project site. However, these areas are easily accessible by automobile from the Resort via major roadways such as Route 28, Route 42 and Route 47. Therefore, the draft DEIS should address the impact of the number of visitors to the Resort on the carrying capacity of surrounding Forest Preserve lands.

Additionally, DEC's Final Scoping Document on the proposed project states that Section 3.8.3 of the DEIS entitled "Local and Regional Land Use Plans" states that "the local and regional land use plans to be addressed shall include... DEC management plans." (DEC Final Scoping Document, 15) Upon review of this section, we notice that there is no detailed discussion of the impact of the proposed project on any of the Catskill Forest Preserve UMPs with the exception of the Belleayre Mountain Ski Center plan. The Catskill Park State Land Master Plan is a regional planning document and the effect of the project on this document must be thoroughly evaluated. Crossroads Ventures itself refers to the authority of the Master Plan as a guideline for Forest Preserve lands in the Catskill Park (DEIS, 1-9, 1-10). As noted above, the DEIS mentions the Master Plan in Section 1 as a regional plan but fails to complete a thorough analysis of the impact of the project on the implementation of the plan in Section 3.8.3.

DEC must evaluate, upon its own initiative, the impact of the proposed project on the surrounding Forest Preserve Lands. Criteria for determining proper management of the Forest Preserve are outlined in the 2003 Draft Revision of the Catskill Park State Land Master Plan. DEC should use these criteria to determine how the various Forest Preserve units will be affected by the proposed development project. DEC must evaluate and analyze the impact of this project on the types and extent of actual and projected public use of the Catskill Forest Preserve. DEC, in evaluating this project must also make an assessment of the impact of the project on the actual and projected public use on the resource, ecosystems and public enjoyment of the area with particular attention to portions of the area threatened by overuse." (2003 Catskill Park State Land Master Plan, 48)

The Forest Preserve is constitutionally protected so that special attention is paid to the forms of recreation on these lands and the number of people visiting Forest Preserve lands. Hence, the requirement of discussing carrying capacity in Forest Preserve unit management plans. Therefore, DEC, as protector of the Forest Preserve, must require and perform a comprehensive evaluation of the impact of such a large number of people visiting a resort, in the middle of the Catskill High Peaks, on surrounding Catskill Forest Preserve trails

In regards to the visibility of the proposed project, Crossroads concedes that the project would be at least partially visible from certain Catskill peaks. After a careful review of Appendix 21 of the DEIS, we believe that the applicant has minimized the aesthetic magnitude of these visual impacts. The Catskill Park is one of the areas of statewide significance designated in the Inventory of Aesthetic Resources section of a DEC document entitled Assessing and Mitigating Visual Impacts, dated July 31, 2000. We believe that DEC should carefully assess the results of the visibility study according to the standards set forth in this document.

Pending Expansion of Belleayre Mountain Ski Center

ADK and the Trail Conference observe that there is no discussion in the DEIS regarding the cumulative impact of the construction of the Resort and the pending expansion of the Belleayre Ski Center. The proposed expansion of the ski center, which would be outlined in an update of the 1998 UMP, has not yet been released to the public.

However, according to a March 4, 2003 news article in the Daily Freeman, Belleayre Mountain Ski Center Superintendent, Tony Lanza, stated his vision of a completely renovated ski center at a public meeting held on March 1, 2003. According to the article, Lanza envisions the construction of parking lots down near Route 28, a new main lodge close to the lower lodge and the removal of some smaller chairlifts to make way for bigger and faster equipment to get skiers up the mountain.

It is expected that the proposed expansion of the ski center will be announced in the upcoming months. It is highly likely that the construction of the proposed project and the expansion of the Ski Center will coincide. DEC must take this fact into consideration and evaluate its impact on Belleayre Mountain.

ADK and the Trail Conference strongly feel that the environmental impacts of the development of the proposed Belleayre Resort cannot be accurately

addressed without a complete analysis of the updated expansion plans for the Belleayre Mountain Ski Center.

Conclusion

ADK and the Trail Conference believe that the DEIS for the Belleayre Resort at Catskill Park is incomplete in its assessment of the impact of this large scale development project on the Catskill Forest Preserve. We believe that if the proposed resort is to attract an estimated 638,000 visitors per year and aims to market its access to the Catskill Forest Preserve, the DEIS must include a detailed and comprehensive analysis of the impact of the proposed project on the usage and future management of the surrounding Forest Preserve. We also urge DEC to conduct its own assessment of the impact of this project on the future management of the Catskill Forest Preserve.

United in partnership, ADK and the Trail Conference are dedicated to conservation, education, outdoor recreation and protection of New York's Forest Preserve, parks, wild lands and water. Together, we represent over 70 clubs and over 100,000 hikers, paddlers, skiers and backpackers.

Thank you for this opportunity to present our views on this very important matter. Please feel free to contact me if you have any questions at (518) 449-3870

Sincerely,

Neil F. Woodworth
Counsel
Adirondack Mountain Club
New York-New Jersey Trail Conference

April 22, 2004

Alexander Ciesluk, Jr
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: Applicant: Crossroads Ventures, LLC, PO Box 267, Mt. Tremper, NY 12457

Project: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

Upon reviewing the Crossroads Ventures DEIS for the Belleayre Resort at Catskill Park, the Adirondack Mountain Club (ADK) and the New York-New Jersey Trail Conference (Trail Conference) have serious concerns about the size and scope of the proposed project and its impact on surrounding Forest Preserve lands. The DEIS fails to adequately discuss the effect of secondary and induced growth from the project on levels of use of surrounding state Forest Preserve lands, including the Slide Mountain Wilderness and the newly proposed Hunter-Westkill Wilderness Area. The project site lies in the heart of the Catskill High Peaks region. Additionally, ADK and the Trail Conference believe that DEC itself must explore the impact of the proposed resort on the surrounding Forest Preserve lands.

Size and Scope of Proposed Project

The Crossroads Ventures assemblage consists of approximately 1,960 acres of private land located to the east and west of Belleayre Mountain Ski Center. 1,242 acres are located to the east of the Belleayre Ski Center and 718 acres are located to the west of the Ski Center. 573 of the 1,960 acres are to be developed (331 acres on east side and 242 acres on the west side). (DEIS, 1-2)

The eastern portion of the project site is referred to as the Big Indian Plateau. There will be two sub-areas separated by Giggle Hollow. 263 acres to the east of Giggle Hollow will be developed into the Big Indian Country Club, Resort and Spa and 68 acres to the west of Giggle Hollow will be developed into Belleayre Highlands. The 263 acre parcel will be composed of the Big Indian Country Club Championship Signature 18-hole golf course (154 acres) and the Big Indian Resort & Spa (109 acres). The Resort and Spa would include a 150-unit hotel building, 95 detached hotel lodging units in 55 structures, a golf clubhouse, golf maintenance buildings and a wastewater treatment facility. Approximately 3.5 miles of roadway and 292 parking spaces are proposed. The Belleayre Highlands portion of the Big Indian Plateau would include 88 detached hotel lodging units in 22 4-unit structures, tennis courts and a swimming pool. An additional 2.4 miles of roadway would be constructed to access the area (DEIS, 2-1)

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Construction will require grading for access roads, building locations and golf courses. Rock blasting will be necessary to accomplish some of the proposed grading on the project site (Draft DEIS, 3-3).

Impact of the Project on the Forest Preserve

The project site is in close proximity to Forest Preserve lands. According to the DEIS, just in the Town of Shandaken, New York State owns 73 percent of the Town's total acreage (DEIS, 1-1). Of this percentage, approximately 56,000 acres "are classified as 'Forever Wild,' and only 2,000 acres are designated as 'Intensive Use Area'..." (DEIS, 1-1)

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The Slide Mountain Wilderness is located to the south of the project site. This Wilderness area is a very popular wilderness destination in the Catskills. ADK has been unable to find any analysis of the effect of this project on the use levels of this unit in the DEIS. The Slide Mountain Unit Management Plan (UMP) states that the "largest threat to Wilderness character is from recreational overuse on the Slide-Cornell-Wittenburg-Woodland Valley-Panther-Giant Ledge hiking complex" (Slide Mountain UMP, 2)

While the Slide Mountain Wilderness Area does not adjoin the project site, the most popular trailheads are located within a short drive from the proposed Resort. If the Resort intends to aggressively market access to the Forest Preserve as part of their plan to create a large four-season resort complex, it is axiomatic that many more visitors are likely to be drawn to already popular trails of the Catskill High Peak region (DEIS, 7-11).

For example, visitors can access the network of trails in the unit from a parking area on Fox Hollow Road, which is located approximately 5 miles southeast of the project site off of Route 28 just east of Shandaken. Additionally, the Woodland Valley parking area, which provides access to the well-known Wittenburg-Cornell-Slide Trail is located

approximately fourteen miles southeast of the project site. Visitors can also access the popular Giant Ledge and Panther Mountain trails off of Ulster County Route 47 – only a short drive of approximately 8 miles from the eastern portion of the project site. Several other access areas to the unit can be easily reached from the Route 28 corridor.

Other popular destinations in the Catskill Forest Preserve can be easily reached from the project site. To the east of the project site lies the Westkill Wilderness Area and Hunter Mountain Wild Forest. Pending adoption of the draft revision of the Catskill Park State Land Master Plan these two areas will be consolidated to create the Hunter-Westkill Wilderness. This Wilderness Area will be easily accessible for resort visitors via Route 28 and Route 42. Hikers can access the parking areas off of the Spruceton Road, which is located approximately 13 miles northeast of the project site. These areas are already very popular with hikers and other outdoor enthusiasts. Additionally, the scenic Dry Brook Ridge Wild Forest would be just a short drive from the Resort on Route 28.

DEC's Final Scoping Document for the Proposed Belleayre Resort at Catskill Park, transmitted to Crossroads Ventures LLC on November 3, 2000, states that the "analysis of secondary and cumulative impacts shall include... effects on... Forest Lands, and the added visitors to Forest Preserve Land" (DEC Final Scoping Document, 20). Upon review of Section 7.0 of the DEIS we have been unable to find any such analysis. Section 1 of the DEIS briefly discusses regional documents such as the Catskill Park State Land Master Plan, the Big Indian-Beaverkill Range Wilderness Area UMP and the Shandaken Wild Forest UMP but fails to concretely discuss the impact of the proposed project on these plans. The DEIS does not analyze the impact of the number of visitors to the Resort on usage levels and the carrying capacity of these areas of the Catskill Forest Preserve.

Furthermore, the DEIS does not at all address the impact of the project on usage levels on popular Forest Preserve units in close proximity to the project site such as the Slide Mountain Wilderness and the newly proposed Hunter-Westkill Wilderness Area. The DEIS apparently fails to discuss the impact of the number of Resort visitors on these Forest Preserve destinations because they do not directly abut the project site. However, these areas are easily accessible by automobile from the Resort via major roadways such as Route 28, Route 42 and Route 47. Therefore, the draft DEIS should address the impact of the number of visitors to the Resort on the carrying capacity of surrounding Forest Preserve lands.

Additionally, DEC's Final Scoping Document on the proposed project states that Section 3.8.3 of the DEIS entitled "Local and Regional Land Use Plans" states that "the local and regional land use plans to be addressed shall include... DEC management plans." (DEC Final Scoping Document, 15). Upon review of this section, we notice that there is no detailed discussion of the impact of the proposed project on any of the Catskill Forest Preserve UMPs with the exception of the Belleayre Mountain Ski Center plan. The Catskill Park State Land Master Plan is a regional planning document and the effect of the project on this document must be thoroughly evaluated. Crossroads Ventures itself refers to the authority of the Master Plan as a guideline for Forest Preserve lands in the Catskill Park (DEIS, 1-9, 1-10). As noted above, the DEIS mentions the Master Plan in Section 1 as a regional plan but fails to complete a thorough analysis of the impact of the project on the implementation of the plan in Section 3.8.3.

DEC must evaluate, upon its own initiative, the impact of the proposed project on the surrounding Forest Preserve Lands. Criteria for determining proper management of the Forest Preserve are outlined in the 2003 Draft Revision of the Catskill Park State Land Master Plan. DEC should use these criteria to determine how the various Forest Preserve units will be affected by the proposed development project. DEC must evaluate and analyze the impact of this project on the types and extent of actual and projected public use of the Catskill Forest Preserve. DEC, in evaluating this project must also make an assessment of the impact of the project on the actual and projected public use on the resource, ecosystems and public enjoyment of the area with particular attention to portions of the area threatened by overuse." (2003 Catskill Park State Land Master Plan, 48)

The Forest Preserve is constitutionally protected so that special attention is paid to the forms of recreation on these lands and the number of people visiting Forest Preserve lands. Hence, the requirement of discussing carrying capacity in Forest Preserve unit management plans. Therefore, DEC, as protector of the Forest Preserve, must require and perform a comprehensive evaluation of the impact of such a large number of people visiting a resort, in the middle of the Catskill High Peaks, on surrounding Catskill Forest Preserve trails.

In regards to the visibility of the proposed project, Crossroads concedes that the project would be at least partially

visible from certain Catskill peaks. After a careful review of Appendix 21 of the DEIS, we believe that the applicant has minimized the aesthetic magnitude of these visual impacts. The Catskill Park is one of the areas of statewide significance designated in the Inventory of Aesthetic Resources section of a DEC document entitled Assessing and Mitigating Visual Impacts, dated July 31, 2000. We believe that DEC should carefully assess the results of the visibility study according to the standards set forth in this document.

Pending Expansion of Belleayre Mountain Ski Center

ADK and the Trail Conference observe that there is no discussion in the DEIS regarding the cumulative impact of the construction of the Resort and the pending expansion of the Belleayre Ski Center. The proposed expansion of the ski center, which would be outlined in an update of the 1998 UMP, has not yet been released to the public.

However, according to a March 4, 2003 news article in the Daily Freeman, Belleayre Mountain Ski Center Superintendent, Tony Lanza, stated his vision of a completely renovated ski center at a public meeting held on March 1, 2003. According to the article, Lanza envisions the construction of parking lots down near Route 28, a new main lodge close to the lower lodge and the removal of some smaller chairlifts to make way for bigger and faster equipment to get skiers up the mountain.

It is expected that the proposed expansion of the ski center will be announced in the upcoming months. It is highly likely that the construction of the proposed project and the expansion of the Ski Center will coincide. DEC must take this fact into consideration and evaluate its impact on Belleayre Mountain.

ADK and the Trail Conference strongly feel that the environmental impacts of the development of the proposed Belleayre Resort cannot be accurately addressed without a complete analysis of the updated expansion plans for the Belleayre Mountain Ski Center.

Conclusion

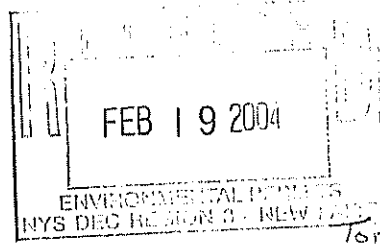
ADK and the Trail Conference believe that the DEIS for the Belleayre Resort at Catskill Park is incomplete in its assessment of the impact of this large scale development project on the Catskill Forest Preserve. We believe that if the proposed resort is to attract an estimated 638,000 visitors per year and aims to market its access to the Catskill Forest Preserve, the DEIS must include a detailed and comprehensive analysis of the impact of the proposed project on the usage and future management of the surrounding Forest Preserve. We also urge DEC to conduct its own assessment of the impact of this project on the future management of the Catskill Forest Preserve.

United in partnership, ADK and the Trail Conference are dedicated to conservation, education, outdoor recreation and protection of New York's Forest Preserve, parks, wild lands and water. Together, we represent over 70 clubs and over 100,000 hikers, paddlers, skiers and backpackers.

Thank you for this opportunity to present our views on this very important matter. Please feel free to contact me if you have any questions at (518) 449-3870.

Sincerely,

Neil F. Woodworth
Counsel
Adirondack Mountain Club
New York-New Jersey Trail Conference



Alexander Ciesluch, Jr
NYS DEC
21 South Platt Rd
New Paltz, NY 12561-1620

Tom Twist
2000 Frost Valley Rd
Claryville, NY 12725

Dear Mr. Ciesluch,

Thank you for reading my letter. I am a Program Instructor at the Frost Valley YMCA, and would like to make some points against the Belleayre Resort development project:

- the resort would be in direct opposition of the "forever wild" mandate of Catskill Park
- the resort would adversely affect the Catskill Watershed by
 - 1) increase flooding in Shandaken
 - 2) DEIS estimates resort will add 200,000 gallons of treated sewage effluent daily into Birch Creek and Emory Brook
 - 3) pollutants entering water supply (silt, pesticides, fertilizers) may force NYC to build \$8 billion filtration plant
- questions have been raised about this developer's ability to even pay for the completion of this project.

Once again, thank you for your time and attention.

Sincerely,

Tom Twist

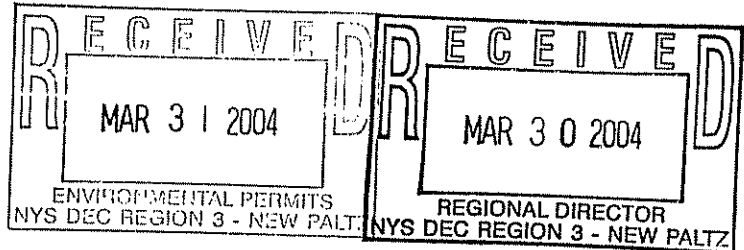
*Moran thru Tuffey
AA*

Commissioner Erin M. Crotty
Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011

Zabeth Loisel-Weiner
273 St Marks Pl, # 2C
Staten Island, NY 10301

March 23, 2004

RE: Belleayre Resort at Catskill Park



Dear Commissioner Crotty,

Will New York State DEC deny the permits for the Crossroads Ventures project for Belleayre Mountain as presently proposed? I surely and strongly hope so.

This development will have a terrible impact on the Ashokan and Pepacton watersheds, which are major sources of drinking water for over nine million people.

Destroying 529 acres of existing woods and replacing them with pavement, a hotel, two golf courses, a 21-lot housing subdivision, 291 detached lodging units, two sewage treatment plants, clubhouses and roads is contrary with protecting a precious and fragile aquatic resource.

Though many safeguards are promised, the risk to fish, wildlife and wetlands from sediment, additional sewage effluent and golf course pesticide and fertilizer runoff is too great.

The New York City Watershed Agreement calls for environmentally sound economic development. This project is not and cannot be environmentally sound. It is too big and in the wrong place.

Sincerely,

Zabeth Loisel-Weiner

MAR 15 2004

Mr. & Mrs. Charles V. Rhodes Jr.
20 Birchwood Drive
New Windsor, NY 12553
845-863-0347
camm1@mindspring.com

Mr. Alexander F. Ciesluk, Jr.,
Deputy Regional Permit Administrator
NYS Department of Environmental Conservation,
21 South Putt Corners Road,
New Paltz, NY., 12561-1696.

March 12, 2004

Dear Mr. Ciesluk:

The Environmental Impact Statement filed for the proposed Belleayre Resort at Catskill Park shows an extraordinary willingness to provide every safeguard for the Catskill Park and the New York City Watershed. For example, they have provided two tertiary wastewater treatment plants, 635 drainage basins, dozens of detention ponds, a three-year+ construction schedule to protect against storm water runoff: every conceivable protection.

What the opponents don't seem to want to protect is the well-being of the working people of the Catskills and the Hudson Valley. This is the best job opportunity that has been offered up here in decades, hundreds of jobs over several years, and the hope of a renewed tourist economy which will have widespread beneficial effects for decades to come.

We urge the Commissioner to move swiftly toward the granting of the permit approvals under her jurisdiction so this project can move forward immediately.

Yours truly

*Charles & Ann Rhodes
20 Birchwood Drive
New Windsor NY 12553
Local 17 Family*

Kathleen Taylor

9 Dover Court , West Hurley, NY 12491

March 16, 2004 02:12 AM

Deputy Regional Permit Administrator Mr. Alexander F. Ciesluk, Jr.

Subject: I support the Belleayre Resort at Catskill Park

Dear Deputy Regional Permit Administrator Ciesluk, Jr.:

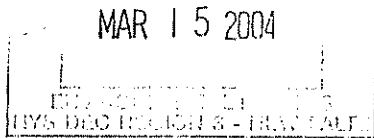
The well being of the working people of the Catskills and the Hudson Valley will be served well by the proposed Belleayre Resort at Catskill Park. Hundreds of jobs will be created and the hope of a renewed "green-themed" tourist economy for the Catskill region will have widespread benefits for our economic future.

The Environmental Impact Statement filed for the proposed Belleayre Resort at Catskill Park shows an extraordinary willingness to provide every safeguard for the Catskill Park and the New York City Watershed. For example, they have provided two tertiary wastewater treatment plants, 635 drainage basins, dozens of detention ponds, and a three year+ construction schedule to protect against storm water runoff.

I urge the Commissioner to move swiftly toward the granting of the permit approvals under her jurisdiction so this project can move forward swiftly.

Sincerely,

Kathleen Taylor



Feb 28 2004

Mr. Alexander F. Ciesluk, Jr.,
Deputy Regional Permit Administrator
NYS Department of Environmental Conservation,
21 South Putt Corners Road,
New Paltz, NY., 12561-1696.

Dear Mr. Ciesluk:

The Environmental Impact Statement filed for the proposed Belleayre Resort at Catskill Park shows an extraordinary willingness to provide every safeguard for the Catskill Park and the New York City Watershed. For example, they have provided two tertiary wastewater treatment plants, 635 drainage basins, dozens of detention ponds, a three-year+ construction schedule to protect against storm water runoff: every conceivable protection.

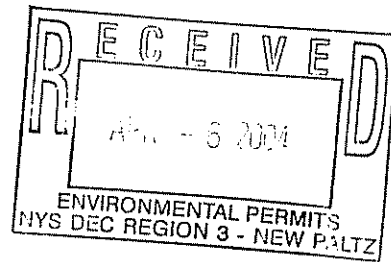
What the opponents don't seem to want to protect is the well-being of the working people of the Catskills and the Hudson Valley. This is the best job opportunity that has been offered up here in decades, hundreds of jobs over several years, and the hope of a renewed tourist economy which will have widespread beneficial effects for decades to come.

We urge the Commissioner to move swiftly toward the granting of the permit approvals under her jurisdiction so this project can move forward immediately.

Yours truly

William Meade
342 G. Ford Hill Rd
Oneonta N.Y. 13820

347 Highland Street
Lunenburg, MA 01462
April 1, 2004



Alexander Cielik, Jr.
Deputy Regional Permit Administrator NYSDEC
South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Cielik:

I am writing to express my concerns of the effects that the proposed Belleayre Resort in the Catskill Park will have on the fishery system of the entire area. As a native of this region of New York, several times each year I return to enjoy the "catch and release" streams of the region.

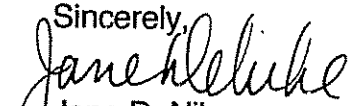
Naturally occurring metals in surface water as a result of chemical weathering and soil leaching are usually of little or no consequence to aquatic organisms. Elevated levels of heavy metals are however toxic to both invertebrates and trout. Toxins are indicative of industrial pollution, wastewater discharge and stormwater runoff in developed areas.

Use of heavy equipment, increased automobile and truck traffic will substantially increase the absorption of copper, lead, and zinc into the soil. Wearing of brake linings, as well as wearing of tires on vehicles on site will raise levels of zinc substantially. Fuel emissions from both gasoline and diesel engines will add concentrations of copper into the soil.

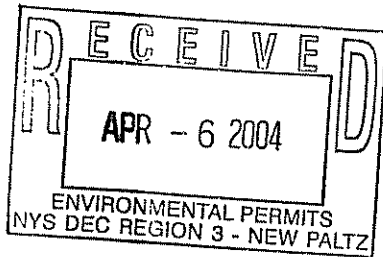
The proximity of the creeks and wetlands to the areas affected by the contamination of the soil with heavy metal obviates any chance of its removal before entering the waterways.

Ichthyologists believe the brook trout has inhabited Catskill streams over 100 million years. They were virtually undisturbed until the mid 1800's when the tanneries in the area came close to extinguishing them forever. The brook trout were able to take refuge in the small creeks and brooks at higher elevations. Ancestors of the brook trout born 100 million years ago now inhabit the very creeks threatened by the Crossroads Ventures resort at Belleayre. Please do not let 21st Century man force extinction on this Catskill native.

Sincerely,


Jane DeNike
Member
Trout Unlimited

347 Highland Street
Lunenburg, MA 01462
April 1, 2004



Alexander Cieliuk, Jr.
Deputy Regional Permit Administrator NYSDEC
South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Cieliuk:

I am writing to express my concerns of the effects that the proposed Belleayre Resort in the Catskill Park will have on the fishery system of the entire area. As a native of this region of New York, several times each year I return to enjoy fishing the streams of the region. always practicing "catch and release".

I am deeply concerned with the inevitable increase in water temperature due to the development at the proposed resort. Clearing the mountain of its natural covering and replacing it with impervious surfaces will increase stream water temperature and endanger survival of all trout species. Intermittent streams that flow only during snowmelt or after large rainfalls offer habitat for critical stages in the life cycle of a fish such as spawning and rearing. Waste water disposed into Lost Clove Creek and Birch Creek will affect both the spawning and development of trout.

Embryo development in brown trout requires a water temperature of between 41 and 55 degrees Fahrenheit. Water temperatures in both creeks and the upper Esopus, into which both flow, are kept within the desired temperature range by the natural rainfall and snow melt in the spring. The SPDES permit fact sheet submitted by the resort at Belleayre, permit #NY 0270679, indicates that water discharge temperatures will occur as high as 70 degrees. These waters will be discharged into these creeks. This will bring about extinction of trout in these streams. We cannot allow this to happen. I trust that you will see fit to move forward to prevent this disaster.

Sincerely,

A handwritten signature in cursive script that reads "Lee DeNike".

Lee DeNike
Member, Catskill Mountains Chapter
Trout Unlimited

From: "steve latham latham" <seth4x4@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/1/2004 10:13:11 AM
Subject: Catskills Golf Resort

Dear Mr. Ciesluk, Jr
DEP
New Paltz, NY

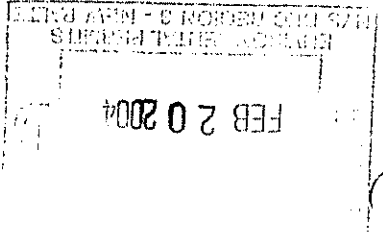
I would like to add my name to the opposition of the golf resort in the Catskills near Belleayre ski resort. I have skied there last year, and it's a unique place due to the lack of condo's, hotels, & structures everywhere. Esthetic beauty is one thing the state owned ski resorts have going for them, and this development will end that, plus create a host of other problems.

The area's real estate has been going up significantly by itself. Other less environmentally sensitive parts of NY State have not been so lucky and I'm sure would be interested in this type of development. There are plenty of locations in central and western NY state that would benefit from this project, and that is the direction this group should be encouraged to move in.

I probably spend about 15-20 days/yr in the Catskills. Why ruin a place that is already growing economically from tourism, new residents, 2nd homes, etc.

Steve Latham
P.O. Box 299
Cos Cob, CT

P.O. Box 384
Borerville, N.Y. 12712
February 16, 2004



Mr. Alexander J. Giulike Jr.
Deputy Regional Permit Administrator
New York State DEC - Region 3
21 South Court Corners Rd.
New City, N.Y. 12561-1696

Dear Mr. Giulike -

We are residents of the Town of Shandaken, residing at 5124 Rt 28, Mt. Tompa, N.Y., and would like to let you know we are in favor of Alan Hittes and his Associates Venture proposal for the construction of a resort including golf courses in our town.

It will be constructed properly and the Town of Shandaken really needs a stay here to our grade schooler will not be able to afford to live here in this beautiful area.

Thank you for your time.

Cordially,

Richard M. Crutcher
A. Crutcher

3-28-04

Dear DEC Belleaye Project Staff,

As a member of the Catskill 7500 Club, The Catskill Center and The 1st Chapter of The Adirondack Mountain Club, I am hoping that you can successfully defeat the outrageous development of the Belleaye Project.

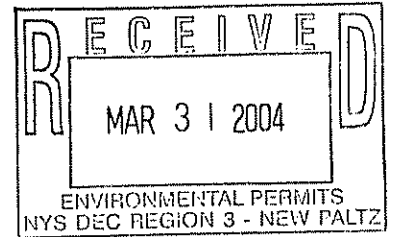
I have enjoyed the tranquility of Catskill trails for more than 25 years and cringe at the thought of all the negative aspects of what would have to be done to "welcome" hundreds of thousands of visitors - all on top of environmental compromises and damage to make it possible.

Knowing local people in the Catskills are as agitated and anxious as I am being here on Long Island, I hope the DEC and all support groups can defeat this commercial adventure. Sincerely,

Ms. Arlene Scholer
17 Willow Rd.
New Hyde Park, NY 11040

Arlene
Scholer

James Shearwood
156 Hortontown Road
Kent Cliffs, NY 10512



March 28, 2004

Alexander F. Ciesluk, Jr., Deputy Regional Permit Administrator
NYSDEC, Division of Environmental Permits, Region 3
21 South Putt Corners Road
New Paltz, NY 12561

Dear Administrator Ciesluk:

As a frequent Catskill hiker and member of the 3500 Club, I would like to express concern about the size of Crossroad Ventures' proposed Belleayre Resort. The number of visitors expected would dwarf anything now existing in the Catskills and overload an infrastructure and trail system that is already showing signs of strain. When the Catskill Park was created it was, I assume, created to preserve a certain amount of wilderness *for all time* – not just for a few generations. I hope the DEC will see fit to require the developer to scale back his plans, or better yet, abandon them so that the forest can continue to be forest forever.

Sincerely,

A handwritten signature in cursive script that reads "James Shearwood".

James Shearwood

00401.

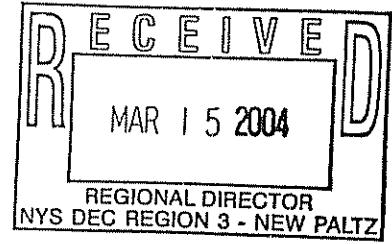
Mary D. Macy
AA

MARY D. MACY

125 Washington Place Apt. 5-B New York, NY 10014
Phone 212 627-5560 Cell 917 207-6926
Mdmacy@earthlink.net

March 8, 2004

DEC Commissioner Erin M. Crotty
625 Broadway
Albany, NY 12233-1011



Dear Commissioner Crotty:

I'm writing to register my strong opposition to the Belleayre Resort, the mega-development being proposed for the heart of the Catskill state park and forest preserve. Although there are many environmental, economic, and aesthetic arguments against the development, I will focus on three.

First, I believe the proposed development violates the intent of the 1997 Memorandum of Agreement. This document clearly states that in return for millions of dollars from New York City to keep the watershed area pristine, the area would avoid large development of exactly the size and scope now being proposed. The scale of this development is plainly in contradiction of this agreement. It would endanger a number of streams that flow directly into two major reservoirs in the City's watershed, source of drinking water to nine million downstate residents as well as to the population of the surrounding area.

Second, the development betrays the "forever wild" designation guaranteed in our state constitution. While the land to be developed is privately held, the development would severely and adversely affect the surrounding public land. It would bifurcate an enormous tract of forest and create a permanent scar in the middle of what is becoming the only pocket of wilderness in an increasingly densely populated and developed tri-state area.

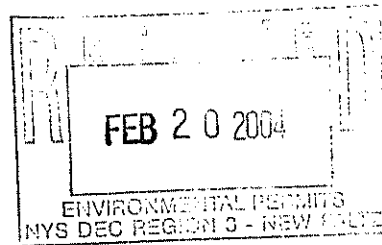
Third, the danger to our wetlands has not been adequately addressed. The Army Corps of Engineers has, as usual, offered only a cursory and highly political assessment; this is insufficient.

I urge you to reject and deny all applications for permits for the proposed Belleayre Resort at Catskill Park.

Very truly yours,

Mary D. Macy

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
New Paltz, NY 12561-1620



February 18, 2004

Dear Mr. Ciesluk,

I am resident of the village Phoenicia, in the town of Shandaken. I am writing to you because of my concerns about the proposed Belleayre resort project. I have several concerns. However, I'll only mention a few here that are worrisome on a very personal level.

First of all, I work in Kingston, NY which is 25 miles down Route 28 from Phoenicia. Rt. 28 is a 2 lane scenic highway. It's windy and lined with homes, villages and small businesses. During the tourist season and skiing season, traffic can be considerable, but manageable. If this resort is approved, traffic for construction vehicles and tractor-trailer type vehicles will increase, affecting the homes and villages along the way. And, when the resort is opened, a large volume of additional traffic will be introduced to Rte 28. For me, this poses safety concerns, as those who like to exceed the speed limit have little chance to pass other vehicles, given the curvy nature of the highway. But will this eventually mean expanding the highway?

Secondly, my work in Kingston is working in special education, specifically speech-language needs of children. Although I do not have children in school, I see the budget concerns of the schools. If this resort is opened, that means a large influx of workers, who will likely have school age children. These children will need to attend school. Will this influx of children affect the local school budgets? If so, this then impacts the taxes.

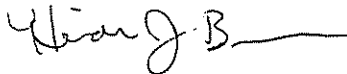
This brings me to my third concern, which is how this resort will fill its positions for workers. According to the statistics I recently read, there are about 200 people in the immediate area who are out of work. Using common sense, we can assume about 20 of those have no intention of returning to work, another 20 probably are over-qualified or do not want to work at the resort, another 20 might not be suited for the work. So, we have about 140 people who might want to work there, probably filling the jobs on the lower end of the pay scale (vs. the higher paid management positions, which will likely need to be out sourced.) It is my understanding that there are about 400 position to be filled to run the resort. So, that means bringing in about 250-300 workers from outside the area.

I am aware that I have to be careful of my critique in this area, because I am not originally from this town. I moved here 2 years ago, and I only rent, not own. However, as a person transplanted to this area I know that finding affordable rental options is limited. If people move here, they will need housing and schools. This will greatly affect the area.

I also wonder about the impact on the current locals, especially businesses. If this resort has hotels, recreation, shopping and restaurants, it is not likely that they will shop, eat, sleep or play in towns like Phoenicia or Pine Hill. Why would they? Everything is at this resort. It means a lot of people, making a lot of traffic, to go to an island in the mountains and stay there, while the local towns feel the possible negative impact on their way of life, housing, schools and businesses.

And there is the issue of the resort's impact on the environment. But I will stop here. I believe that the concerns I've touched upon above are valid. Given that many others share my concerns, I am requesting that the review period for the DEIS be extended.

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi J. Bush", followed by a horizontal line extending to the right.

Heidi J. Bush
Resident of Shandaken

Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS Department of Environmental Conservation, Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1696

FEB 19 2004

February 16, 2004

Dear Mr. Ciesluk,

My wife and I are writing to express our strong opposition to Dean Gitter's proposed development at Belleayre Mountain. His plans to create such a large-scale complex, including a 400-room hotel, two golf courses, and parking for 1300 cars, will have a detrimental impact on the area.


This project is simply too large. It would result in the removal of thousands of trees and a substantial area of habitat. Noise and light pollution are two more consequences this complex would bring. Additionally, it's doubtful that the small towns surrounding Belleayre would be able to support such a huge influx of tourists without substantial damage to the environment.

I have been vacationing in the Catskills for two decades and own a home in Chichester. Most tourists come to this region to enjoy its natural surroundings, the likes of which they cannot find at home. Projects like this one will destroy the very essence of the Catskills.

Responsible, small-scale development is fine. But a project of this size has no place in this region. I hope you will do everything possible to block this project from going through.

Thank you for your time.

Sincerely,


Brett & Rebecca Barry
25 Hickory Place
Chatham, NJ 07928

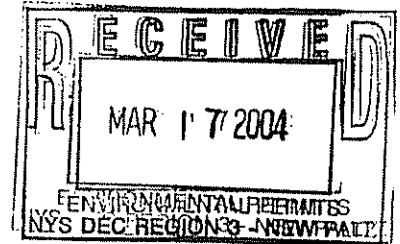
Silver Hollow Road
Chichester, NY 12416

brettbarry@earthlink.net
973-819-4690

Thea N. Nelson
12 Wood Lane
Locust Valley, New York 11560

March 13, 2004

Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYDEC
21 South Patt Corners Rd.
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

I am shocked to believe that any sane New Yorker would ever consider this Belleayre Resort plan, which contains two 18-hole golf courses plus all the extras to pass. NYC Watershed need not be contaminated by the tons of toxic chemicals that these golf courses find necessary for their functioning.

People are warned to NEVER walk barefoot on a golf course because of the massive quantities of chemicals deposited on the grounds. And where does one think these chemicals end up after a rainstorm?

I live on Long Island, New York in Nassau County, with close to the highest breast cancer rate in the nation and also one of the highest concentrations of golf courses in the nation. Amazing coincidence I think not since Nassau County's water supply is from aquifers under the ground through out Long Island.

Safe water is hard enough to come by now. There are enough golf facilities in existence. Do NOT risk watershed for such foolishness.

Very Concerned,

Thea N. Nelson
Cc: Governor George E. Pataki

2/18/04

Dear Mr. Cies/uk:

Although I am not opposed to development, I am opposed to thoughtless development such as the Resort at Bellaire, why cut down pristine forest, pave woodlands, and build new water/waste water systems when development adjacent to the Villages of Pine Hill and Fleichman's would utilize the existing infrastructure? The benefits would be:

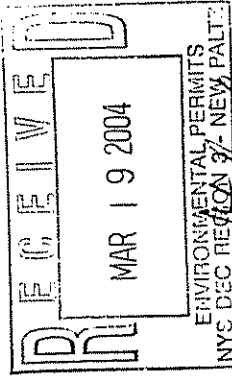
- minimize sprawl and environmental damage
- reduce overall costs of the project by utilizing existing infrastructure
- make both Villages quaint destinations.

Thank you for your concern and efforts. Sincerely, Steve Nissen

March 17, 2004.



Subject: Bellaysville Resort



Dear Mr. Cealuck,

Once again I write you. It boils down to this!

Your legacy will be either, as a Man who had the courage to stand up to the "Almighty Dollar" and preserve the Catskill Mt. Park for future generations.

OR
As a man who let the Catskill Mt. Park

be raped on his watch.
May God help you make the right decision,

Respectfully,
Harold (Hag) Roell
(Retired N.Y.C. Firefighter)
Fishchmanns, N.Y.

TO: Deputy Regional Permit Administrator Mr. Alexander F. Ciesluk, Jr.

FROM: john Kaiser
822 Neighborhood Road
Lake Katrine, NY 12449

SUBJECT: I support the Belleayre Resort at Catskill Park

DATE: March 19, 2004 07:24 PM

Dear Deputy Regional Permit Administrator Ciesluk, Jr.:

The well being of the working people of the Catskills and the Hudson Valley will be served well by the proposed Belleayre Resort at Catskill Park. Hundreds of jobs will be created and the hope of a renewed "green-themed" tourist economy for the Catskill region will have widespread benefits for our economic future.

The Environmental Impact Statement filed for the proposed Belleayre Resort at Catskill Park shows an extraordinary willingness to provide every safeguard for the Catskill Park and the New York City Watershed. For example, they have provided two tertiary wastewater treatment plants, 635 drainage basins, dozens of detention ponds, and a three year+ construction schedule to protect against storm water runoff.

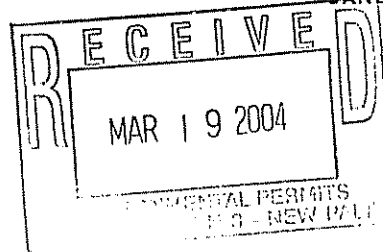
I urge the Commissioner to move swiftly toward the granting of the permit approvals under her jurisdiction so this project can move forward swiftly.

Sincerely,

john Kaiser

JANE E SCORDALAKIS

611 RT. 212
SAUGERTIES, NY 12477
JANELUNNA@ULSTER.NET



March 16, 2004

Alexander Ciesluk, Jr.
NYSDEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561-1696

Re: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk,

I am writing with the intent of persuading you to consider the public outcry that has been raised against the proposed Resort at Belleayre. I fully expect you will take into consideration all comments, and look at the pros and cons with equal weight. I believe that is a good thing. I also understand that no matter what the issue, or question there are some people who will disagree, just to disagree. But please understand that we have a true vested interest in what happens to and in this area, how the land, streams, wildlife, and way of life will be affected. Many of us would like nothing better than to be given the opportunity to make more money, or have better employment. Something else we also understand is that our environment is priceless. There are folks that volunteer their time, and resources to go down to the streams and clean them up, to collect the garbage out of the woods, to plant trees to prevent erosion. There are also people that go and test the water to make sure it is a healthy environment for all the creatures in and around the waterways. We are a community saying no to big business. If Mr. Gitter wanted to open a business that did not impact the environment, schools, roadways, businesses, and Catskill Mountains in a negative, irreversible way I am sure we would all consider it. That is not the case. The Resort would put chemicals, pesticides, hard metals, and fertilizer into the water. It would also raise the temperature, add phosphorous, ammonia, and chlorine to the water. Please consider that if this resort is built there will be no turning back. They want to level 500 acres of the mountain! Not 20 or 30 acres! Five hundred acres means changes that can not be undone, both to the environment, and to the people who love this area more than money, big business, or political opportunity.

Thank you for your time and consideration.

Very truly yours,

Jane Scordalakis

MAR 15 2004

8 Deerfield Rd.
Boiceville NY 12412

Alexander F. Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC Region 3
21 South Putt Corners Rd.
New Paltz NY 12561-1696

Dear Sir,

Having been a resident of Boiceville for 38 years and having listened to all the negative comments about the Crossroads Venture Project I would like to show my support for the Project.

I believe in free enterprise and as long as all the Regulations are met there is no reason to reject it. Secondly, Mr. Gitter has demonstrated how an area can be improved by his efforts in Mt Tremper. The area is beautiful, service is excellent and my conversations with the help all have been positive.

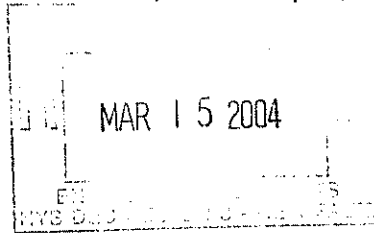
Sincerely

Albert H. Studt

Albert H. Studt

—Ros J. McIntosh, P.O. Box 156, Mt Tremper, NY 12457—

Alexander Ciesluk,
21 South Putts Corners Rd,
New Paltz,
NY 12561-1620



February 13, 2004

Concerning the DEIS for Belleayre Resort

Dear Alexander Ciesluk,

Thank you for his opportunity to offer my comments and questions concerning the Belleayre Resort Draft Environmental Impact Statement.

I have lived in the Esopus Valley for 6 years. I grew up in New Zealand, one of the most beautiful places in the world; experience of the National Parks of that country was a major highlight of my life. The Catskill Mountains too are very beautiful, different but equally beautiful; I greatly appreciate my time in this environment and hope to remain here for the rest of my life.

I speak here as a lover of the wild, natural places on this planet, as a mother, and as an amateur artist — dancer, photographer and painter. I am also fortunate to have had an international career as a biological and medical research scientist, which will be reflected in my comments and questions below.

The proposed resort will have a devastating effect on the unique wonder of the Esopus watershed; this devastation will be cultural, economic, visual, and aural, and will destroy the richness and accessibility of the natural environment. There are already many places in this country for the entertainment of the wealthy — these provide a uniform experience of developed commercial enterprise both on the development site and en route to them. The cost of such developments to the uniqueness and beauty of wildernesses is always high, and will be particularly high for the Belleayre development in the Catskill Park, a park which was founded with the intention that it should remain forever wild.

It seems that the energy and renewal forces of nature are vast, that we cannot harm her, and this is true in the very, very long run. But for our children, grandchildren and several more generations thereafter, we can, have, and are laying waste the most precious natural jewel of our inheritance at this time, the ability to experience the healing of being contained in a whole natural functioning ecological wilderness. We swim in the river, kayak, fish, camp out, watch with delight and fascination the wild animals, birds, reptiles, and insects of the area, and are held by the trees, at night the sky, and by the incredible offerings of the beauty of ever changing seasons here. This appreciation is not backward, but the treasure of our future. Please help us protect it!

The hamlets of the Esopus watershed are not economically destitute as implied in the DEIS. They do not need saving, for they are taking care of themselves. Further economic development of their current strengths is desirable on a scale, and in a way, that preserves what these communities offer best — our pristine, natural environment. Eco-tourism, heritage tourism, art, crafts, and locally-rooted small scale hospitality would benefit from further development. The imposition of a contained mega resort and its consequences will destroy, as it has done in many places, the local character and current strengths of the region.

My further comments and questions about the DEIS are based on what I have managed to look into in Appendix 14 on the Integrated Turf Management Plan, and Appendix 15 on Fertilizer and Pesticide Risk Assessment. The brief time allocated for comment was insufficient for me to study more deeply the contents of the DEIS.

1. The DEIS presents only computer modeling as proof of the safety of use of chemicals on the golf courses. It is my understanding that this is not acceptable proof in law. Actual studies in reality on site, or in closely similar situations are required. It appears that in the wider scientific context, actual tests of the runoff and leaching of chemicals have been done only in the very carefully controlled situation of grassy plots in university research. Adequate tests on real, functioning golf courses managed for commercial profit, are very limited, if available at all. To quote from the US Golf Association's publication "Turfgrass and Environmental Research Online" Volume 1, Number 3 April 2003, "Environmental Research: Past and Future" by Michael P. Kenna and James T. Snow p19

"It is time to move the direction of environmental research from university plot studies to full scale monitoring of individual golf courses and the watersheds in which they reside."

That the Golf Association itself says that such studies are needed, shows that our precious watershed and wild habitat will be an experiment testing scientists' ideas of how these poisonous chemicals spread and are taken up by wild life and humans. This is not good enough for us. Even occasional unsafe runoff levels or leaching would cause severe damage in this pristine environment and would affect aquifers, wells, fish and other water creatures, birds and animals.

Modeling based on conceptual ideas alone is inadequate proof of real pesticide and chemical dispersal.

2. Retention time of the chemicals to be applied — i.e. their half-lives.

a. The models in appendix 15 were tested for only one year under heavy rain conditions. The half life of a chemical is the time that it takes under standardized laboratory conditions for 50% of the chemical to change its structure to something else, to be metabolized into smaller molecules, or move away from the place where it is applied. Some of the half-lives of the chemicals quoted are in the range 90 to 1000 days so that levels would be far from negligible at the end of only one year. Longer tests, both virtual and real, are needed.

b. Half lives of chemicals are dependent on many factors including temperature, kind of soil, presence of other chemicals, microbes etc. The effects of such variations in half-lives on runoff and leaching are not mentioned in the DEIS. Do they alter the conclusions about safety of the modeling simulations?

3. To illustrate that modeling alone used to show safe application of chemicals is not adequate, we cite the case of trifluralin. This chemical was declared to be safe for use in Belleayre Resort in Appendix 15. However this chemical is on the EPA list of the 30 most dangerous environmental toxins found in hazardous waste — it is required that the generation of these toxins be reduced by at least half by 2005. Other chemicals on this list are mercury, DDT and PCBs. They and trifluralin are all PBT chemicals, meaning, persistent, bioaccumulating and very toxic in water. The standard half-life of trifluralin in soil is quoted in the DEIS as about 5 months and it would remain present at toxic levels for many times its half-life. It is suspected to be a carcinogen causing cancers, have cardiovascular or blood toxicity, developmental toxicity (birth and growth defects), endocrine toxicity (such as in growth or thyroid

activity), gastrointestinal or liver toxicity, immunotoxicity (preventing protection from disease), reproductive toxicity (such as infertility, reduced sperm counts in males), respiratory toxicity, and/or skin or sense organ toxicity (ears, ears, taste, smell etc).

This is not a chemical we want leaking from miscalculation or mishap into our streams and rivers. Will other chemicals proposed to be used in the DEIS turn out to be in this PBT category when their effects on biological organisms (including humans) are adequately tested (see point 10 below)?

4. We question whether the range of weather conditions used for modeling chemical safety and other aspects of the project was sufficiently extreme. Runoff and leaching of chemicals from turf increases after dry conditions because of turf root and growth weakening, as well as when the soil is saturated with heavy rain as used in the modeling. Long and persistent rains occurred in 2003. The climate has been unstable for a decade or more and this trend is expected to continue. A wider and more extreme range of weather conditions should be considered.
5. The results of modeling are applied to single chemicals only. Simultaneous presence of multiple chemicals, their degradation products binding to sod in similar ways, and the other chemicals used to assist spreading, have not been modeled or tested. Such factors together would occur in reality and are expected to greatly increase runoff and leaching above the values reported in the DEIS. This is a very serious flaw in the modeling. The GLEAMS model used for calculating runoff of single chemicals is able to be used to model many components simultaneously and could have been used for that purpose in the DEIS. The effects of applying multiple chemicals simultaneously must be both tested and modeled.
6. It is proposed that chemicals will not be applied when rain is predicted in the next 48 hours. During periods in 2003, rains occurred every day or two for weeks on end at periods when chemicals would be expected to be needed to prevent turf deterioration. Is this withholding of chemicals for long periods reasonable in practice? We doubt it!
7. Two or three applications only of each chemical were simulated. We question whether this is realistic with a commercial endeavor where procedures are determined by the state of turf being prepared for wealthy demanding clients, rather than by the safety of the environment.
8. In simulations, all chemicals but two appeared in runoff in some conditions (appendix 15 page 12). Eight chemicals exceeded the LC50 for rainbow trout or aquatic species and were therefore withdrawn from the turf management plan. The LC50 is the concentration at which 50% of these creatures are killed by the chemical. This gross cutoff point is far too high for the health of our rivers. It is disturbing that fourteen chemicals modeled singly (see 5 above) showed runoff concentrations in the modeled results above 10 % of the LC50. These chemicals are inappropriate in Catskill rivers.
9. Trifluralin, recognized by the EPA as a very dangerous PBT environmental toxin, (see point 3 above) was modeled to be in runoff at a concentration of 160% of the LC50. Yet this chemical was considered in the DEIS as safe enough to use in the golf course management plan. We disagree.
10. According to Environmental Defense using data from the Environmental Protection Agency and other sources, all of the proposed chemicals for use in

Appendix 15 lack at least some of the data required for assessing their safety and the appropriate concentration limits for their use. See www.scorecard.org/health-effects/gen/hazid.html. EPA's own reservations on the adequacy of testing on chemicals and the limits of exposure that they advise, is described in www.epa.gov/opptintr/chemtest/hazchem.htm. EPA says, "Most Americans assume that basic toxicity testing is available and that chemicals in commerce today are safe. This is not a prudent assumption. 43% of the 3000 high production volume chemicals (used at more than 1 million lbs/year) have no testing data on basic toxicity and only 7 % have (the barest minimum set of) basic testing data (which incidentally costs only \$200,000 per chemical). Only 53% of chemicals given Permissible Exposure Limits for hazardous chemicals, have had tests for (the barest minimum set of) basic data." The responsibility for conducting these tests is left to the companies that make the chemicals.

In the past, the law may have accepted limits of chemicals in water based on inadequate testing for health hazards, but this precedent has had consequences that we are still learning at great cost. Our recent history in keeping our waters safe is not reassuring. Ground waters throughout the country, our wells, rivers, wetlands and lakes are contaminated with DDT, mercury, lead, PCBs, female sex hormones and prozac to name a very few chemicals which have been declared "safe" in recent times. Until adequate research is carried out, we have no wish for the health of ourselves and our children to provide statistical data in this badly designed experiment.

11. In addition to the ambient and guidance limits for the chemicals in water being based on inadequate evidence, all but 11 of the chemicals had so little information on their effect on human and eco-health that the results of modeling their leaching into the soil were compared to an entirely arbitrary standard ambient level of 50 parts per billion. See pages 10, 11,12 of Appendix 15, and Table 4. In the results of the modeling just single chemicals, seven of them that were said to be "safe," showed leaching concentrations between 26 and 76% of this arbitrary value. Furthermore, the quoted actual guidance levels of 8 of the 11 chemicals was less than 50 parts per billion and ranged down to 1.8 parts per billion. What would the guidance levels in water really be if more was known of these chemicals health and eco-effects? (See 10 above.) This, too, is completely inadequate information on which to base a scheme, which could so greatly affect the ability of our ground water, wells, and rivers to sustain healthy life.

12. Pollution of our watershed from chemicals and/or silt from this development would mean that the water supply to New York City would have to be filtered at great expense. This would open Catskill Park to continuing major developmental sprawl as has happened in many areas of the USA— a sad loss of the original intention and great beauty of this forever wild heritage under our protection. Furthermore, quoting from *The Riverkeepers* by John Cronin and Robert F. Kennedy, Jr., published by Simon and Schuster 1997 "...conventional filtration would not remove many of the pollutants and organisms associated with watershed development. Pesticides, road salts, petrochemicals, and trihalomethane (a chlorination by-product that causes thousands of rectal and bladder cancer deaths annually) are unaffected by filtration. Disease-causing organisms and viruses can often outsmart the most sophisticated filtration systems once source water becomes contaminated. In 1993, 450,000 Milwaukee residents were sickened and 100 died when the city's filtration plan allowed cryptosporidial cysts to pass through untreated. In a city the size of New York, a comparable epidemic would kill thousands and sicken millions. Most important, the requirement to filter would leave

the city without the obligation, the political will, or the proper financing to protect its watershed.”

This is not our vision for the future of the Catskills or for New York City. Worldwide there is an increasing shortage of unpolluted drinking water. Water is expected soon to be in such direly short supply that it will be more valuable, and more fought over than oil. This pristine watershed may well be the most valuable asset that New York City could have.

13. For the above reasons we request the City of New York purchase the site of the Belleayre Resort from the current owners to prevent development, to protect the Catskill State Park to be forever wild, and to protect the people of New York City by allowing the incredibly fresh water currently available, to continue to be supplied. This beautiful mountain and its rivers, and the many humans, animals, plants and other creatures that it sustains and nourishes, is much too fragile to develop for the purpose of commercial gain by providing a resort for a few wealthy, elite people who already have many other places to play.

I challenge Dean Gitter to spend a week completely alone on his mountain with just food, clothing, firewood, and minimum shelter, but without phones, computers, watch or writing tools. If he can ask deeply what this mountain can offer him just as it is, and listen carefully, he will understand a little of why we so want this beautiful watershed to be available to our children and their children to experience such wholeness, for as long as humans are here.

Again thank you for this opportunity!
Yours sincerely,



Ros J. McIntosh

P.S. If I had more time I would have liked to look into the points below. I hope that the DEC and the DEP are considering these matters.

- Instability of the stream and river banks under extreme weather conditions needs careful assessment, particularly during the rapid rate at which clearing and blasting of the mountain is proposed. Considerable damage could occur from silt downstream later also during the long time that it takes for streambeds to stabilize after forest clearing.

- As I recall, sewage pathogens are considered to be not a problem in the DEIS because water will take more than 60 days to reach the Ashokan Reservoir from the proposed resort. What happens to our swimming, kayaking, tubing and fishing in the river upstream from the reservoir? Will the river become too polluted to use for recreation?

- There would seem to be a large amount of water runoff from impervious road, parking, other surfaces, and roofs in the proposed resort. In the turbulent weather anticipated in future, will this runoff flood our streams and rivers and cause silting for the fish and water creatures and problems with the reservoir supply to New York City?

- There are valuable wetland areas on the Belleayre property. All wetlands are connected to the watershed and play a most important role in it, and for wildlife. This

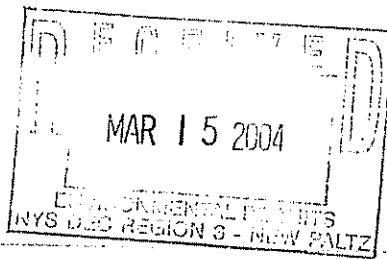
country cannot afford to lose any more wetlands. These wetlands in the proposed development must be protected.

- I believe that the GLEAMS model of pesticide runoff can model maximum slopes around 13 degrees. Two slopes proposed for the Belleayre Resort are 19.5 and 22 degrees (Appendix 14 page 7) and there may be other areas also with higher slopes than 13 degrees. Is this yet another reason why the model will underestimate concentrations of pesticides in runoff?

- There are weather conditions in which modeling of chemicals fails. These need to be carefully considered to ensure that none fit occasional weather patterns at Belleayre.

Please contact me if you would like any more information on any of the above points.

Thank you!



3/12/04

Dear Mr. Ciesluck,

I am a member of Catskill Mountains Trout Unlimited and a homeowner in Ulster County Town of Stone Ridge. I am strongly opposed to the Crossroads Ventures resort at Belleayre Mountain. I have reviewed the DEIS and cannot understand how ANYONE who cares about the Catskills could back this development, unless of course they stand to profit from it. Issues such as runoff containing harmful pollutants entering the headwaters of the Esopus Creek; increased traffic along Rt. 28 and the resulting congestion and air pollution; light pollution at night; erosion of the mountain top during the construction phase and blasting and finally, dewatering to irrigate the 2 18 hole golf courses and supply the needs of the hotel, restaurant and apartment complexes are all OBVIOUS detriments to the very things that bring people here in the first place! I am not alone in feeling this project will do more harm than good and I'm urging you to take the concerns of the community into consideration.

Sincerely,

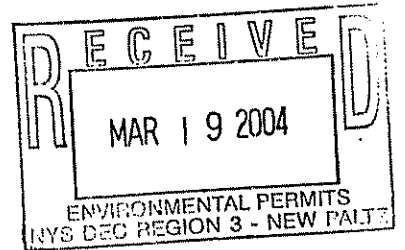
Richard Ardino
(Richard Ardino)

in postrema parte Leonis transformantur. bitant
in scythia asiatica sub hypobolae in montibus
Equis maxime infestantur. In nido ubi
lapidem dicitur esse dubium. A reme
dium si qualis est porro ad idio excellentes
hincur grana. In nido ubi est complanda



3/8/2004

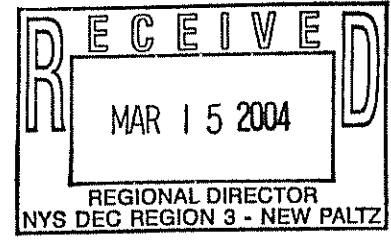
Dear Commissioner Crotty,
I am writing to ask you to
reject and deny all applications
for the development of the
Bellayre Resort. This project
would harm the environment
and our drinking water
for relatively small economic
gain. Please keep this land
Forever Wild! Thanks, J. Georgini



0401

Moran thru Tuffery
AA

From: <Lydia.Sung@dec.state.ny.us>
To: <ecrotty@gw.dec.state.ny.us>
Date: Tue, Mar 9, 2004 9:03 PM
Subject: marineswim@yahoo.com



Date of Correspondence 03/09/04

Lydia Sung
99-63 66th Avenue
Rego Park NY, 11374

Email received from Website:
Dear Erin M. Crotty:

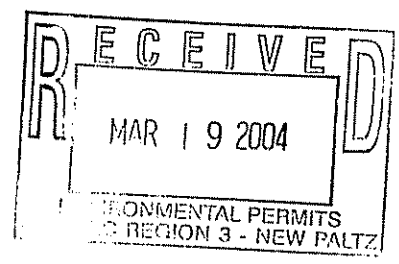
I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

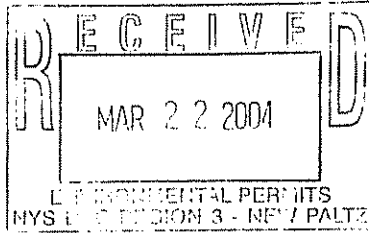
As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of the entire ecosystem of wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of the Forever Wild protection the people of New York have mandated for the Park.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of sync with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,
Lydia Hi Soo Sung





Rt. 23A
Lexington, NY 12452
March 17, 2004

Alexander Ciesluk, Jr.,
NYSDEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561-1696

Dear Mr. Alexander Ciesluk, Jr.:

I understand that this may have missed the official deadline; nonetheless, I wanted to voice my concern regarding the proposed Belleayre resort projects detailed below.

I am opposed to this project based on the overall welfare concerns of the nearby Catskill residents, as well as the distant NYC water-users. It is my opinion that it will have a huge negative impact on the local environment. The scope of these projects will overwhelm the local ecosystems all for short-term commercial gain.

Sincerely,

Nancy Krawiecki
Engineer and Earth Science Teacher

Crossroads Resort Proposal

DEC has released the Draft Environmental Impact Statement (DEIS) and draft State Pollutant Discharge Elimination System (SPDES) permits for a resort project proposed by Crossroads Ventures, LLC in the towns of Shandaken, Ulster County and Middletown, Delaware County. The DEIS and draft SPDES permits have been published in the Environmental Notice Bulletin (ENB) and are subject to a public review and comment period, which ends February 24, 2004.

The proposed Big Indian Plateau resort would be located on 1,242 acres east of the existing Belleayre Ski Resort, in the Town of Shandaken. A total of 331 acres would be developed to build an 18-hole golf course; a 150-room hotel; 183 additional hotel/time-share units housed in 77 buildings, and related infrastructure. A total of 242 acres would be developed, and the remainder of the parcel would be left undeveloped.

The proposed Wildacres Resort would be located on 718 acres west of the existing Belleayre Ski Resort, in the Town of Middletown. The proposed resort would consist of an 18-hole golf course; a 250-room hotel; 168 additional hotel/time-share units in 21 buildings; a 21-lot subdivision of single-family homes, and related infrastructure. A total of 242 acres would be developed, and the remainder of the parcel would be left undeveloped.

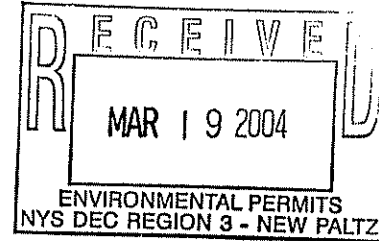
3/16/04

Dear Alexander Ciesluk, Jr.

I am opposed to the Belleayre resort project. Putting a mega golf resort, with all of its associated pollutants, on top of a watershed that supplies 21 million people with unfiltered drinking water is extremely irresponsible. Are the developers prepared to pay for the 6 billion dollar filtration system their project will necessitate? Is New York City? Is New York State?

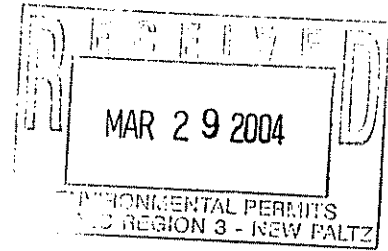
A New York State taxpayer and voter.

Sincerely,
Chad Kleitsch



March 25, 2004

Alexander Ciesluk, Jr.
DEC
21 South Putt Corners Rd
New Paltz, NY 12561-1620



Re: Bellayre Development

Dear Mr. Ciesluk:

My family and I are residents of New York City. We also own 12 acres in Delaware County on Brock Mountain.

As residents of New York City, we value the sacrifice that residents of the Catskills area made during the construction of the watershed system. We appreciate the access to unfiltered, clean water provided by the reservoirs. And, as renters, we appreciate that the cost of having to build filtration plants has not been passed on to our landlord and then passed on to us.

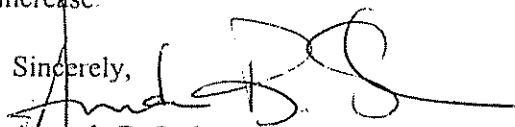
As part-time residents of Delaware County, we have witnessed first hand the fragility of the land. Our 12 acres contain maple trees which are dying due to acid rain. The mountains here are rough and rocky presenting challenges to building and planting the land. The rough beauty of the land, though, provides us with beautiful vistas; lakes to swim; rivers to canoe; opportunities to see bears, mink and eagles; and dark skies to view the stars and planets through our telescope. One of us is a high school physics teacher who brings his children, and was looking forward to bringing his students, to view through the telescope what cannot be seen in New York City or the surrounding suburbs due to light pollution.

A massive mountaintop resort would negatively impact the environment: runoff (increased due to paved roads, pesticides, etc.) would spoil the water, additional traffic would create air pollution and light would spoil the night sky. Additionally, a golf resort would fundamentally change the nature of the communities here. Many vacationers and permanent residents come here not just to get away from the City, but because they are looking for a very particular type of experience; they want to experience a "forever wild" environment where nature is respected and allowed to "let be." A development of this sort is not in this spirit.

I am opposed to such a high impact project which does not serve to provide opportunities for people of diverse socio-economic groups to experience the beauty of the Catskills.

On a more selfish note: I am concerned about the increase in traffic because, in addition to air pollution, mentioned above, it would increase our commuting time (creating even more air pollution) I am also concerned about an increase in taxes if property values increase.

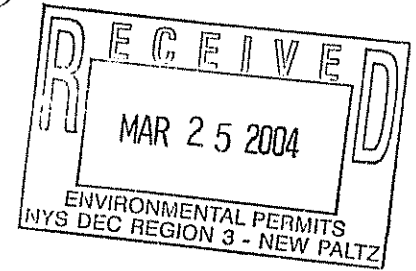
Sincerely,


Amanda B. Stulman
781 Riverside Drive Apt. 2H
New York, NY 10034

2040 Holiday Brook Road
Colchester, NY 13856

Bea & Richard Blacksberg

*113 Birch Creek Road
Pine Hill NY 13465
(845) 251-5362
646 221 3376 Cell
blacksb@ix.netcom*



March 20, 2004

Dear Alexander Ciesluk Jr,

I'm praying that the DEC will take the necessary measures to STOP the "Proposed Belleayre Mega- Resort". The resort will create a huge demand on water resources and in addition will NEGATIVELY impact New York City's water supply as a result of contaminants entering our resevoirs. This will put an economic strain, on NYC as it will be forced to put in a filtration system.

I and my family , have been residents of Pine hill since 1972. I am also a NYC resident. I have many reasons that I do not want the resort, but I chose to mention just a few so as to keep this note brief. I have always been an ENVIRONMENTALLY CONSCIOUS individual and would greatly appreciate your assistance in STOPPING this resort.

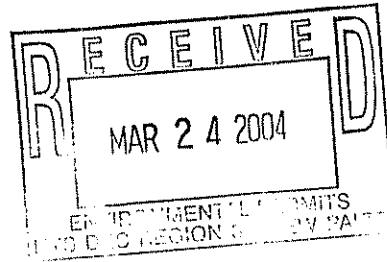
Thank you for taking the time to listen. I feel very fortunate to have the privilege of expressing my point of view to you and being HEARD. Thank You,

Sincerely Bea Blacksberg

Sincerely,

A handwritten signature in cursive script that reads "Bea Blacksberg".

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY
12561-1620



03/18/04

Dear Mr. Ciesluk,

Due to the immense environmental costs to our area I strongly oppose the building of the Crossroad Ventures resort. I think this would go a long way in spoiling the natural resources that we as responsible citizens are supposed to protect.

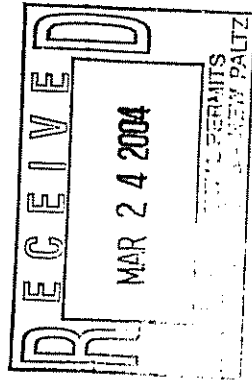
Sincerely,

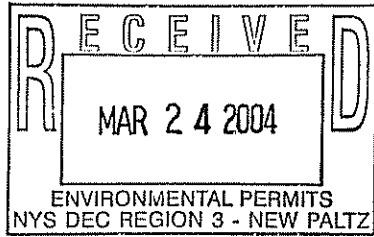
Ruth Schrage
5392 Rt. 212
Mount Tremper, NY
12457

Dear Mr. Ciesluk, 3/20/04

I am a summer resident in the Catskills, near the proposed Ballaugie Resort at Catskill Park project. I am strongly opposed to this project as I believe it will damage the environment, increase traffic and destroy some of the pastoral quality of the area.

Smenekus,
Cynthia Skulte
1432 Cuffman Rd.
Scheneectady
NY 12309





Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY
12561-1620

03/20/04

Re: The Crossroads Ventures Project

Dear Sir,

The simple thought of clear-cutting 500 acres of forest is so abhorrent and heartbreaking to me that all arguments for or against the project pale in comparison. Please consider the consequences of your actions. Thank You.

Jane Stabile
5392 Rt. 212
Mt. Tremper, NY 12457

Sincerely,

A handwritten signature in black ink, appearing to be "Jane Stabile", written over the word "Sincerely,".

From: Alexander Ciesluk
To: Krebs, Carol; Ruzow, Daniel; Wissler, Richard
Subject: Written comments - Crossroads Ventures project

I am sending each of you copies of written comments received through March 31,2003.

From: Ginny And Larry <gslt@optonline.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/12/2004 10:59:56 PM
Subject: Proposed Belleayre Resort/Crossroads Ventures.

Dear Mr Ciesluk,

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

The land proposed for the development has been designated Forever Wild, and the government, I am sure you will agree, has a particular responsibility to ensure the integrity of the entire ecosystem of wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of the Forever Wild protection the people of New York have mandated for the Park.

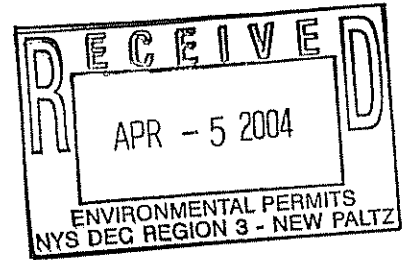
The development would compromise the purity of the water table that serves both the region and New York City due to run off and use of fertilizers and pesticides necessary to maintain a golf course. It would erode Belleayre Mountain itself through clear-cutting and blasting which also muddies the water. It will destroy the unique attraction the area has always held for tourists, hikers, fishermen, hunters, cyclists and nature-lovers. It would add costly infrastructure expenses to the tax burden carried by local property owners and would constitute a city unto itself that is out of step with the traditional values and rhythm of the area.

I urge you to reject and deny any and all applications for the development of Belleayre Resort.

Sincerely,

Virginia Stanley
14 Spencer Way
Kings Park, N.Y. 11754

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

I am deeply concerned with the inevitable increase in water temperature from the Resort. Clearing the mountain of its natural covering and replacing it with impervious surfaces will increase stream water temperature and endanger the trout. Intermittent streams that flow only during snowmelt or after large rainfalls offer habitat for critical stages in a fish's lifecycle such as spawning and rearing. Waste water disposed in Lost Clove and Birch Creeks will affect both the spawning and rearing of trout.

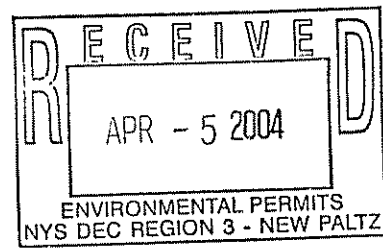
Embryo development in Brown Trout require a water temperature of between 41 and 55 degrees Fahrenheit. Water temperatures in both Creeks and the Upper Esopus into which both flow are kept within the desired temperature range by the natural rainfall and snow melt in the spring.

The SPDES permit fact sheet submitted by the resort at Belleayre permit # NY 0270679 indicate water discharge temperatures as high as 70 degrees will be discharged into the Creeks. This is unacceptable for the rearing of trout.

Sincerely,

William A. Cragan

(WILLIAM A Cragan)



Carrie Jacobson

97 Hewitt Ave Upper, Buffalo, New York 14215

April 02, 2004 12:11 PM

Mr. Alexander Ciesluk, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Subject: Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk, Jr. :

I am writing to voice my opposition to the construction of the proposed Belleayre Resort atop Belleayre Mountain in the Catskill Park.

I lived for a number of years in the Catskills as an environmental educator at Frost Valley YMCA, and I believe in the necessity of the forest as one of the last wild regions in this incredible state. The Catskills is a magnificent area and while I agree that increased tourism to its troubled towns will help the people currently living there, I hope that there are other ways of doing that besides golf courses and casinos. These proposed developments will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution.

I urge you to require more information and analysis of this proposal, especially a more comprehensive analysis of alternatives, in the State Environmental Quality Review Act process, and to ultimately reject this proposal to build the Belleayre Resort on Catskill Park.

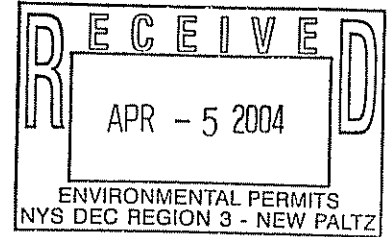
Sincerely,

A handwritten signature in cursive script that reads "Carrie Jacobson".

Carrie Jacobson

MICHAEL D. ZENTMAN, PH.D.,
PSYCHOLOGIST - PSYCHOANALYST
83 STONY HOLLOW ROAD
CENTERPORT, NEW YORK 11721

(631) 754-3880



I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

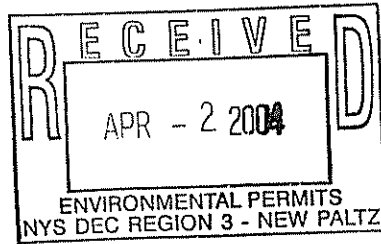
As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of the entire ecosystem of wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of the Forever Wild protection the people of New York have mandated for the Park.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

A handwritten signature in cursive script that reads "Michael D. Zentman". The signature is written in dark ink and is positioned below the typed name.



April, 2004
Roxbury MG
12474

Alexander F. Ciesluk Jr

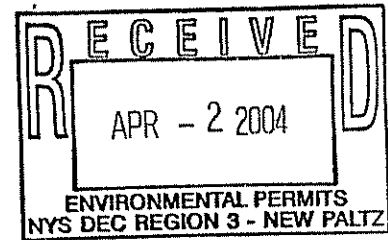
Dear Sir,

We should like to state our opposition to the crossroads project. It will help to destroy the environment, degrade water quality, increase the cost of local infrastructure i.e roads schools, emergency and fire services etc, not provide any worthwhile or meaningful employment

Bob A.

March 31, 2004

Alexander Ciesluk, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Alexander Ciesluk, Jr.,

We recently were informed of the Belleayre Resort Project. Our reaction was one of abject disgust.

This megamonster of a venture if allowed to proceed would effectively destroy Belleayre Ridge and Belleayre Mountain to further enrich the coffers of a greed-filled development agency. This project and others similar in scope and magnitude if approved will transmute vast tracts of our beautiful state, resplendent in pastoral glories and exquisite mountain vistas into a plundered landscape.

Lost forever will be the rural charm and a way of life rich in the attributes which nature has so benevolently blessed our state and its communities, all to be replaced by an environmentally devastated and polluted terrain by uncaring commercial vultures tearing away at our state's treasures.

Carefully cultivated regional ecology and wildlife habitats will be decimated. The safety of the area's water supply including that of New York City's will be seriously threatened as a consequence of poisonous runoffs from chemically treated acreage such as golf courses, (a sport incidentally which is showing a marked decrease in interest). Grass such as is grown on golf courses, is not native to this area or its climate, but the British Isles. It therefore requires a tremendous amount of water and chemicals to obtain the desired texture and density.

As stewards of New York State's inherent glories and the safeguarding of its communities, we urge you to voice your opposition to all such proposed desecrations.

Claudia Anne Zadro
Modena, NY

Michael G Zadro
Modena, NY

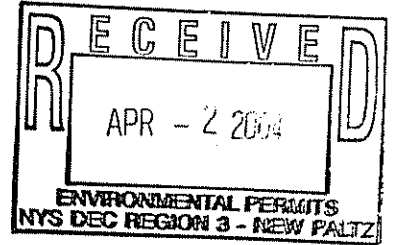
A handwritten signature in cursive script, appearing to read "Claudia Zadro".

A handwritten signature in cursive script, appearing to read "Michael G. Zadro".

George Preoteasa
240 E Palisade Ave, Apt D-19
Englewood, NJ 07631

March 30, 2004

Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12562



Dear Sir:

I am writing in opposition to the plan to build the Belleayre resort. This massive construction and landscaping, will generate traffic, pollution noise and overuse of the nearby wilderness areas. The pesticide and fertilizer runoff will end up in time in the New York City reservoir. (I work in Manhattan so I drink that water.)

The notion that this development will create jobs is greatly exaggerated. Besides, jobs should be created where the environment can sustain them.

In conclusion, I urge you to deny the developer the permit.

Thank you for your consideration of this matter.

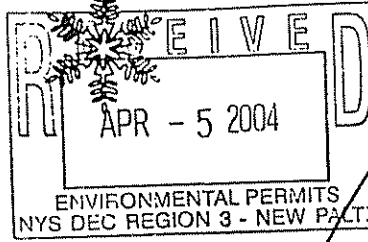
Sincerely,

George V. Preoteasa
George Preoteasa

P.S. I am a frequent visitor to the Catskills. I plan to move there when I retire. (Though not sure in case a large resort is developed.)



1/10/04 - thru Tuesday
AA



Erin Crotty, Commissioner
NYSDEC
625 Broadway
Albany, NY 12233-1010

PO BOX 247, HIGHMOUNT, N.Y. 12441

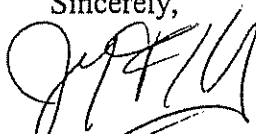
Dear Erin:

I have taken the liberty of sending you a copy of a petition that we have begun circulating in the downstate area. The purpose of the petition is to restate the strong affirmation of Belleayre's constituency in support of New York State and the DEC's very successful efforts to bring the ski center back to its former position of prominence among Northeast Ski Centers. This course of action has had a dual effect of resuscitating a failing Central Catskills economy and providing a quality recreational asset to the entire downstate region. We applaud this effort and its very success is the most prominent reason to continue to upgrade and improve The Belleayre Mountain Ski Center.

The cause of concern for our organization is that we feel the effort to derail the resort project initiated by the Crossroads organization has caused certain partisans to attempt to link the future of the ski center to the adjudication of the project. We see the issues as separate and unique. The pioneering ski center has been in existence as a state entity since 1949. Its future is not and should not be linked to the issue of the resort project any more than any other private project in the Catskills or the State of New York for that matter. Our organization has taken no position on the merits of the project. We do, however take a very strong position on the continued success and progress at Belleayre.

. The status of the ski center is defined and encouraged by the constitution of the State of New York and, as you know, is designated as an intensive use area of the forest preserve. It serves all the people of the New York State in addition to attracting out-of-state visitors to spend more time and money here to support our businesses. We have been very successful implementing a plan of success for the Belleayre Mountain Ski Center and The State of New York has been the beneficiary. We thank you and your staff for doing such a fine job in implementing the improvements at the mountain in an environmentally sensitive manner in the letter and the spirit of the constitutional authorization. We, as an organization and the signatories of our circulating petition drive want this plan of success to continue. The continued success of The Ski Center is vital to the economic health of our rural mountain region.

Sincerely,


Joseph Kelly

**COALITION TO SAVE BELLEAYRE
PO BOX 247
HIGHMOUNT, NY 12441**

PETITION

We, the undersigned, fully support and encourage New York State and the Department of Environmental Conservation in their efforts to continue to upgrade and improve the Belleayre Mountain Ski Center to the fullest extent of its constitutional authorization.

This action will continue to foster the economic revitalization of the central Catskill region and contribute to the ongoing success of this precious recreational asset for the benefit of all citizens of the State of New York.

Name	Signature	Address	City/State
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From: Luke Joerger <luke@snapfilms.tv>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/13/2004 12:11:05 PM
Subject: Stop the Golf Course!

----- Forwarded Message

From: Luke Joerger <luke@snapfilms.tv>
Date: Mon, 12 Apr 2004 13:46:27 -0400
To: <observer@bard.edu>, <gbcotton@earthlink.net>, <SugarBraun@aol.com>
Subject: Stop the madness!!!

As a resident of the Hudson Valley and a BARD grad. I am appalled to hear about the development of the Fischer Golf Course and it's connection to my former college.

I spent many years as a child visiting the Catskill Game Farm, hiking the trails and skiing at Belleayre. It seems those activities would be enough of an imposition on the environment of the area but to now build a golf course the size of 177 Walmarts is unacceptable. I hope the entire community rises up against this threat to the region. This area is already populated enough without an exclusive club of insiders driving big SUV's and clearing land.

As a land owner of 100+ undeveloped acres I am happy the region is suddenly in Vogue. The wealthy and famous think they have "discovered" our secret a hundred miles from New York City and are buying up land as fast as they can but there must be a limit. What makes the area appealing is it's sanctity and the addition of casinos and a huge golf complex will destroy that. This feels like something Donald Trump and his apprentices would be involved with not Leon Bottstein and his college. Unfortunately, I may be wrong.

Below is a short list of the endangered species in the area and a brief on the adverse effects of golf course pesticides.

<http://www.dec.state.ny.us/website/dfwmr/wildlife/endspec/etsclist.html>

<http://www.oag.state.ny.us/environment/golf95.html>

Luke Jude Joerger
 Luke's Farm Productions Inc.
 The Hotel Chelsea
 222 West 23rd St. #910
 NYC NY 10011

Amphibians:

Tiger Salamander *Ambystoma tigrinum*
 Northern Cricket Frog *Acris crepitans*

Reptiles:

Mud Turtle *Kinosternon subrubrum*
 Bog Turtle *Clemmys muhlenbergii*
 Queen Snake *Regina septemvittata*

Birds:

Spruce Grouse *Falcapennis canadensis*
 Golden Eagle *Aquila chrysaetos*

Peregrine Falcon *Falco peregrinus*
 Black Rail *Laterallus jamaicensis*
 1,2,4Piping Plover *Charadrius melodus*
 1,3Eskimo Curlew *Numenius borealis*
 1Roseate Tern *Sterna dougallii dougallii*
 Black Tern *Chlidonias niger*
 Short-eared Owl *Asio flammeus*
 Loggerhead Shrike *Lanius ludovicianus*
 Mammals:
 1Indiana Bat *Myotis sodalis*
 3Allegheny Woodrat *Neotoma magister*
 2,3Gray Wolf *Canis lupus*
 1,3Cougar *Felis concolor*
 Pine Barrens Bluethroat *Enallagma recurvatum*
 Scarlet Bluethroat *Enallagma pictum*
 Little Bluethroat *Enallagma minisculum*
 2,3Northeastern Beach Tiger Beetle *Cicindela dorsalis dorsalis*
 Frosted Elf *Callophrys irus*
 Lake Sturgeon *Acipenser fulvescens*
 Mooneye *Hiodon tergisus*
 3Lake Chubsucker *Erimyzon sucetta*
 Gravel Chub *Erimystax x-punctata*
 3Mud Sunfish *Acantharchus pomotis*
 Banded Sunfish *Enneacanthus obesus*
 Longear Sunfish *Lepomis megalotis*
 Longhead Darter *Percina macrocephala*
 Eastern Sand Darter *Ammocrypta pellucida*
 Swamp Darter *Etheostoma fusiforme*
 Spotted Darter *Etheostoma maculatum*
 Reptiles:
 Blanding's Turtle *Emydoidea blandingii*
 2Green Sea Turtle *Chelonia mydas*
 2Loggerhead Sea Turtle *Caretta caretta*
 Fence Lizard *Sceloporus undulatus*
 Timber Rattlesnake *Crotalus horridus*
 Birds:
 Pied-billed Grebe *Podilymbus podiceps*
 Least Bittern *Ixobrychus exilis*
 2Bald Eagle *Haliaeetus leucocephalus*
 Northern Harrier *Circus cyaneus*
 King Rail *Rallus elegans*
 Upland Sandpiper *Bartramia longicauda*
 Common Tern *Sterna hirundo*
 Least Tern *Sterna antillarum*
 Sedge Wren *Cistothorus platensis*
 Henslow's Sparrow *Ammodramus henslowii*
 Mammals:
 2,3Canada Lynx *Lynx canadensis*
 Unnamed Dragonfly Species *Gomphus spec. nov.*
 Southern Sprite *Nehalennia integricollis*
 Extra Striped Snaketail *Ophiogomphus anomalus*
 Pygmy Snaketail *Ophiogomphus howei*
 Common Sanddragon *Progomphus obscurus*
 Gray Petaltail *Tachopteryx thoreyi*
 Checkered White *Pontia protodice*
 Olympia Marble *Euchloe olympia*

Henry's Elfin *Callophrys henrici*
 Tawny Crescent *Phyciodes batesii*
 Mottled Duskywing *Erynnis martialis*
 Barrens Buckmoth *Hemileuca maia*
 Herodias Underwing *Catocala herodias gerhardi*
 Jair Underwing *Catocala jair*
 A Noctuid Moth *Heterocampa varia*

Fishes:
 Mountain Brook Lamprey *Ichthyomyzon greeleyi*
 Black Redhorse *Moxostoma duquesnei*
 Streamline Chub *Erymystax dissimilis*
 Redfin Shiner *Lythrurus umbratilis*
 Ironcolor Shiner *Notropis chalybaeus*

Amphibians:
 Hellbender *Cryptobranchus alleganiensis*
 Marbled Salamander *Ambystoma opacum*
 Jefferson Salamander *Ambystoma jeffersonianum*
 Blue-spotted Salamander *Ambystoma laterale*
 Longtail Salamander *Eurycea longicauda*
 Eastern Spadefoot Toad *Scaphiopus holbrookii*
 Southern Leopard Frog *Rana sphenoccephala utricularius*

Reptiles:
 Spotted Turtle *Clemmys guttata*
 Wood Turtle *Clemmys insculpta*
 Eastern Box Turtle *Terrapene carolina*
 Eastern Spiny Softshell *Apalone spinifera*
 Eastern Hognose Snake *Heterodon platyrhinos*
 Worm Snake *Carphophis amoenus*

Birds:
 Common Loon *Gavia immer*
 American Bittern *Botaurus lentiginosus*
 Osprey *Pandion haliaetus*
 Sharp-shinned Hawk *Accipiter striatus*
 Cooper's Hawk *Accipiter cooperii*
 Northern Goshawk *Accipiter gentilis*
 Red-shouldered Hawk *Buteo lineatus*
 Black Skimmer *Rynchops niger*
 Common Nighthawk *Chordeiles minor*
 Whip-poor-will *Caprimulgus vociferus*
 Red-headed Woodpecker *Melanerpes erythrocephalus*
 Horned Lark *Eremophila alpestris*
 Bicknell's Thrush *Catharus bicknelli*
 Golden-winged Warbler *Vermivora chrysoptera*
 Cerulean Warbler *Dendroica cerulea*
 Yellow-breasted Chat *Icteria virens*
 Vesper Sparrow *Poocetes gramineus*
 Grasshopper Sparrow *Ammodramus savannarum*
 Seaside Sparrow *Ammodramus maritimus*

Mammals:
 Small-footed Bat *Myotis leibii*
 New England Cottontail *Sylvilagus transitionalis*
 Harbor Porpoise *Phocoena phocoena*

Toxic Fairways:

Risking Groundwater Contamination From

Pesticides on Long Island Golf Courses

Attorney General of New York
New York State
Office of the Attorney General
Environmental Protection Bureau
Original Printing: July 1991
Revised: Feb. 1994, Dec. 1995

Contents

- * Introduction
- * Survey Methods
- * Summary of Survey Results
- * Other Potential Dangers of Golf Course Pesticides
- * Recommendations
- * Appendix

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 - * Table 2: Pesticides Used by 52 LI Golf Courses
 - * Table 3: Selected Health Effects of Active Ingredients of Pesticides
 - * Table 4: Pesticide Leaching Potential
-

Toxic Fairways:

Risking Groundwater Contamination From Pesticides on Long Island Golf Courses

This report examines the extent of pesticide use on Long Island golf courses and the potential for groundwater contamination and the resulting environmental harm and health risks. It includes findings from the first comprehensive survey of actual pesticide use on golf courses on Long Island. Before explaining why Long Island was chosen as the focus for this study, it is important to understand how pesticides are used on golf courses and what dangers such use poses.

Introduction

In recent years, many Americans have asked questions about the safety of pesticides not only in our foods, but also in and around our homes and workplaces. Although pesticides permeate our everyday lives, we don't know enough about the dangers of pesticide exposure. The U. S. Environmental Protection Agency (EPA), which regulates pesticides, is currently reviewing the data on the health and environmental effects of some pesticides to decide whether these products should be continued to be used. In the meantime, thousands of pesticides still under review are freely marketed--unless the EPA decides to restrict or eliminate their use. So far, only one of the 34 most commonly used pesticides for turf and lawn care has completed this review.

The bottom line is that consumers do not know all the questions associated with pesticide use. Most important, no one has all the answers--not the manufacturers, not the EPA.

In fact, when the EPA permits a pesticide to be sold in the United States, the Agency does not decide that the product poses no environmental or health threats. The federal pesticide law, known as the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) which gives the EPA authority over pesticides, requires the EPA only to decide that the pesticide poses "no unreasonable risk" (emphasis added) to public health or the environment, based on its perceived economic, social and environmental costs and benefits. Before the EPA may register a pesticide and allow it onto the market, the agency must first determine that the risks are worth the benefits. But as more and more is learned about the extent of these risks--including the groundwater threat--this balancing act may tilt in the opposite direction, against the use of certain pesticides.

Unfortunately, it may be quite a while before the EPA restricts or bans certain pesticides that do pose an "unreasonable" risk. The EPA is requiring pesticide companies to supply additional data on potential risks of their products. The Agency will review the adequacy of this data as part of the pesticide re-registration process and this will most likely continue into the next century. An example of the new data requirement came in response to a 1987 petition submitted jointly by several environmental groups, the New York State Attorney General's Office and others, requesting EPA to perform tests for the neurotoxic effects (effects on the nervous system) of some pesticides. The EPA is now planning to require that pesticide manufacturers conduct such tests but it may be years before the public knows the full neurotoxic potential of pesticides now in use.

Several pesticides on the market have been identified as probable human carcinogens and some have been linked to birth defects, nervous system disorders and reproductive problems. In addition, as this report will discuss, pesticide use has the potential to threaten wildlife and contaminate natural resources. People can be exposed to pesticides in the water they drink, or through direct skin contact, inhalation or in the food they consume.

Although the risks of using pesticides to grow food crops may be worthwhile to ensure a continuing food supply, most people would agree that the benefits of pesticides used merely to produce green lawns and turf are far less. Despite the relatively limited benefits of turf and lawn care pesticides, three to six times as much pesticides are used per acre on home lawns than to grow the food we eat (1) As shown later in this report, golf courses on Long Island use almost four to seven times the average amount of pesticides used in agriculture, on a pound per acre basis.

In order to maintain the greens and fairways, many golf course managers apply huge amounts of pesticides following a pre-determined "recipe" of repeated applications, rather than customized treatments addressing actual problems. Many pesticides are used preventively, not in response to specific problems. Ironically, this can eventually turn into a pesticide addiction, which may require increasing amounts or different types of pesticides to produce the same results. Increased application rates further contribute to the potential threats to public health and the environment.

Who can be exposed to pesticides used on golf courses? Anyone on the golf course or nearby is at risk. Pesticide applicators, either professional contractors or golf course workers, can be exposed to these poisons during storage, mixing and application. Golfers, often playing shortly after pesticides have been applied, can be exposed directly to the pesticides on the turf, as well as to pesticide vapors and mists. People living near a golf course may be affected by sprays and dusts blown from the golf course onto their property and into their homes. Finally, pesticides applied to the turf may run off into surface waters or leach down to groundwater, which can then expose people to contaminated drinking water. These people may live far from the place where pesticides were used.

Unfortunately, neither the state or federal government require advance notification to the public of all pesticide applications, so that people can be exposed to pesticides without their knowledge.

In 1979, high levels of the pesticide aldicarb (Temik) were found in public and private drinking water wells in Suffolk County. The manufacturer provided wellhead treatment to remove the pollution. After a persistent degradation product of an herbicide called Dacthal (chlorthal dimethyl or DCPA) was recently applied on Long Island, the chemical was detected in drinking water wells at levels 20 times above the State safe drinking water standards. In addition to Dacthal and Temik contamination, by 1988, 9 other pesticides or their degradation products had been detected in Long Island's groundwater. Two of these pesticides (chlorothalonil and Dacthal) are frequently used in turf care. Another 13 have been detected intermittently and more testing is necessary to verify their continuing presence in groundwater. (2) Temik can no longer be used in Suffolk County. In 1988, one Dacthal manufacturer (ISK Biotech) voluntarily restricted its Dacthal products from use in Suffolk County; however, other companies have not. This restriction should be extended to all products containing Dacthal.

WHY LONG ISLAND?

The Attorney General's office decided to examine pesticide use on Long Island golf courses because pesticides pose special risks on the Island. Long Island's nearly three million people depend on groundwater as their only source of drinking water. This irreplaceable resource is vulnerable to contamination by surface-applied pesticides. Large areas of the island's groundwater lie beneath a sandy, porous surface soil layer with little organic matter to adsorb pesticides. This type of soil provides little if any barrier against contaminants reaching the groundwater.

Currently, groundwater monitoring for pesticides in Suffolk County is limited primarily to those pesticides used in agriculture. In Nassau County however, which has very little agricultural acreage, there is no comparable monitoring program for agricultural pesticides. All public drinking water supplies in New York State (including those in Long Island) must be tested regularly for the pesticides endrin, lindane, toxaphene, 2,4,5-TP, 2,4-D and methoxychlor. In Nassau and Suffolk counties, public drinking water supplies are also routinely tested for aldrin, dieldrin, DDT, chlordane, heptachlor, and heptachlor epoxide. In addition, Suffolk tests regularly for alachlor, aldicarb and several other related pesticides, EDB, endosulfan and 1,2-dichloropropane. Most of these pesticides are either no longer in use or have severely restricted uses. Apart from 2,4-D, they are not used in turf care. The EPA has recently conducted a "National Survey of Agricultural

Pesticides in Groundwater" but only eight water samples were taken from Nassau County and none from Suffolk. Two of the eight samples contained residues of chlorthal dimethyl (Dacthal).

However, there is no comprehensive and targeted program for monitoring Long Island's groundwater for the vast majority of turf care pesticides used on Long Island. As a result, there is no way to determine whether contamination may have reached the aquifer in some locations.

This survey provides the first report on the extent of pesticide use in one specific area, golf courses, and also offers the first estimates of the potential for harm to the groundwater from golf course pesticides. No conclusions are drawn concerning any present danger to consumers of the groundwater. There is no reason to believe that any water now supplied to Long Island exceeds safe drinking water guidelines for any pesticides. The purpose here is to show the potential for damage to the groundwater resource due to long-term use of pesticides in sensitive areas, which may at some time affect the drinking water of Long Island's nearly three million people.

Although Long Island's geology and the dependence of such a large population on a single source of drinking water is unusual, groundwater quality in other areas of the state may also be jeopardized by pesticide use. Thus, the concerns raised in this report could apply to several other parts of the state where turf care pesticides are heavily used over aquifers.

Survey Methods

The Attorney General's survey of pesticides used on Long Island golf courses provides the basis for an initial evaluation of potential impacts on groundwater. In 1990, the Attorney General's office surveyed 107 private and public golf courses in Nassau and Suffolk counties (as listed in the Glasheen 1989 Golf Course Guide for the New York City Area) to determine the identity, amounts and patterns of use of pesticides on golf courses. After the initial mailing, follow-up mail and telephone inquiries were made to increase responses. A total of 58 surveys were returned but six responses were incomplete and unusable. (Table 1 on the next page provides a list of the 52 golf courses providing usable responses)

TABLE 1:

TOTAL PESTICIDE USAGE BY 52 LONG ISLAND GOLF COURSES

(1989 unless indicated)

PRIVATE GOLF COURSES		PUBLIC GOLF COURSES					
MAP NO.*	GOLF COURSE	TOTAL ACRES	POUNDS APPLIED	MAP NO.*	GOLF COURSE	TOTAL ACRES	POUNDS APPLIED
15	Nassau Golf Course	180	2386	30	Eisenhower Park	300	1492
25	Woodcrest Club	122	2333	29	Bethpage	875	1480
21	Mill River Club	125	2299	64	Hauppague Country Club	135	1341
24	Tam O'Shanter Golf Course	169	2081	104	Montauk Downs Golf Course (1988)	254	989
88	National Golf Links	165	2070	46	Jones Beach	130	574
48	Huntington Country Club	90	2064	44	Lido Golf Course	144	490

53 Southward Ho Country Club 151 1983 83 Indian Island 157
472
4 North Hills Country Club (1988) 148 1721 62 Brentwood
Country Club 110 385
6 IBM Country Club** 210 1707 56 Crab Meadow Country Club
79 377
20 Old Westbury Golf&Country Club 198 1696 13 Glen Cove Golf
Course 122 345
49 Cold Springs Country Club 135 1647 78 Swan Lake Country
Club 144 293
11 Engineers Country Club 122 1614 61 Hamlet Golf&Country
Club 180 268
23 Muttontown Golf&Country Club 140 1611 67 Timber Point
239 192
40 Rockaway Hunting 200 1587 82 Sandy Pond 75 177
22 Pine Hollow Country Club 160 1525 47 Peninsula Golf Course
(1990) 50 172
36 Inwood Country Club 164 1446 63 Robert Moses 18 169
8 North Hempstead Country Club (1990) 110 1403 93 Poxaboque
Golf Course 82 131
34 Hempstead Golf Course 120 1381 69 West Sayville 250
95
18 Brookville Country Club 116 1326 45 Merrick Rd. Park 61
88
71 St. George's Golf&Country Club 100 1176 51 Bergen Point
240 53
38 Lawrence Village Golf Course 120 1119 98 Cedars Golf Club
(1990) 27 15
100 Gardiners Bay Country Club 118 1028 94 Sag Harbor Golf
Course 68 0
1 Lake Success 120 857
43 Middle Bay Country Club 120 792
17 Cedarbrook Country Club (1990) 120 474
90 Southampton Golf Course 130 404
105 Blue Ridge Golf Course 32 297
86 Westhampton Country Club 120 212
102 Hay Harbor Golf Course (1990) 45 102
87 Quogue Field Club 82 93

* Corresponds to location shown on map, page 11.

** IBM Country Club reported treating 210 acres of which 60 comprised its golf course.

The Attorney General's office determined the identities and concentrations of "active" ingredients in each of the products used. The "active" ingredients are the chemicals in the product intended to kill pests. Pesticide manufacturers must identify the chemicals used as active ingredients on the product label, as well as their concentration. Since other ingredients, known as "inert" ingredients, are generally not identified, our calculations of pesticide use refer only to the active ingredient portion of the pesticides applied to the golf courses. "Inert" components are not necessarily non-toxic, nor can they be assumed to pose no threat to groundwater quality. Because their identity is treated as confidential business information by the EPA, their potential to contaminate groundwater cannot be evaluated.

Summary of Survey Results

The 52 golf courses reported using a total of approximately 200,000 pounds of bulk dry products and close to 9,000 gallons of bulk liquid formulations in one year. This included 192 different pesticide products containing 50 different active ingredients which totalled more than 50,000 pounds. (Table 2 on the next page provides the names and amounts of the active ingredients reported.)

If these 50,000 pounds were applied evenly across the total area of the 52 golf courses, it would amount to an average of 7 pounds of pesticides per acre annually. By comparison, a national average of 1.5 pounds of pesticides per acre are applied in agriculture annually. (3) The actual rate of golf course pesticide use may be much higher than seven pounds per acre, since the playing surfaces that are treated make up only a portion of the golf courses' total acreage. A comparison of pesticide usage in agriculture and golf course maintenance which is based on the acreage actually treated with pesticides is even more alarming. Based on responses to our survey, pesticides were applied to only about 50 percent of the total acreage of Long Island golf courses. By contrast, pesticides are applied to about 62 percent of all agricultural land. Using these figures, the average golf course application rate increases to 18 pounds of pesticides per treated acre per year, about seven times the agricultural rate of 2.7 pounds per treated acre per year. (4) Thus, between four and seven times as much pesticides are used on Long Island golf courses than are applied on food crops. (On the average, public golf courses used far less pesticides than private golf courses and fungicidal pesticides were far more heavily used than either herbicides or insecticides.)

By comparison, when homeowners follow the directions for various annual do-it-yourself lawn care programs, they may apply from 3.2 to 9.8 pounds of pesticide per acre annually. Thus, homeowners may apply up to 3.6 times as much pesticides as is typically used in agriculture. Even at that level, they apply less pesticides than golf courses.

TABLE 2:

PESTICIDES USED BY 52 LONG ISLAND GOLF COURSES

ACTIVE INGREDIENTS TRADE NAMES # OF USERS PESTICIDES APPLIED (LBS.)

FUNGICIDES

chlorothalonil	Daconil	2787	37	8768
anilazine	Dyrene	27	4733	
iprodione	Chipco	26019	40	3491
mancozeb	Fore, Dithne, Manzate	2000DF	19	3008
propamocarb HCL	Banol	24	2219	
triadimefon	Bayleton	47	1875	
benomyl	Tersan	1991	32	1746
metalaxyl	Subdue	27	1427	
PCNB	Turfcide	10	1419	
fosetyl-Al	Aliette	9	965	
chloroneb	Tersan SP, Terremec SP	8	633	
thiram	Spot-Trete	11	591	
maneb	Tersan LSR	8	549	
propiconazole	Banner	13	509	
thiophanate-methyl		3336	12	330
fenarimol	Rubigan	22	174	

vinclozolin	Vorlan	6	127
captan	Captan	2	28
cadmium chloride	Caddy	7	22
cycloheximide	Act-Dion T6F	1	0
TOTAL 32,614			
HERBICIDES			
bensulide	Betasan	30	2174
chlorthalidimethyl	Dacthal	12	1789
glyphosate	Roundup, Rodeo	12	496
2,4-D acid	Trimec	28	461
mecoprop	MCPP, Mecomex	24	365
benfluralin	Balan, Team 2G	17	364
siduron	Turpersan	5	323
paclobutrazol	Scotts PCA	6	150
trifluralin	Team 2G	10	121
2,4-D amine salt	Trexsan, Trimec Bent	3	107
pendimethalin	Scotts Weed Control	4	79
dicamba	Banvel	22	71
oxadiazon	Ronstar	7	65
oryzalin	Surflan	2	54
prometon	Pramitol 25E	2	32
fenoxypop-ethyl	Acclaim	13	18
diquat	Diquat	2	17
dichlobenil	Dyclomec	2	10
2,4-Dp	Chipco Weedone	1	6
melfluidide	Embark	3	5
ethofumesate	Prograss	3	5
TOTAL 6,712			
INSECTICIDES			
bendiocarb	Turcam	25	3371
trichlorfon	Dylox, Proxol 80SP	26	2793
chlorpyrifos	Dursban	42	2006
isofenfos	Oftanol	24	1739
carbaryl	Sevin	18	776
DDVP	Dursban plus	4	13
propoxur	Baygon	1	11
disulfoton	Disyston	1	2
TOTAL 10,710			
TOTAL COMBINED PESTICIDES 50,035			

Several of the pesticides (or their degradation products) applied on golf courses on Long Island in 1989 were then classified as probable or possible carcinogens:

Six pesticides (propoxur, DDVP, oryzalin, trifluralin, fosetyl-Al and chlorothalonil), totalling 9,932 pounds or 19.8 percent of the total active ingredients applied, were classified by the EPA as possible or probable human carcinogens (5) (Chlorothalonil is the most heavily used fungicide on Long Island golf courses and has also been detected in Long Island's groundwater.)

Another three (trichlorfon, mancozeb, maneb), totalling 6,350 pounds or 12.7 percent of the total active ingredients applied, naturally break down in the environment into various compounds including substances the EPA classifies as probable human carcinogens.

One active ingredient, Dacthal, with 1,789 pounds used or 3.6 percent of the total active ingredients applied, has been found by the EPA to be contaminated with traces of dioxin, a probable human carcinogen. (Dacthal was the second most heavily used herbicide on Long Island golf courses responding to the survey and its persistent degradation product has also been detected in Long Island's groundwater (6))

Five more (oxadiazon, benomyl, metalaxyl, pentachloronitrobenzene, captan) totalling 4,685 pounds or 9.4 percent of the total active ingredients applied, were being reviewed by the EPA for carcinogenicity (7)

Long-term, low-level exposure to many of the pesticides used by Long Island golf courses is associated with a variety of other health problems. This is the type of exposure generally resulting from drinking contaminated groundwater. According to the EPA, some of these chemicals can impair the nervous system, while others may damage the kidneys, liver, thyroid and adrenal glands, and the blood. Some cause degeneration of the testes, decreased sperm counts, reduction in weight of the uterus, and decreased birth weight. (Table 3, on the next page, lists some of the known long-term health effects associated with some of the pesticides applied on Long Island golf courses)

Since the health risks of chronic, long-term exposure to many pesticides are not fully understood, any discussion of these effects will be incomplete. It may take many more years of research before the full range of these effects is known.

The potential for these health effects depend on whether, and how, people are exposed to these pesticides. Many of the pesticides used can contaminate the groundwater which in turn may end up as drinking water.

TABLE 3: Selected Health Effects of Active Ingredients of Pesticides Applied on Long Island Golf Courses

Active Ingredient	Potential Health Effects*
Benfluralin	Decreases red blood cell count and hemoglobin concentration
Benomyl	Causes low birth weight
Chlorpyrifos	Impairs nervous system function
Dicamba	Toxic to fetus
Diquat	Causes cataracts
Disulfoton	Impairs nervous system function;causes optic nerve degeneration
Pendimethalin	Toxic to liver
Propoxur	Impairs nervous system function
Thiophanate-methyl	Decreases sperm formation, causes hyperthyroidism
Thiram	Toxic to nervous system
Triadimefon	Decreases red blood cell count

* These are some health effects identified by the EPA that can result from sufficient oral exposure to the pesticides listed, including exposure from drinking water. Exposure to these pesticides by inhalation or direct contact and/or at higher concentrations could cause more severe health problems. (Source: Oral Reference Doses, Integrated Risk Information System, U. S.

Environmental Protection Agency, 1991)

According to a 1991 report on pesticides in groundwater by the U.S. General Accounting Office, the investigative arm of Congress, at least six of the pesticides used by Long Island golf courses are already known to be capable of contaminating groundwater after normal applications following label directions. These six pesticides are: chlorothalonil, Dacthal, dicamba, 2,4-D, prometon and trifluralin. They accounted for 11,349 pounds or 22.6 percent of the pesticides used by the 52 golf courses in the survey. By 1988, the degradation products of two of these (chlorothalonil and Dacthal) had been detected in Long Island groundwater at the highest levels anywhere in the country.

Long Island's groundwater aquifers are replenished in the deep flow recharge areas. It is in these areas that precipitation infiltrates and trickles down through the soil and replenishes the Magothy and Lloyd aquifers, upon which the residents of Long Island depend for their drinking water supplies. An estimated 53 golf courses covering 7,294 acres are located within these deep flow recharge areas. Another 54 golf courses are estimated to cover 6,286 acres outside the deep flow recharge areas (see map on page 11, and map key in the Appendix). Although pesticide use by golf courses outside the recharge areas are less likely to affect the two deeper drinking water aquifers, it may contaminate the Upper Glacial aquifer which is used for both shallow private wells and even a few public supply wells.

Pesticides, like other chemicals, may vary in their potential to leach, or to migrate through soils. In the absence of groundwater monitoring studies, this potential can still be estimated. Table 4 presents estimates of this potential, based on a leachability rating system adopted by the U.S. Soil Conservation Service. The "leachability" ratings in this table consider pesticide persistence and mobility, and represent different probabilities for groundwater contamination. Pesticide applicators can use Table 4 as a guide for selecting pesticides that pose the least risk of groundwater contamination. This information can also be used to decide which pesticides should be monitored in groundwater.

The actual impact of the pesticide on groundwater is influenced by several additional factors including the type and thickness of the surface soil in the area where the pesticide is applied. As noted earlier, Long Island's soils are generally a poor barrier to contaminant migration. Long Island's vulnerability to groundwater contamination by pesticides is perhaps best illustrated by the fact that degradation products two of the pesticides (chlorothalonil and Dacthal) that are rated in Table 4 as having a "small" leaching potential have nevertheless already reached Long Island's groundwater (see discussion on page 3).

TABLE 4

Pesticide Leaching Potential			
LARGE	MEDIUM	SMALL	VERY SMALL
dicamba	2,4-D amine salt	2,4-D acid	diquat
dichlobenil	bendiocarb	2,4-DP	glyphosate
ethofumesate	chloroneb	anilazine	propamocarb HCL
fenarimol	isofenfos	benfluralin	vinclozolin
metalaxyl	propiconazole	benomyl	
prometon	siduron	bensulide	

propoxur triadimefon captan
trichlorfon carbaryl
chlorothalonil
chlorpyrifos
Dacthol
disulfoton
fosetyl-Al
iprodione
mancozed
maneb
oryzalin
oxadiazon
PCNB
pendimethalin
thiophanate-methyl
thiram
trifluralin

Source: SCS/ARS/CES Pesticide Properties Database, U.S.D.A. Soil Conservation Service, 1991

Other Potential Dangers of Golf Course Pesticides

Unfortunately, the potential adverse impacts of pesticides heavily applied on golf courses are not limited to the possibility that they may contaminate underground water supplies. People and the environment are not immune to many effects of pesticides. Millions of Americans may be sensitive to pesticides. Some of those afflicted with such reactions go to extraordinary lengths--greatly disrupting their lives--to avoid even the slightest chance of unwitting exposure. And still people continue to be poisoned by pesticides at work, at play and in the comfort of their own homes.

In addition to long-term health effects of pesticides like cancer, recently there have been various reports of people suffering immediate health problems after exposure to pesticides. In one extremely unusual case in 1982, Navy Lieutenant George Prior died two weeks after he spent three consecutive days playing golf at the Army Navy Country Club in Arlington, Virginia. His doctor, an expert forensic pathologist, reported that Prior suffered a severe reaction to chlorothalonil, a pesticide used weekly on the golf course.

In 1990, workers at Cornell University suffered attacks of vomiting, blurred vision, and headaches after the building where they were working was sprayed with an insecticide. Because of the growing number of these reports, last year New York State instituted a toll-free pesticide poisonings registry to keep track of these incidents. Pesticide poisonings must now be reported to the Department of Health's Pesticide Poisoning Registry at 1-800-322-6850.

Pesticides have also hurt the environment. Several years ago, more than 700 Brant geese were killed after absorbing diazinon from a Long Island golf course. Shortly after, New York State forbade the use of diazinon on golf courses.

Recommendations

If there is any doubt that Long Island's groundwater needs special

protection, the fate of groundwater in Brooklyn and Queens is an unfortunate reminder of the consequences of inaction and neglect. All of Long Island (Brooklyn, Queens, Nassau, Suffolk) shares the same regional groundwater aquifer system. Groundwater in Brooklyn and Queens was a source of drinking water from colonial times until well into this century. Yet because the vulnerability of this resource was not understood, it was not protected from the ravages of commercial and industrial development and burgeoning population growth. For example, an underground pool of about 10 million gallons of oil and gasoline under the Greenpoint section of Brooklyn has contaminated the Upper Glacial aquifer. Today, except for the groundwater under a small section of southeastern Queens, the groundwater in Brooklyn and Queens is not used for drinking water.

Despite this sobering lesson, government has yet to address groundwater contamination by pesticides before it happens. Instead, pesticide contamination has been responded to--after the fact--with band-aid measures that only address the immediate problem, not its source. Contaminated water has been replaced with bottled or tank-truck water or individual households have received drinking water filters that require ongoing maintenance. Affected public supply wells have been closed or fitted with expensive filters. Temik and Dacthal were banned for use in Suffolk County only after widespread contamination had occurred. However, such measures are no substitute for keeping groundwater clean by preventing future pesticide contamination. Yet the federal EPA, the agency with primary regulatory authority over pesticides, has made only limited prevention efforts. It has recognized that pesticide applications can jeopardize water quality and recently announced that it will take action to reduce the threat. However, the Agency has reviewed only about one-third of the studies submitted on the leaching characteristics of 16 pesticides known to contaminate groundwater. The EPA has determined that 40 percent of the studies are inadequate and must be supplemented or repeated. It will be years before the EPA has the full data requested in order to evaluate the threat of groundwater contamination. Until the data is complete and fully evaluated, the EPA should take interim action to prevent further groundwater contamination.

The State Legislature has already acted to protect Long Island's groundwater from some threats by ordering all landfills to close because of the danger they posed by leaking contaminants. The Legislature also enacted legislation banning certain septic tank cleaners on Long Island. But further action is needed.

To protect the public health and natural resources like Long Island's groundwater from the risks of pesticide contamination, the following measures should be taken in several areas.

Reducing Pesticide Hazards

The use of pesticides containing known or probable carcinogens for aesthetic purposes such as golf courses or lawn care should be eliminated. The risks posed by these carcinogens are not outweighed by the benefits of an aesthetically pleasing green lawn.

Pesticide users, particularly golf course management, both public and private, should consider the leachability and toxicity of pesticides they apply and avoid those with significant potential toxic effects.

Efficacy should not be the only reason for choosing a pesticide.

Groundwater quality should be monitored for pesticide contamination, particularly in groundwater recharge areas where pesticides are known to be applied in large quantities, such as Long Island golf courses.

As suggested by the GAO, the EPA should require groundwater advisories on the labels of pesticides known to cause widespread groundwater contamination.

The GAO also suggests that the EPA prohibit the use of pesticides known to leach into groundwater wherever groundwater is particularly vulnerable to pesticide contamination.

The GAO further suggests that the EPA permit only certified pesticide applicators to use those pesticides that leach into groundwater.

Minimizing Pesticide Use

All pesticide applicators, including golf course managers and homeowners, should use less toxic alternatives and "Integrated Pest Management" (IPM) practices to minimize the amounts of toxic chemicals applied.

Pesticide applicators should advise consumers that reduced or non-chemical alternatives to pesticides are available, so that consumers may choose to use such alternatives.

Full Disclosure

Pesticide labels should inform users that any pesticide use may pose potential health and environmental risks.

Pesticide labels should state clearly that registration is not a guarantee that pesticide use is free from risk.

The public should receive advance notice of pesticide applications in public buildings and places such as golf courses. Then people can make their own, informed choices about whether they want to risk exposure.

Implementing these recommendations cannot reverse past pesticide contamination. However, protection of our drinking water resources today will help ensure a continuing and safe water supply for future generations.

Endnotes:

1. Time Magazine, June 3, 1991
2. Status: Pesticide Sampling Programs, 1980-1988, Suffolk County Department of Health Services, July 1989.
3. D. Pimentel et al., "Environmental and Economic Impacts of Reducing U.S. Agricultural Pesticide Use," Handbook of Pest Management in Agriculture, 2nd edition, edited by David Pimentel, CRC Press, Boca Raton, Florida, 1991, page 679.
4. D. Pimentel et al., op cit.
5. As of August 1995, each of these active ingredients was still classified as a possible or probable carcinogen by EPA.
6. As mentioned earlier, one Dacthal manufacturer has voluntarily restricted its Dacthal products from use in Suffolk County. However, products containing Dacthal made by other companies or stocks purchased

before the restriction took effect in 1988 can still be used in Suffolk County.

7. As of August 1995, EPA's Office of Pesticide Programs listed captan as a probable carcinogen and oxadiazon, benomyl and pentachloronitrobenzene as possible carcinogens. Metalaxyl was listed as having evidence of "noncarcinogenicity for humans."

Credits

This report was originally prepared by Environmental Scientist Patricia Primi, Chief Scientist Michael H. Sorgan, Ph.D., Assistant Attorneys General Deborah I. Volberg and James A. Sevinsky and other staff of the Environmental Protection Bureau.

Appendix

KEY TO NASSAU COUNTY GOLF COURSES

Loc. #	Name	Town	Holes	Acres	Public/Private
1	Lake Success	Great Neck	18	120	private
2	Fresh Meadow	Great Neck	18	140	private
3	Deepdale	Manhasset	18	150	private
4	North Hills	Manhasset	18	148	private
5	Sands Point	Sands Point	18	130	private
6	IBM	Port Washington	9	60	private
7	Plandome C.C.	Plandome	18	110	private
8	North Hempstead	Port Washington	18	110	private
9	Christopher Morley Pk	North Hills	9	43	public
10	Wheatley Hills	East Williston	18	120	private
11	Engineers C.C.	Roslyn Harbor	18	122	private
12	North Shore C.C.	Glen Head	18	150	private
13	Glen Cove	Glen Cove	18	122	public
14	The Creek Club	Locust Valley	18	90	private
15	Nassau C.C.	Glen Cove	18	180	private
16	Glen Head C.C.	Glen Head	18	168	private
17	The Cedar Brook Club	Old Brookville	18	120	private
18	Brookville C.C.	Glen Head	18	116	private
19	Piping Rock Club	Locust Valley	18	178	private
20	Old Westbury	Old Westbury	27	198	private
21	Mill River Club	Oyster Bay	18	125	private
22	Pine Hollow C.C.	East Norwich	18	160	private
23	Muttontown	East Norwich	18	140	private
24	Tam O'Shanter	Brookville	18	169	private
25	Woodcrest Club	Syosset	18	122	private
26	Meadow Brook Club	Jericho	18	125	private
27	Glen Oaks	Old Westbury	27	250	private
28	Cantiague Park	Hicksville	9	42	public
29	Bethpage State Park	Farmingdale	90	875	public
30	Eisenhower Park	East Meadow	54	300	public
31	Garden City C.C.	Garden City	18	150	private
32	Garden City G.C.	Garden City	18	112	private
33	Cherry Valley	Garden City	18	143	private
34	Hempstead	Hempstead	18	120	private
35	Rockville Links	Rockville Ctr.	18	180	private
36	Inwood	Inwood	18	164	private
37	North Woodmere Park	N. Woodmere	9	50	public
38	Lawrence	Lawrence	18	120	private

39 Woodmere Woodmere 18 110 private
 40 Rockaway Hunting Club Cedarhurst 18 200 private
 41 Seawane Club Hewlett Harbor 18 130 private
 42 Bay Park E. Rockaway 9 50 public
 43 Middle Bay C.C. Oceanside 18 120 private
 44 Lido Golf Club Lido Beach 18 144 public
 45 Merrick Rd. Park Merrick 9 61 public
 46 Jones Beach State Park Wantagh 18 130 public
 47 Peninsula Massapequa 9 50 public

KEY TO SUFFOLK COUNTY GOLF COURSES

Loc. #	Name	Town	Holes	Acres	Public/Private
48	Huntington C.C.	Huntington	18	90	private
49	Cold Spring C.C.	Cold Sprng Hrbr	18	135	private
50	Huntington Crescent	Huntington	18	190	private
51	Bergen Point C.C.	Babylon	18	240	public
52	Cedar Beach	Babylon	9	20	public
53	Southward Ho	Bayshore	18	151	private
54	Half Hollow Hills	Dix Hills	9	41	public
55	Dix Hills	Dix Hills	9	30	public
56	Crab Meadow	Northport	18	79	public
57	Northport VA Hospital	Northport	9	28	public
58	Indian Hill	Northport	18	143	private
59	Sunken Meadow	Kings Park	27	250	public
60	Dix Hills Park	Dix Hills	9	36	public
61	The Hamlet	Commack	18	180	public
62	Brentwood C.C.	Brentwood	18	110	public
63	Robert Moses	Babylon	9	18	public
64	Hauppague	Hauppauge	18	135	public
65	Smithtown Landing	Smithtown	27	40	public
66	Colonie Hill	Hauppauge	18	90	private
67	Timber Point	Great River	27	239	public
68	Nissequogue	St James	18	125	private
69	West Sayville	West Sayville	18	250	public
70	Island Hills C.C.	Sayville	18	110	private
71	St. Georges	Stony Brook	18	100	private
72	Heatherwood	Centereach	18	70	public
73	Harbor Hills	Port Jefferson	18	40	private
74	Bellport	Bellport	18	98	public
75	Tall Tree	Rocky Point	18	146	public
76	Spring Lake	Middle Island	27	260	public
77	Middle Island	Middle Island	27	226	public
78	Swan Lake	Manorville	18	144	public
79	Pine Hills	Manorville	18	133	public
80	Rock Hill	Manorville	18	125	private
81	Fox Hill	Baiting Hollow	18	140	private
82	Sandy Pond	Riverhead	9	75	public
83	Indian Island	Riverhead	18	157	public
84	Hampton Hills	Riverhead	18	60	private
85	L.I. Wyandanch Club	Eastport	9	63	public
86	Westhampton	Westhmpn Bch.	18	120	private
87	Quogue Field Club	Quogue	9	82	private
88	National Golf Links	Southampton	18	165	private
89	Shinnecock Hills	Southampton	18	96	private
90	Southampton	Southampton	18	130	private

91	Noyac	Sag Harbor	18	102	private
92	Bridgehampton	Bridgehampton	9	66	private
93	Poxabogue	Bridgehampton	9	82	public
94	Sag Harbor	Sag Harbor	9	68	public
95	Maidstone	East Hampton	27	120	private
96	South Fork	Amagansett	9	40	private
97	North Fork	Cutchogue	18	130	private
98	Cedars	Cutchogue	9	27	public
99	Shelter Island	Shelter Island	9	61	public
100	Gardiners Bay	Shelter Island	18	118	private
101	Islands End	Greenport	18	108	private
102	Hay Harbor	Fishers Island	9	45	private
103	Fishers Island	Fishers Island	18	130	private
104	Montauk Downs	Montauk	18	254	public
105	Blue Ridge	Medford	9	32	private
106	Gull Haven	Central Islip	9	60	private
107	Leisure Village	Ridge	9	60	private

Chemical name: ethyl 4-methylthio-m-tolyl isopropylphosphoramidate

- * Trade names: Namacur, Bay 68138, Phenamiphos
- * Pesticide type: nematicide, insecticide; a systemic and contact pesticide
- * Class: organophosphate, cholinesterase inhibitor
- * Exposure routes: fenamiphos is highly toxic through oral, dermal, and inhalation
- * Current use: nearly 1 million pounds of fenamiphos are used annually in the U.S. on 289,000 acres. 60% of the usage is on four crops: tobacco, grapes, oranges, and peanuts. Approximately 25% of all pineapples grown (Hawaii) are treated with fenamiphos. Fenamiphos is also used on commercial and industrial lawns, and golf course, in addition to other food crops.
- * In a controlled experiment, fenamiphos was found to be the most toxic of thirteen other commonly used organophosphates to birds.
- * Most wildlife mortality has occurred on golfcourses, resulting in fish kills. However, numerous bird deaths have been recorded including an incident where over 1000 birds died after fenamiphos was applied to an orchard.

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incident where over 1000 birds died after fenamiphos was applied to an orchard.

----- End of Forwarded Message

----- End of Forwarded Message

From: "Adair DeLamater" <adair@midtel.net>
To: <afcieslu@gw.dec.state.ny.us >
Date: 4/3/2004 7:43:35 AM
Subject: [Maybe Spam] Catskill Park

I am opposed to any large commercial development in the Catskill Park. The public loves and the needs the park for open space, for the preservation of habitat for wildlife and fauna, and to protect clean air and water. WE DO NOT NEED LARGE, COMMERCIAL RECREATION, LODGING, AND/OR FOOD FACILITIE

Adair DeLamater
236 Rosenberg Road
Sharon Springs, NY 123459
adair@midtel.net

From: <druzow@woh.com>
To: <crosenthal@woh.com>
Date: 4/6/2004 4:41:28 PM
Subject: FWD: Belleayre Resort at Catskill Park - comments

[Message delivered by NotifyLink]

-----Original Message-----

From: "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us>
Sent: Tue, April 06, 2004 4:32 PM
To: "Carol Krebs" <cbkrebs@gw.dec.state.ny.us>, "Richard Wissler" <rrwissle@gw.dec.state.ny.us>, <druzow@woh.com>
Subject: Belleayre Resort at Catskill Park - comments

I will be mailing out copies to each of you of written comments received through April 6 ,2004.

CC: <tbakner@woh.com>

From: <druzow@woh.com>
To: <croenthal@woh.com>
Date: 4/6/2004 4:44:29 PM
Subject: FWD: Fwd: Proposed Belleayre Resort at Catskill Park - emailcomments

[Message delivered by NotifyLink]

-----Original Message-----

From: "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us>
Sent: Tue, April 06, 2004 4:33 PM
To: "Carol Krebs" <cbkrebs@gw.dec.state.ny.us>, "Richard Wissler" <rrwissle@gw.dec.state.ny.us>, <druzow@woh.com>
Subject: Fwd: Proposed Belleayre Resort at Catskill Park - email comments

CC: <tbakner@woh.com>

From: "Adair DeLamater" <adair@midtel.net>
To: <afcieslu@gw.dec.state.ny.us >
Date: 4/3/2004 7:43:35 AM
Subject: [Maybe Spam] Catskill Park

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Adair DeLamater
236 Rosenberg Road
Sharon Springs, NY 123459
adair@midtel.net

From: Lydia Sung <lydiahsung@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/9/2004 9:00:36 PM
Subject: Belleayre Resort

Dear Mr. Ciesluk,

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of the entire ecosystem of wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of the Forever Wild protection the people of New York have mandated for the Park.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of sync with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Lydia Hi Soo Sung

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From: Rose Jambrone <Jambrone@ulster.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/13/2004 9:36:47 AM
Subject: Opposition to Crossroads Project

Dear Mr. Ciesluk, My husband and I have lived in this area for 34 years and lived in the Township of Shandaken for 12 years. We are aware of and sensitive to the economic issues in our area, but we believe the Crossroads Ventures at Bellayre would destroy not only the environment, but the very nature of our community in the Hudson Valley. We witnessed the birth of Mr. Gitter's garish venture on Route 28, and for all the hyperbole and dismissiveness of opponent's concerns, Mr. Gitter has shown no evidence of financial success. The Emerson Spa seems an equally doomed investment as it has already had to refund money to guests paying upscale fees to sleep next to a highway. It also seems to employ mostly foreign, not local, staff, though that may have changed. We agree with the former bank manager who testified at the hearings that the entire Crossroads enterprise is on financially shaky ground. What will we do if we wind up with a big hole in the mountain or a failed resort? Our greatest concern though is the environment on and around Bellayre, including the watershed, which we all know will be devastated - to what degree seems to be the debate. I will not reiterate all the reasons for opposition as you have already heard them. My husband and I just want to add our voices to the majority of people in our community who are totally against this project. I am a social worker/psychotherapist who has in the past worked with at-risk teenagers in Shandaken, and in a volunteer capacity am presently Chair of the Ulster County Community Services Board overseeing the behavioral health needs of the county. My husband is a successful builder with 11 employees in this area. We are hikers and bird-watchers, and dedicated to protecting the environment, especially any wilderness left in America. We feel very fortunate to live here in this very beautiful place and feel a sense of responsibility to protect it. We like living in a small town "the sticks" as one of the imported union members said at the last hearing in Boiceville. We are not anti-development and are realistic about the diverse needs of the region. However, this is a project inappropriate both in scale and nature, born of one man's hubris and not at all relevant to solving the problems here. Some folks would like to frame this debate as one between the second-home or newly arrived "elite" who can afford to care about the "vision of the Catskills" and the hard-working natives who want the jobs. Anyone who lives here knows this is not the truth, and not what this is about at all. There are many of us, from all sectors of the community who are determined that this project should not happen on any scale. We have been to towns in the West where these large scale resorts have made it impossible for local people to live in their own towns anymore. They are bussed in to spend their days in low-paying service jobs. Please do not allow for the destruction of our environment and our community. What we have here is precious and so easily lost. And it can never be reclaimed. Thank you, Rose Jambrone and Hank Starr
179 Abbey Road Mt Tremper, NY 12457

From: "Christine and Jerry Baltz" <candjbaltz@msn.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/19/2004 8:07:44 PM
Subject: [Maybe Spam] Belleayre Resort

Dear Sir

I really do not care if the Belleayre Resort is or is never built but I am very concerned and dismayed at the outright anger and hostility this proposed project has caused between the citizens of this community and the outside instigators.

I have been a seasonal resident for 56 years and have recently become a full timer (part of a life long dream). I have NEVER in all those years seen this town so divided as it is now. Yes, people always disagreed but we were always most importantly friends, neighbors, and there for each other, but since the involvement of new "citizen action" groups it most certainly is not Dean Gitter with his grandiose resort schemes making our peaceful mountains the battle ground they have become.

I mourn for my mountains and the way of life as it used to be. There was once love and concern here but now it is "us and them" with no compromise. How sad to see this way of life gone forever.

Christine Baltz

From: "Richard Blacksberg" <blacks1@ix.netcom.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/20/2004 11:19:08 PM
Subject: [Maybe Spam] Belleayre Project

Dear Alexander Ciesluk Jr,
I'm praying that the DEC will take the necessary measures to STOP the "Proposed Belleayre Mega-Resort". The resort will create a huge demand on water resources and in addition will NEGATIVELY impact New York City's water supply as a result of contaminants entering our reservoirs. This will put an economic strain on NYC as it will be forced to put in a filtration system.

I and my family, have been residents of Pine Hill since 1972. I am also a NYC resident. I have many reasons that I do not want the resort, I have stated my most important reasons. I have always been and ENVIRONMENTALLY CONSCIOUS individual and would greatly appreciate your assistance in STOPPING this resort.

Thank you for taking the time to listen. I feel very fortunate to have the privilege of expressing my point of view and being HEARD.

Thank You,
Sincerely
Bea Blacksberg

Richard Blacksberg
blacks1@ix.netcom.com
Why Wait? Move to EarthLink

From: "Nancy M. Tudor" <ntudor@nycap.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/22/2004 9:38:16 PM
Subject: The Belleayre Resort at Catskill Park

What is the deadline for submitting comments on the Belleayre Resort?

Thank you,

Nancy Tudor

From: <LMTM217@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/27/2004 8:00:51 AM
Subject: Belleayre Mountain

We need to preserve the rural integrity of Ulster county. There's a quaintness to the area that should be maintained and not overrun with development. The open spaces, mountains, woods and waterways are enjoyed by many as they exist today

From: "Kate Goodspeed" <kgoodspeed@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/27/2004 4:47:18 PM
Subject: Belleayre

To whom it may concern:

I have previously written to Elliot Spitzers office and Nancy Calhouns office expressing my deep concerns of the Belleayre mega resort. Many concerns come to mind, but first is the respect for the environment, water quality, and a unspoken breach of contract to keep the Catskill's forever wild. Resorts have ruined our Nation's seashores, and development has ravaged our quality of life. Concerned towns have enacted building moratoriums and/or growth permits to maintain a quality of life. The Adirondacks and the Catskills for many are a respite from the everyday grind of city life. Water quality to many New Yorkers will certainly become compromised. As a landscape designer, an active member of our towns conservation committee and Town Tree Warden, I can safely presume that chemicals will be used on the golf greens and fairways, as it impossible to have a golf course without them. As we continue to pave over our green space, why is it that one mega machine will determine the fate of so many? Do we honestly think that this project will provide jobs beyond minimum wage? That the trades used to build this resort will honestly be hired from with in the Catkill region? That the quality of life will be better for the majority? I think not. The only thing that we can be sure of is someone is going to profit hugely at millions of persons expense. This needs much more consideration to the environment and the people who feel that this is a very special place that needs to remain forever wild. Thank you for listening. Kate Goodspeed, Cornwall, NY

From: "Lou Wentz" <louw@bedandbreakfastcoffee.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/28/2004 1:03:04 AM
Subject: Catskill Development

My family and our friends (some 25+) have been coming to the Catskills since 1985, In the area of Big Indian We do so because it is undeveloped and represents the character of the Catskills throughout the generations. We have no interest in going to a "resort" area and will stop coming if the proposed development goes through. The people who want to develop this area, and those who would buy into this type of amenity could do so elsewhere, where development forces have already scarred the landscape They would hardly even notice

Lou Wentz
P.O. Box 339
New Berlinville, PA 19545
610-369-9120

From: "Chad Kleitsch" <chadkleitsch@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/16/2004 8:32:05 PM
Subject: opposed to the Belleayre resort project

Alexander Ciesluk, Jr

I am opposed to the Belleayre resort project. Putting a mega golf resort, with all of its associated pollutants, on top of a watershed that supplies 21 million people with unfiltered drinking water is extremely irresponsible.

Are the developers prepared to pay for the 6 billion dollar filtration system their project will necessitate? Is New York City? Is New York State?

A New York State taxpayer and voter.

Sincerely,
Chad Kleitsch

MSN Toolbar provides one-click access to Hotmail from any Web page – FREE download! <http://clk.atdmt.com/AVE/go/onm00200413ave/direct/01/>

From: "Bennett, Robert" <robert.bennett@agtseven.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/29/2004 10:35:14 AM
Subject: Crossroad Venture Resort

Alexander,

I'll be brief... As a resident of Highmount, I am adamantly opposed to the proposed Crossroad Venture Resort. The scale at which Dean Gitter wants to build is totally unacceptable. Over 500 acres of pristine forest to be cleared? Two professional golf courses, two hotels and not to mention the townhouses?... Please listen to the people who live, work and cherish the environment here... Not to mention the affect this farce will have on the NYC water supply... You understand that the developers do not have the area in its best interest..... Respectfully, Robert

From: "annette" <annetteb@vzavenue.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 3/31/2004 11:34:50 AM
Subject: Crossroads Ventures project

Dear Mr. Ciesluk:

I wish to add my voice (loudly) to the many others that believe the Crossroad Ventures project in the Catskills is insane.

Please do all you can to stop this mammoth "takeover" in Belleayre.

thank you.

Annette Burgess
member: Adirondack Mountain Club, Catskill 3500 Club, New York New Jersey Trail Conference, Sierra Club

From: pamelamartin <pamelamartininc@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/14/2004 7:28:12 PM
Subject: proposed mega resort in the Catskills

Alexander Ciesluk Jr.
21 South Putt Corners Road
New Paltz NY 12561-1620

Pamela Martin
The Old Church
Main Street
Pine Hill NY 12465

April 5, 2004

Dear Mr. Ciesluk,

I am writing to voice my utter opposition to the proposed Belleayre Resort. I moved to Pine Hill five years ago, drawn to the area by the superb natural unspoiled forests, and the lovely and equally unspoiled small towns. As a recent second home-owner I can speak also for other Manhattanites who, without exception, come up here to get away from all signs of over-development and commercialization.

A development of this size and scope will certainly have a disastrous effect on the environment. The clearing of thousands of trees will surely lead to erosion and massive run-off, which will affect not only the Esopus and local creeks, but the reservoirs which deliver water to New York City. If this water becomes polluted by the chemicals and pesticides used by the proposed golf courses, there will be a cost of billions of dollars to filter and remove the pollutants; currently it is treated only with chlorine.

Belleayre Ski Center is a fine example of responsible development, with minimal impact to the ridgeline, and a popular and successfully run business that attracts thousands of tourists without polluting the environment.

I rent part of my property out to skiers during the winter. Everyone who visited Belleayre and Pine Hill touted it's lovely, small town quality and relaxed atmosphere. There were no requests to stay in an over developed glitzy monster resort.

The increase in traffic on Route 28 would be monumental. As it is, making a left onto Reservoir Road while heading west is virtually impossible on a weekend. We do not need city-level traffic up in the mountains.

The night time sky, which is currently remarkably clear, would be ruined by the lights of such a huge resort complex.

Pine Hill, and the neighboring towns, are small, quiet towns that will not bear up under the impact of such an enormous development. The construction phase alone, with contact heavy trucks and construction equipment will make life in town unbearable. As for the local businesses, the resort generated tourism will surely be drawn away from, not towards the small town enterprises; any that have survived the extensive construction phase.

I am not against all development anywhere; there are appropriate places

for a mega-resort. An irreplaceable pristine mountain ridgeline is not one of them. This is particularly disturbing this year, when we are celebrating both the Centennial of Catskill Park and the Bicentennial of the town of Shandaken. Shall we celebrate by ruining a priceless natural resource? I hope that we can be better stewards of this magnificent area and its natural resources by protecting and preserving it, for ourselves, and for future generations.

Sincerely,

Pamela Martin

From: <Lenibird1@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/14/2004 9:57:53 PM
Subject: save our water!

SAVE OUR WATER!

Recently I learned that New York's Dept. of Environmental Conservation may approve a proposal to build a 573-acre luxury golf resort in the heart of New York's forever wild watershed lands. I am deeply concerned about the effect this resort could have on my drinking water -- and on some of our state's most pristine, beautiful wilderness.

Blasting and clear-cutting of 550 forested acres invite erosion and stormwater runoff, dire threats to water quality. Pesticide, herbicide and fungicide run-off from the resort's two golf courses could contaminate streams feeding the Ashokan and Pepacton Reservoirs, primary sources of NYC drinking water. The inevitable sprawl the resort will bring will seal our watershed's doom -- and I don't want to pay for a \$6 to \$8 billion water filtration plant, which could become inevitable if this resort is built.

You have the power to preserve pristine drinking water for generations to come. Please say no to the proposed Belleayre Resort -- and yes to clean drinking water forever.

yours

leni stern

143 ave b apt 10d ny ny 10009

From: Lev 'Ljova' Zhurbin <Ljova@Ljova.com>
To: <miller@council.nyc.ny.us>, <gennaro@council.nyc.ny.us>, <afcieslu@gw.dec.state.ny.us>
Date: 4/15/2004 2:04:20 AM
Subject: [Maybe Spam] Please Save Our Water

Dear Sirs and Madams,

This evening I learned that New York's Dept. of Environmental Conservation may approve a proposal to build a 573-acre luxury golf resort in the heart of New York's forever wild watershed lands. I am deeply concerned about the effect this resort could have on my drinking water -- and on some of our state's most pristine, beautiful wilderness.

I drink NYC water daily, and its quality is very important to my health.

Blasting and clear-cutting of 550 forested acres invite erosion and stormwater runoff, dire threats to water quality. Pesticide, herbicide and fungicide run-off from the resort's two golf courses could contaminate streams feeding the Ashokan and Pepacton Reservoirs, primary sources of NYC drinking water. The inevitable sprawl the resort will bring will seal our watershed's doom -- and I don't want to pay for a \$6 to \$8 billion water filtration plant, which could become inevitable if this resort is built.

You have the power to preserve pristine drinking water for generations to come. Please say no to the proposed Belleayre Resort -- and yes to clean drinking water forever.

Thank you!,

Lev Zhurbin
Upper West Side

--

Lev "Ljova" Zhurbin
Please visit my website: ==> <http://Ljova.com/>

"Donuts fear mistakes - they are known."
-L'os de Plaute, fabled French filosofeur

From: Olivia Greer <oliviajanegreer@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>, <gennaro@council.nyc.ny.us>, <miller@council.nyc.ny.us>
Date: 4/15/2004 8:35:28 AM
Subject: [Maybe Spam] PLEASE SAVE OUR WATER!

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You have the power to preserve pristine drinking water for generations to come. Please say no to the proposed Belleayre Resort -- and yes to clean drinking water forever.

Olivia Greer
New York City

From: jim orso <orsoj@yahoo.com>
To: <miller@council.nyc.ny.us>, <gennaro@council.nyc.ny.us>, <afcieslu@gw.dec.state.ny.us>
Date: 4/15/2004 9:59:12 AM
Subject: Resort Proposal

April 15th, 2004

Alexander Ciesluk, Jr.
Council Member James Gennaro
Council Speaker A. Gifford Miller

SAVE OUR WATER!

Recently I learned that New York's Dept. of Environmental Conservation may approve a proposal to build a 573-acre luxury golf resort in the heart of New York's forever wild watershed lands. I am deeply concerned about the effect this resort could have on my drinking water -- and on some of our state's most pristine, beautiful wilderness.

Blasting and clear-cutting of 550 forested acres invite erosion and stormwater runoff, dire threats to water quality. Pesticide, herbicide and fungicide run-off from the resort's two golf courses could contaminate streams feeding the Ashokan and Pepacton Reservoirs, primary sources of NYC drinking water. The inevitable sprawl the resort will bring will seal our watershed's doom -- and I don't want to pay for a \$6 to \$8 billion water filtration plant, which could become inevitable if this resort is built.

The TAXPAYERS and VOTERS who LIVE AND WORK in New York say NO to the resort proposal!!

You have the power to preserve pristine drinking water for generations to come. Please say no to the proposed Belleayre Resort -- and yes to clean drinking water forever.

Thank you for your time and attention.

Most Sincerely,
James D. Orso
728 Fifth Ave., #D1
Brooklyn, NY 11232

Do you Yahoo!?
Yahoo! Tax Center - File online by April 15th

From: "RICHARD BAKER" <BLUEKEPI@peoplepc.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/15/2004 9:07:32 AM
Subject: Belleayre Resort project

Nearly 2 years ago, Marist College did a survey for Gitter about the proposed Belleayre Resort project. We were called; my wife answered the questions. We are totally opposed to this project. The results of this poll were never published. Had the results been overwhelmingly in favor of the project, Gitter would have had a newsletter stating so sent to every resident in Shandaken before the ink was dry. Even if the survey showed that at least half the residents supported it, he would have argued that half the town favored the project and that was reason enough to go through with it. The fact that nothing was ever said regarding this survey after such a length of time, it is quite evident that the majority of people polled oppose the project.

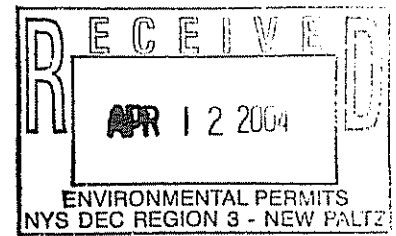
To approve a project with such catastrophic risks, that is opposed by so many people not just locally, but around the country and around the world (see the petition at Friends of Catskill Park web site), is plain foolhardy. It is unconscionable to risk the drinking water of 9 million people, as well as the risk to local businesses, for the sake of a very few people making more money than they already have. If these investors already have 'well-lined pockets', then let them be satisfied with what they have. They are not after this project for the purpose of helping anyone but themselves. Don't let greed destroy these mountains. No one will be able to come in and repair the damage they will do, not just to the mountain, but the surrounding communities.

Richard Baker

12 Andrew Lane

Mt. Tremper, NY 12457

RICHARD S. FELDMAN, Ph.D.
73 Red Maple Road
Shokan, NY 12481-5618
richard.feldman@marist.edu
(845) 657-8760



9 April 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

My concerns about the proposed Belleayre Resort at Catskill Park are multifold. I look at the development from the perspective of a local resident, parent of a pre-school child, professional environmental scientist, and environmental conservationist.

My wife Melanie and I made a conscious decision three years ago to have our home in the Town of Olive, having lived in Ulster County for seven years already. Melanie is a teacher in the Onteora Central School District and we like the quality of life in this part of the county. We wanted to get away from areas where the traffic had grown to intolerable levels, e.g. New Paltz, and where development/suburban sprawl was not out of control. Providing a healthy and safe setting in which our three year old son can grow up is of great importance to us; clean air and water, and safe roads are paramount concerns.

One of the little surprises since settling here has been the weekend and holiday traffic on Rt. 28. This serves as an introduction to what would become the norm if a large-scale resort operates in Shandaken. I am especially concerned about increased air pollution, as well as greater inconvenience (waiting to turn from my street onto Rt 28 and slower traffic), more aggressive drivers, and more accidents. It is safe to assume that a relatively high proportion of the increased traffic will be as large SUV's, favored among the affluent who would patronize a golf resort. Such vehicles contribute more air pollutants per mile than conventional passenger vehicles. Further, the roads will need more maintenance, which adds to environmental degradation (deferred costs that eventually your agency and others will need to address) and economic costs. These costs will not be absorbed by the developers but rather passed on to residents. Clearly, the entire Rt 28 corridor from Kingston to Bellayre will be impacted, just in terms of increased traffic and the multiple effects that has.

Another regional effect is ecological. Habitat fragmentation is a well-documented cause of decreased regional biological diversity. As terrestrial ecosystems are broken into smaller parcels, biodiversity decreases. As the Catskill forest is developed into various-sized plots of non-forested land, the species that evolved with those forests have less of their required habitat. All species have a critical minimum amount of habitat that allows them to survive. Unfortunately, these minimums are usually not known until after a species becomes rare. We do know that many species need extensive, continuous areas of undisturbed forest to survive, if not thrive. A good example is the endangered mountain lion. Another is the black bear; with this creature, as development encroaches upon its habitat, it wanders into developed areas much more. The formerly elusive and wary giant becomes an unwelcome, brazen, destructive

TO : ALJ R. WISLER

D. RIZOW

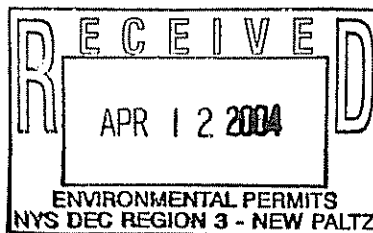
C. KREBS

From : A. Ciesluk

4/14/04

Written comments through 4/13/04
on Crossroads Ventures project.

APRIL 9, 2004



ALEXANDER CIESLUK, Jr.
DEPUTY REGIONAL PERMIT ADMINISTRATOR
NYSDEC DIVISION OF ENVIRONMENTAL PERMITS, REGION 3
NEW PALTZ, NY

RE: CROSSROADS PROJECT AT BELLEAYRE MTL

DEAR MR. CIESLUK:

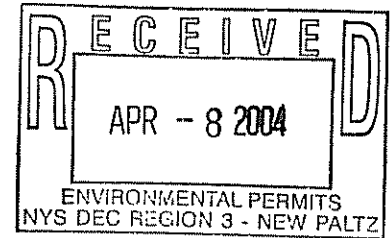
I AM WRITING DURING THE PUBLIC COMMENT PERIOD TO EXPRESS MY GRAVE CONCERNS ABOUT THE SIZE OF THE CROSSROADS VENTURES PROJECT ON BELLEAYRE MOUNTAIN IN THE CATSKILLS. I AM ALSO VERY CONCERNED ABOUT THE EFFECT THIS PROJECT WILL LIKELY HAVE ON THE ENTIRE SURROUNDINGS AND NEIGHBORHOOD OF THE CATSKILL FOREST PRESERVE.

IT HAS BEEN ESTIMATED THAT A MIND-STAGGERING 435,860 INDIVIDUALS WILL LIKELY STAY AT THE RESORT, ~~ENTER~~ AS TIMESHARE AND AS CLUB INTERVAL OWNERSHIP UNITS PER YEAR. IT HAS ALSO BEEN ESTIMATED THAT ANOTHER 195,250 VISITORS WOULD LIKELY STAY AT THE HOTELS EACH YEAR. THESE ARE HUGE NUMBERS OF PEOPLE FLOWING INTO THE CATSKILL MOUNTAINS EVERY YEAR. THE EFFECTS OF THEIR FOOTPRINTS SHOULD BE CAREFULLY STUDIED AND CONSIDERED BEFORE ANY PERMITS ARE ISSUED.

CROSSROADS HAS SAID THAT IT WILL MARKET ITS CLOSE PROXIMITY TO THE CATSKILL FOREST PRESERVE TO TARGET A NON-SKIER MARKET. THEREFORE, A LARGE, UNDETERMINED NUMBER OF RESORT VISITORS WILL BE DRAWN INTO THE CATSKILL WILDERNESS AREAS. SLIDE MOUNTAIN WILDERNESS, WHICH IS VERY CLOSE TO THE PROPOSED RESORT, IS ALREADY IN SERIOUS DANGER OF OVERUSE. BEING THAT SLIDE IS THE HIGHEST PEAK IN THE CATSKILLS, YET A FAIRLY EASY HIKE, MANY RESORT VISITORS WILL WANT TO CLIMB IT. THEIR NUMBERS, IN ADDITION TO THE HIGH NUMBERS OF HIKERS THAT ALREADY GRAVITATE TO SLIDE, WILL PUSH SLIDE Mtn. TRAIL OVER INTO THE HIGHLY OVERUSED CATEGORY. PROBLEMS WILL UNDOUBTEDLY OCCUR THAT WILL BE IMPOSSIBLE TO SATISFACTORILY SOLVE. THE SLIDE MOUNTAIN WILDERNESS WILL BE DEGRADED BEYOND REPAIR.

IN ADDITION, THE PROPOSED HUNTER-WEST KILL WILDERNESS AND THE B.G. INDIAN WILDERNESS, WHICH ARE BOTH ALSO VERY MUCH USED ALREADY,

Mr Alexander F. Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, NY 12561.1620



Dear Mr. Ciesluk, Jr.,

Following is a copy of the speech I read at Onteora Central Schools.

FDR had the best public speaking guidelines I have ever heard.
He said, " Be sincere, Be brief, Be seated. "

I will try to adhere to this policy, although the passion that many of us feel towards saving our environment and our quality of life has a tendency to get us carried away.

First,I must clearly say that although I am a member of certain groups to be mentioned...that I am Not speaking as their representative.

I am speaking only on my and my family's behalf. (4 votes :))
Including my husband....a local building contractor for the past 20 years.

If I may please give you some of my background, you will see that I witness the effects of the economy on a multitude of levels.... from a business, government and a non-profit perspective.

In 1992, I co founded and still act as the Executive Director, among other duties, of the local Daily Bread Soup Kitchen. I also serve on the Advisory Board of the Food Bank of the Hudson Valley, & work daily with colleagues who run other area soup kitchens,food pantries, & shelters.

Because of my non-profit and business associations, in 2001; I was appointed by the Ulster County Legislature as a private sector representative to the Workforce Investment Board. This year, I was unanimously nominated for the position of First Chair and as their representative for goal and strategic planning between four counties.

This national directive partners business & community representatives and government agencies and helps all those seeking employment.

Page 2

Our local Workforce Investment Board has recognized service occupations (building, plumbers, electricians) and emerging nanotechnology, healthcare and education as some of the highest demand occupations. We supply training, employment opportunities and education. Workforce Investment Boards also seek out economic development and live-able wage employers and jobs. (Live-able wages in UC recognized as \$15 an hour.)

Meanwhile, as an active participant in the non-profit arena, I am truly aware of the struggle of the “working poor”, or the “food insecure”.

These are the people I see daily at my soup kitchen or local food pantry. The people who have to choose between paying essential bills or buying food for their families.

Including the almost 30 % of Ulster County school age children who live below federal poverty guidelines. (28.3 %)!

Additionally, Every single food pantry, soup kitchen and shelter (numbering approximately 30 for the Kingston, Saugerties & Woodstock areas) have experienced an increase in demand for services... along with a drop in government and private sector funding and available volunteer assistance!

On the drive here, I once again heard the Public Service Announcement on the radio, requesting help in enlisting emergency service volunteers.

We have a community that is struggling to find sufficient volunteers for their fire departments, emergency medical technicians and paramedics. On the front page of the local newspapers, coordinators are practically begging for additional volunteers for our essential volunteer fire corps.

We face critical shortages of blood for our blood banks; requests and blood drives are announced almost weekly.

We strive to supply nurses for the aged, ill and infirm in our hospitals. We search for volunteers to staff, counsel and guide those who come to our doors with their hands held out in need.

Page 3

In my opinion, We simply Do Not Have the community resources for a project of this magnitude.

As guardians of the Ashokan Reservoir, I sincerely hope that you have heard all of the concerns of those of us who live here, year round.

1) Our concerns that while we have always been willing to share the beauty of our Catskill home, that someone with more money or power will take it away from us and use it unwisely.

2) Our concerns that the DEP recognize the two failed Crossroad Venture projects in Newburgh and Maryland as a warning and require unconditional commitments for financing & completion bonding before our mountains are forever changed

3) Our very real concerns that you will use your stewardship to prevent traffic, noise, light, environmental, water and ground pollution

4) Our concerns and hope that our elected officials will act with admirable character & ethics.... to honor the will of the everyday person.

5) Our concerns that our quality of life will be forever affected by a large scale development unsuited to the area.

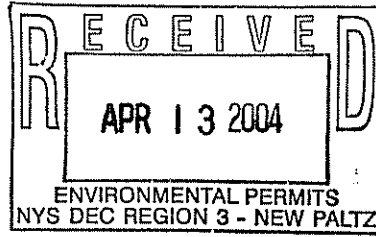
6) Our concern that our very fragile system of volunteer corps: fire, medical emergency, in house medical, blood and emergency food and shelter providers, will be unable to cope with this overwhelming development, while we are stuck with the 'drive by commerce' and crumbs... insufficient to withstand an onslaught of callous tourists hell bent on arriving rapidly at their destination resort.

Thank you for this opportunity to speak and to offer commentary on this project.

Sincerely,
Victoria, John, Nicholas & Katharine Langling
334 Morgan Hill Road, Hurley, NY 12443 ~ 845.339.3595

Thank you, *-The Langling Family*

SHAMOON SALIH
P.O. Box 335
Highmount, N.Y. 12441



Mr. Alexander Ciesluk Jr.
21 South Pitt Corners Rd
New Paltz, N.Y.
12561-1620
April 12, 2004

Dear Mr. Ciesluk!

I am a resident of and an owner of a Seasonal Business - Linden Hill Cottages, Inc. Fleischmanns, N.Y. located on Main and Depot Streets.

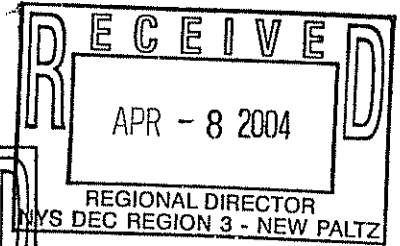
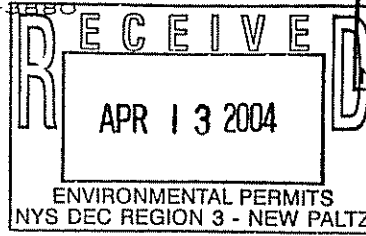
I am writing to you in vehement opposition to the Proposed Belleaire Resort due to the Negative Impacts this Resort may have on the Environment and character of the Catskills. Thank you!

Sincerely
Shamoon Salih
SHAMOON SALIH

MICHAEL D. ZENTMAN, PH D,
PSYCHOLOGIST - PSYCHOANALYST
83 STONY HOLLOW ROAD
CENTERPORT, NEW YORK 11721

(631) 754-8880

Moan Thru Tuffey
AA



I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of the entire ecosystem of wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of the Forever Wild protection the people of New York have mandated for the Park.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life

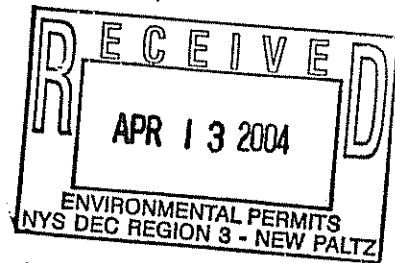
I urge you to reject and deny any and all applications for the development of the Belleayre Resort

Sincerely,

A handwritten signature in cursive script that reads "Michael D. Zentman".

4-12-04

re: Belleayre Project



Please do not allow this project to go through. I don't even understand how the D.E.C. can consider this even for a second considering all the implications. I have sat through 2 of the public hearings and was very impressed by the depth and detail of the research presented against this project.

How can the D.E.C. be the lead agency to make such a decision when you also run Belleayre Mountain and Stone! So much to gain -

Dean Catter already has many failed projects and back rupties strewn around this county please do not allow another one. Thank you, Carl Falc.

From: "Denis Orloff" <orloff@comcast.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/17/2004 12:11:51 PM
Subject: Belleayre resort DEIS

Alexander Ciesluk, Jr. NYS DEC,
21 South Putt Corners Road,

New Paltz,
NY 12561-1620

It is obvious from reviewing the DEIS report that it comes up short in a number of areas of great importance. Traffic studies are far from accurate.

The economic health and growth of the area is inaccurate also. Land is now selling for more than 2 times what it sold for 2 years ago. I just purchased 70 acres on the west side of Belleayre Mountain and I am very concerned that this resort will dry up our water supply. Already our well runs dry in August. There is no way this resort will not impact our water supply.

I am trying to keep my comments to issues in the report but if we step back a minute and look at just who will be profiting from this development we see that just a handful of people will put millions of dollars into their pockets under the guise of helping the surrounding communities. Why would any state agency allow a private developer to drastically alter the watershed environment for personal gain and risk the water supply and natural beauty of a forever wild area like this?

I do not believe there will be anywhere near the amount economic benefit to the local communities as is being suggested by local business officials and the developers.

Once this land is developed it is gone forever and so will the pristine natural beauty of the entire surrounding countryside. No one can tell me that Route 28 will not have to be widened to 4 lanes soon after this project is completed. What a horror to the entire area if this scenic (and already highly congested) road is widened. Local communities along its path will be bypassed and so will be financially hurt. Please listen to the people who will be the most affected by this oversized development. Please require that the studies be more accurate and up to date in their facts and conclusions. Do this right the first time. The entire Catskill watershed is depending on your making the right decision for all people not just the developers.

Thank you,

Denis Orloff

Kelly Road

Shandaken, NY

From: Yuko and Ethan <palmamoto@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/18/2004 12:31:22 PM
Subject: [Maybe Spam] SAVE OUR WATER!

Dear Alexander Ciesluk

>
> Recently I learned that New York's Dept. of Environmental Conservation
>
> may approve a proposal to build a 573-acre luxury golf resort in the
>
> heart of New York's forever wild watershed lands. I am deeply
>
> concerned about the effect this resort could have on my drinking water
>
> -- and on some of our state's most pristine, beautiful wilderness
>
>
> Blasting and clear-cutting of 550 forested acres invite erosion and
>
> stormwater runoff, dire threats to water quality. Pesticide, herbicide
>
> and fungicide run-off from the resort's two golf courses could
>
> contaminate streams feeding the Ashokan and Pepacton Reservoirs,
>
> primary sources of NYC drinking water. The inevitable sprawl the
>
> resort will bring will seal our watershed's doom -- and I don't want to
>
> pay for a \$6 to \$8 billion water filtration plant, which could become
>
> inevitable if this resort is built
>
>
>
> You have the power to preserve pristine drinking water for generations
>
> to come. Please say no to the proposed Belleayre Resort -- and yes to
>
> clean drinking water forever
>

> Yuko Yamamoto
361 Graham Avenue 2L
Brooklyn, NY 11211

April 18 2004

From: <SplitB@aol.com>
To: <afcieslu@gw dec.state.ny.us>
Date: 4/18/2004 12:26:27 AM
Subject: please dont develop beautiful mountains

once mountains have been destroyed and playgrounds for rich people like golf courses have been created, it is very hard to get them back when we need them.
I dont want my grand child to miss having the catskills when he grows up i have a house in the catskills and he lives in new paltz where another developer is trying to do the same thing to his future.
wow, the combination of those two developments will end forever the awesomeness of the catskills, preserved so long now for us to benefit from.
thank you for protecting our future
peggy shaw
new york

From: Andrew Schulkind <andy@andigo.com>
To: Alexander Ciesluk <afcieslu@gw.dec.state.ny.us>
Date: 4/19/2004 10:30:27 AM
Subject: Belleayre Resort at Catskill Park

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC

Dear Mr. Ciesluk,

Although I am optimistic about the proposed resort, and in favor of the economic benefit it promises for the area, I have concerns about the ecological impact it will invariably have.

In particular, I am concerned about the turbidity that will no doubt result from the clear-cutting, road widening, and other activities and disturbances that will be necessary for the proposed development.

The red clay soil in the areas surrounding the proposed development makes the streams in those areas particularly susceptible to smothering turbidity, particularly after heavy rainfalls. Left undisturbed, streams in these areas will clear in a day or so, but once disturbed by development, it can take a week or more for these streams to clear. (As a fisherman who spends a good deal of time on the streams in the area, I can offer you many examples. Perhaps the most notable is Birch Creek near the Pine Hill wastewater treatment plant.)

Such turbidity buries insect larva that are an important part of fish diets, as well as the eggs of those fish. A decreased fish population creates problems for other predators, and so on down the line ...

Though I place a tremendous value on the natural beauty that surrounds us in the Catskills, I am not in opposition to the development in and of itself. I am, however, against development that does not sufficiently protect the environment. It may be difficult to calculate economic costs for damage done during development, but there no question that such costs exist. I am simply asking that the Commission do what is necessary to protect our environment while balancing the need for economic development.

Given the development's size and its proximity to a number of streams (Birch Creek, Lost Clove, Emory Brook), the developers must be made to develop the property with tremendous sensitivity to the ecosystems around them. If doing so raises their cost structure somewhat, that is unfortunate, but proper. It is simply unfair for society as a whole to bear costs so that individuals may profit.

I hope you'll consider my comments as you formulate your recommendations on permits, etc.

Thank you for your time.

Regards,

Andrew Schulkind

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212-727-8445
www.andigo.com

From: <m.freifeld@att.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/18/2004 8:44:53 PM
Subject: Bealleayre Resort Comments

The planned Belleayre Resort at Catskill Park is much too large and should be scaled back in order to proceed.

The economic appeal of the project is seductive. Construction and operation will create a large number of jobs. This would certainly be a boon for the Catskill region. However, this can not be at the expense of a sensible land use policy. The Catskill Preserve belongs to all New Yorkers, both for the present and the future.

The project has the potential of degrading the New York City water supply such that a six billion-dollar filtration plant would be required. Crossroad Ventures has described how they will prevent this from happening. Unfortunately, it is well known that there are often significant differences between well-intentioned plans and actual execution. The developer/operator cannot be relied upon to follow their own plans. City and State agencies are often not adequately staffed. How will these plans be policed?

The proposed development can be expected to lead to a vast increase in traffic on Rt28. How is this to be addressed? The choices are equally unappealing. Doing nothing and courting gridlock but preserving the current environment? Or turning Rt28 into four lanes and degrading its charm as a country road. And how would this be financed???

The project can be expected to bring a huge number of people into a region that is already heavily used. The present scale of the project would result in overuse of a fragile trail system.

Respectfully submitted on behalf of our membership,

Margaret Freifeld, Stephen Klepner
Co-Presidents elect, ADK Mohican Chapter

From: "Ed & Lois Ostapczuk" <Tailwaters@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/18/2004 5:51:15 PM
Subject: Bellayre Resort project

Dear Mr Ciesluk,

Attached are my comments on the subject proposal. A signed hard copy will follow.

Ed Ostapczuk

April 19th, 2004
69 Ridge Rd
Shokan, N.Y 12481

Alexander Ciesluk, Jr
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Proposed Bellayre Resort

Dear Mr. Ciesluk,

I am writing you to express my opposition and concerns with the proposed Bellayre Resort project. To begin with, I am a resident in the Town of Olive, NYS Licensed fishing guide, and avid fly fisher for trout. As such I have several concerns with this project as it was presented to the general public

As a resident of Olive, I am deeply concerned about the increased traffic flow on the NYS Route 28 corridor and cost of additional services that this project bring about. Route 28 is a one-lane highway from the intersection of Route 375 northwest and the size and scope of the proposed project would have significant adverse impacts on the traffic and costs of services associated with Route 28.

Secondly, I am deeply concerned about the project's serious negative environmental impacts to the New York City watershed and on the quality of drinking water. Degradation and pollution of the water quality would have long-term negative impacts on our region and the City's drinking water effecting millions of residents of this state

Third, I have serious concerns about the negative impacts of run-off and effluent entering our local trout streams, namely Birch Creek, Lost Clove, and the upper Esopus. This in term would negatively impact our wild fish and the aquatic eco-system that supports a wild trout fishery. I am also very concerned about increased water temperatures in these waterways resulting from direct discharges into the streams.

Fourth, I have very serious concerns about the project's encroachment on adjacent NYS Forest Preserve Lands. These mountains attract thousands of tourists to the area every year and our Catskills are world renown for their history and environment. I question whether the size and scope of this proposal is a best fit for the Catskill Mountains. Clearly this is the single largest endeavor undertaken in the Catskills since the construction of the New York City's reservoir system that benefited millions of New Yorkers. On the other hand, few people, at the expense of many, will benefit from this undertaking.

I attended the first hearing in Boiceville at the Onteora Central School. There was overwhelming opposition to this proposal. The need for the project is questionable, few benefit from it, and its costs and impacts effects millions of New Yorkers. Short of disapproving this proposal, I ask that further evidentiary hearings be conducted to address the issues that I, and I'm sure hundreds, of others have raised

Thank you for this opportunity to express my concerns.

Sincerely,

Edward D. Ostapczuk
NYS Licensed Fishing Guide, No. 1461

From: "--Mary EarthSpirit--" <EARTH_N_SPIRIT@msn.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/20/2004 9:04:00 PM
Subject: Comments on the proposed Belleayre Resort at Catskill Park

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

TURBIDITY AND THE EFFECT IT HAS ON THE LIFE OF A TROUT .

Mountain streams in undisturbed areas remain clear or quickly clear after moderate rainfall events. In areas that have been disturbed by development that is not the case. The red clay in the area of Birch Creek at the Pine Hill wastewater treatment plant is a prime example. Prior to the construction of the plant by New York City after moderate to heavy rainfall Birch Creek would be running clear in a day. The construction of the treatment plant on the bank of Birch Creek is directly responsible for the increased turbidity which now takes up to as long as a week to clear after a storm event.

Comparing the size of the Belleayre project and its proximity to not only Birch Creek but also Lost Clove and Emory Brook the potential for an increase in turbidity is obvious. Clearing the mountainside of vegetation, the excavation of soil for buildings, widening of roads as well as their construction will expose the clay and it will find its way into the streams.

Deposition of silt into a stream bottom will bury insect larvae as well as the eggs of spawning trout, thus destroying the food trout depend on as well as their spawn. Please do not let this happen.

Sincerely,
Mary Fleckinger
PO Box 785
Stone Ridge New York
12484

--Creator is Chief--

-Never underestimate the power of your actions.

With one small gesture, you can change a person's life for better or worse.

Creator puts us all in each other's lives to impact one another in some way.

We all are but a single strand in the Web of Life.~

From: <SugarBraun@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 4/19/2004 3:20:37 PM
Subject: I oppose the Belleayre Resort

Monday April 19, 2004
New York, NY

Dear Mr. Ceisluk,

Please see attached letter addressed in your care to Commissioner Crotti regarding the Belleayre Resort Proposal. You will receive a hard copy of this letter before April 23rd 2004.

And please allow me to personally thank you for all the time and consideration you continue to put into this sensitive issue.

Sincerely Yours,

Margaret Braun

From: Margaret Braun
33 Bank Street
New York, NY, 10014

To: Erin Crotti
C/O Alexander Ciesluk Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

Dear Ms. Crotti

April 17, 2004

I am New York City Resident. I attended all four of the DEC hearings this winter. Mr. Ciesluk and Judge Wissler will tell you of the outpouring of opposition to Crossroads Ventures' Belleayre Resort Proposal.

As you are The Commissioner of the New York State Department of Environmental Conservation, am I to understand that after all the fine work, research, and testimony supplied by The Adirondack Mountain Club, Riverkeeper, Trout Unlimited, The Sierra Club, The Audubon Society, Friends of Catskill Park, The New Jersey Trail Conference, The Catskill Heritage Alliance, The Catskill Center for Research and Development, NIPERG, NRDC, as well as the scores of citizens who took time from their jobs and families to study the DEIS to site the flaws and inconsistencies in the DEIS text, who braved sub-zero temperatures to state their concerns to his honor Judge Wissler, that you might consider dismissing their findings? I must believe you would not. I must believe that you would respect the voice of your colleagues and your constituency. Because the former would be downright Un-American

The Belleayre Resort proposal came to be under questionable circumstances starting with Developer Dean Gitter's underhanded purchase of the Pine Hill Water Company. Had only the Shandaken Town Board member who asked to oversee the transition, and who owns land adjacent to the resort site notified the citizens of Pine Hill that the water company had been offered to the town - free of charge, Pine Hill would have gladly accepted. But this was not the case, and the DEC remains uninterested in the details of this vital transaction. Conflicts of interest abound, while unethical practices continue to this very day. How unfortunate for the good citizens and businesses of the surrounding hamlets who will suffer the effects of this resort. And how regrettable that millions of New York City residents will have to pay billions to filter their tap water from pesticides, herbicides, fungicides and insecticides coming from the Proposed Belleayre Resort

Oversized hotels in The Catskills have been failing since the invention of the air conditioner. New York City and Upstate New York residents do not need a mountaintop golf course that will spill toxic chemicals into the Esopus and Birch creeks. To deny the effects this will have on The Ashokan and Pepacton Reservoirs leads me to believe that the agency over which you preside is not interested in protecting the environment. And instead leads me to believe that an operating Belleayre Resort regardless of its environmental standards, could be approved in part for monetary gain to the state owned Belleayre Ski Center that sits atop Belleayre Mountain.

The clientele Dean Gitter hopes will patronize his resort prefers to stay at a smaller hotel, a renovated creekside motel, or a family run mountain house run by a chef who connects with the community by supporting local agriculture. City dwellers escape to the Catskills to fish, hike, ski, visit the hamlets and marvel at the high peaks. That or they board an airplane. A toxic mountain city that leaks into the New York City watershed is a terrible idea. Mr. Gitter wants to "Save the Catskills" but he will impoverish the Catskills if his resort is approved. Crossroads' dated statistics in the DEIS failed to include the advent of Internet and the post 9/11 run for the hills which has brought responsible development to The Catskill Region - brought on naturally, gracefully, and by good citizens who passionately support local businesses, and cherish the pristine wilderness. What a shame that the state would implement the doom its' own great cities watershed. And what a disgrace that the state would allow one real estate developer to deny an entire mountain region the opportunity to invest in its own positive future

As time passes, and opposition increases, my hope is that you will do all you can to prevent this ill-conceived proposal. I hope that you will recognize that The Crossroads Ventures Belleayre Resort Proposal is as an outright assault on democracy.

Very Sincerely,

Margaret Braun



From: Kathy Cronin <kcronin@binghamton.edu>
To: "Alexander Ciesluk Jr." <afcieslu@gw.dec.state.ny.us>
Date: 4/21/2004 10:33:01 AM
Subject: Public Comment/Belleayre Resort at Catskill Park

>
>Dear Mr. Ciesluk:
>
>I wish to comment on the Belleayre Resort, a proposed development in the
>Catskill Park.
>
>I am a frequent visitor to the Catskill Park, having climbed all the high
>peaks many times over, as well as visited many other parts of the Park. I
>return over and over again due to the wild nature of this place.
>
>I feel that a project of this magnitude would be nothing but detrimental
>to the Catskills. The horrendous potential for impacts to two watersheds,
>reduction of open green space and the proximity to our Forest Preserve can
>not be mitigated. And of course, if it is built we will inevitably have
>to widen or build new roads and provide all the secondary services that a
>resort would demand (fast food places, stores, gas stations, movie
>theatres, etc). All of this development would snowball and eventually go
>the way of the old Catskill hotels, into oblivion. By this time the
>environmental damage would be done.
>
>Please do not allow this to happen to the Catskill Park.
>
>Sincerely,
>Kathy Cronin
>204 S Liberty Ave
>Endicott, NY 13760
>kcronin@binghamton.edu
>607 777-6888

From: Kathy Cronin <kcronin@binghamton.edu>
To: <Alexander@binghamton.edu Ciesluk>, Jr <afcieslu@gw.dec.state.ny.us>
Date: 4/21/2004 10:28:05 AM
Subject: Public Comment/Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

I wish to comment on the Belleayre Resort, a proposed development in the Catskill Park.

I am a frequent visitor to the Catskill Park, having climbed all the high peaks many times over, as well as visited many other parts of the Park. I return over and over again due to the wild nature of this place.

I feel that a project of this magnitude would be nothing but detrimental to the Catskills. The horrendous potential for impacts to two watersheds, reduction of open green space and the proximity to our Forest Preserve can not be mitigated. And of course, if it is built we will inevitably have to widen or build new roads and provide all the secondary services that a resort would demand (fast food places, stores, gas stations, movie theatres, etc). All of this development would snowball and eventually go the way of the old Catskill hotels, into oblivion. By this time the environmental damage would be done.

Please do not allow this to happen to the Catskill Park.

Sincerely,
Kathy Cronin
204 S Liberty Ave
Endicott, NY 13760
kcronin@binghamton.edu
607 777-6888



CROTON WATERSHED CLEAN WATER COALITION

Mission:

CWCWC is an alliance of organizations and individuals joining together for a common goal of preserving, protecting, and improving the quality of the waters in the Croton watershed and to providing alternatives to filtration

9 Old Corner Road
Bedford, New York 10506
Ph: 914-234-3179
914-234-6470
Fax: 914-234-6139
E/mail:
marianr451@aol.com
crotonwshed@aol.com
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Regional contacts:

Putnam County
Ann Fanizzi
Ph: 845-228-4265
E/mail: geesewatch@aol.com

Westchester County
Marian Rosa, PhD
Ph: 914-234-3179
E/mail: marianr451@aol.com

Bronx Borough
Fay Muir
Ph: 718-944-4668
E/mail: fumir@aol.com

Manhattan Borough
David Ferguson
Ph: 212-989-0519

April 22, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: The Belleayre Resort at Catskill Park
Via Facsimile

Dear Mr. Ciesluk:

On behalf of the Croton Watershed Clean Water Coalition, Inc. (CWCWC), a not-for-profit organization of over 50 groups with membership throughout the NYC watershed and NYC, I am submitting comments on the draft environmental impact statement (DEIS) for the proposed Belleayre Resort at Catskill Park.

Our membership is deeply concerned about the potential environmental impacts of the project and, in particular, the inevitable degradation of the reservoirs that contribute to the as yet unfiltered water supply for 9 million people, over half the

Coalition members: Audubon Society; Bedford, Bronx River/S. Shore, Central Westchester, Saw Hill, Scarsdale Yankers, Bedford Barrow, Commerce Block Association, Bedford Garden Club, Catskill Heritage Alliance, Chelsea Reform Democratic Club, Citizens for Equal Environmental Protection (CEEP), Clearwater, Coalition for the Preservation of Rolling Greens, Concerned Citizens for Open Space, Concerned Residents of Carmel-Mahepac, Concerned Residents of Kent, Concerned Residents of Southeast, Council of Chelsea Block Associations, Croton Heights Community Association, Dickerson Mountain Preservation Association, Diocesan Missionary & Church Extension Society, East Harlem Council for Community Improvement, East Harlem Restoration Project, Inc., El Faro Beacon Community Center, Episcopal Diocese of New York, Federated Conservationists of Westchester County (FCWC), Friends of the Great Swamp (FROGS), Friends of the Clearwater - NYC, Friends of the Clearwater, George Nikitovich et al., Galiffert Bridge Community Association, Grassroots, Hands Across the Border (HAB), The HDCE Council, Hudson River the Clearwater, League of Westchester-on-Hudson, Huntersville Association, Lake Dutchess Association, Inc., Local Involvement for the Environment - Sleep Clearwater, St. League of Westchester-on-Hudson, Huntersville Association, Lake Dutchess Association, Inc., Local Involvement for the Environment - Metropolitan Council on Housing, Movement Studies Institute, Neighborhood Housing Services of NYC, Putnam County Tree Advisory Commission, Putnam County Coalition to Preserve Open Space, Queens Civic Congress, Regional Review League, Bedford, Rusticus, Sierra Club, Atlantic, Lower Hudson, Mid Hudson NYC Coalition to Preserve Open Space, Southern Yorktown Homeowners' Association, Trout Unlimited, Croton Watershed chapter, Westchester Land Trust, Westchester Trails, Yorktown Land Trust

acres should be allowed. There are innumerable examples of how one major storm will suffice to send thousands of tons of unsecured sediment into the nearby streams and reservoirs;

4. The applicant proposes two golf courses. In addition there will be lawns. These will introduce pesticides, herbicides and fertilizers into the nearby streams and thence, into the reservoirs. Runoff will be facilitated by the addition of 85 acres of impervious surface;
5. The applicant's analysis of the demand on water resources that this project would entail, is inadequate. The project stretches water resources to the limit. Under such circumstances, water quality deteriorates and could mean that pollutants such as runoff from the proposed golf courses would reach unacceptable levels in the drinking water.
6. The applicant fails to accurately estimate the increase in pollution carried by stormwater runoff resulting from the addition of approximately 85 acres of impervious surfaces.

The applicant, in a totally inappropriate way, is proposing to destroy irreversibly one of New York State's most beautiful, most unique landscapes that has dominated the area for thousands of years. It has been an inspiration to artists and writers and to those who are privileged to spend time enjoying its mountains and forests. There must be better ways of preserving this area while, at the same time, providing a decent livelihood for the local inhabitants. It should not be necessary to destroy it in order to satisfy the needs all the inhabitants and the many visitors who come to enjoy the unspoiled scenery.

In consideration of the impacts on the water supply of 9 million people and the destruction of the character of this unique area, we ask you to deny this project in its present form. We hope that a coalition of local residents and representatives of the regulatory agencies will be formed to devise a plan that will

population of New York State. Nowhere else in the world will you find such a high quality source of water supplying such a large number of people at still reasonable cost. This is a unique resource that, in the broadest, sense has been at the source of the economic strength of the region and the well-being of its inhabitants. Although the Belleayre project may seem attractive to some as a short-term, band-aid solution to creating jobs, in the long term it can only lead to the degradation of our life support system – our drinking water.

Here are our comments on the proposed development:

1. The applicant only provides a rudimentary analysis of alternatives to the proposed project. The State Environmental Quality Review Act (SEQRA) requires a full, in-depth analysis of alternatives;
2. The applicant has not studied the cumulative impacts that would be caused by the proposed expansion of the adjoining state-run Belleayre Mountain Ski Center;
3. The applicant proposes to disturb up to 25 acres of land at a time. According to the Phase 2 regulations, no more than 5 acres should be allowed. There are innumerable examples of how one major storm will suffice to send thousands of tons of unsecured sediment into the nearby streams and reservoirs;

satisfy the needs of the local inhabitants, assure the developer some return on his investment, preserve the beauty of this area and, most important, protect our drinking water supply.

Sincerely,

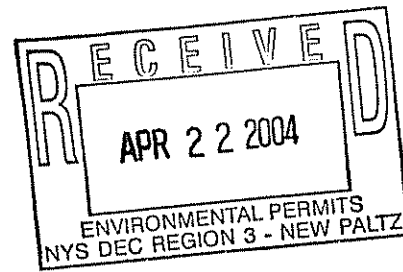
Marian Rose

Marian H. Rose, Ph.D.

President, CWCWC

April 18, 2004

Alexander Ciesluk, Jr.
NYSDEC Region 3 Headquarters
21 S. Putt Corners Rd.
New Paltz, NY 12561



Dear Mr. Ciesluk,

I am writing to express my opposition to Crossroads Ventures' proposed Belleayre Resort on the ridge of Belleayre Mountain above Pine Hill and Highmount. I am city and regional planner by training and I was a developer of affordable housing for many years. I am currently a senior director at a large foundation and in that position, I have reviewed many investments and studies about economic development in rural as well as urban areas worldwide. I am also an advisor to the University of Pennsylvania's Center to create the next generation of large scale urban development project managers. I offer my background to note that I have a long history of working with developers and I am not categorically opposed to all development.

However, I am very concerned about the representations made in the Draft Environmental Impact Statement that pertain to the economics of the project and the proposed economic benefits from the resort. The report offers very little information or evidence to assure us that the project can be developed as planned or that it will inure to the benefit of residents as projected. I will limit my concerns to these two points because I think they are critical to the overall environmental concerns and I know that many other environmental experts are sharing their views with you about other aspects of the Statement that I think merit your consideration.

The developer has no experience with a large residential and commercial development. I have searched all of the records on Mr. Gitter's business experience. He is on record as the developer of Catskill Corners and an adjoining small hotel renovation. The mall was federally subsidized and quite small and therefore does not demonstrate any ability to manage the financial side of a market driven project this size.

In essence, the proposed project is a turn-key arrangement to deliver land with the necessary permits and zoning to another developer. Therefore, neither the community nor the NYSDEC is hearing from the principals who will shape the land and the buildings that go onto it.

This is a project that will take many years to fully develop and will be subject to real estate and vacation trends that will impact scale and quality of development. This is a huge risk for the DEC to take with land in a watershed. Damage can be done during a construction period that cannot be corrected

because there is no money to do so and/or there is a developer who needs to propose a completely different plan to complete the project. As I am sure you know, this is not uncommon in the best of circumstances.

My second concern is that it is impossible for the public or your agency to find any meaningful evidence in the report that the development will inure to the benefit of the community. The developer offers no studies that show that these types of destination developments create long-lasting positive change in the economy of similar rural communities. I have searched the literature and have not found anything that would lend credence to this statement that the developer has made many times about jobs generated by the development.

As you may know, there are many studies that raise issues about the absence of affordable housing to support workers, the largest number of service jobs offering no benefits and less than living wages and infrastructure costs that inevitably increase over any taxes paid -- and in this case the developer is seeking a tax abatement.

The Statement's job generation model is based on a development that may not be built as is since the ultimate developer is not of record. The infrastructure reports are based on interviews with volunteer fireman and the police who guess that the development will not have an impact on the infrastructure needs of the community. This is not a professionally recognized way to assess impact.

These are my two major concerns -- a developer with no track record representing what will be done to land that he cannot develop himself and no evidence from the report or from comparative studies that demonstrate the benefit of developments like these in rural communities.

The State cannot afford to come in and mop up a failed project and in this case, failure has implications that go beyond spoiling what is now an attractive region with many assets. I wish my taxes as a home owner were going toward State acquisition of the land which is the most appropriate and highest use for a parcel this size and location. This is not land that lends itself to massive development stress. And, this development is not a risk worth taking for dubious economic development impact. I am hoping that the due process of the DEC will protect us from entering a high potential and expensive environmental folly.

For these reasons I urge you not to issue permits for the proposed Belleayre Resort.

Sincerely,


Jan Jaffe
48 Bonnevieu Ave (PO Box 552)
Pine Hill, NY 12465

We the students of **Onteora Middle/ High school** feel it is important to have our voices heard about the future of our community. Although we're not tax payers or voters yet, the decisions made by those in power, affect us greatly.

Here are some of the reasons we are opposed to the **Belleayre mega-resort development project**.

- **529 mountaintop and mountainside acres are slated to be clear-cut, and a substantial amount blasted,** for buildings, roads, holding ponds, utilities, parking lots, lawns and golf courses. Once gone, this fragile forest eco-system could never be recovered. **Catskill Park** attracts people from all over the state and beyond who come to enjoy its unique beauty. The Park is a refuge where people can slow down, reconnect with nature, hike, fish, and hunt. The Belleayre Resort would destroy the very things that both residents and visitors value.
- **Highly toxic pesticides** will be used on the two proposed 18-hole golf courses, posing a real threat to our health, our water quality, and killing wildlife
- **The road our school is on and our school bus route:** The developer's Environmental Assessment Form claimed the resort would generate up to **500 additional vehicular trips per hour** on Route 28, the only main road through the area. There would also be **thousands of trucks** bringing in construction materials during the **8-year** construction phase. Do you really want to endanger our safety for a **few hundred low-paying jobs?**
- **More teachers and classrooms with less money to pay for them.** 8 years of construction would take hundreds of employees. Since we do not have enough people here to supply the construction phase or the resort in operation, employees would have to be imported. Those who became new residents would need to send their kids to school here. Since the resort would have **tax breaks for 25 years, who will pay for the new classrooms and teachers?**
- The development would create lots of **artificial light**, making the sky much brighter. We would barely be able to see the stars in the night sky.

If you are against this Mega-resort development, please sign your name on the back of this sheet of paper.

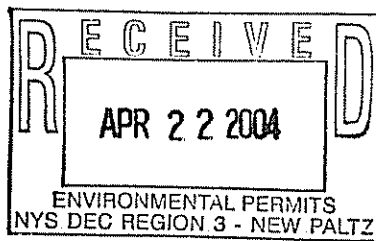
Bob [unclear]

We are opposed to the Belleayre mega-resort development project.

NAME:

~~ADDRESS~~ COMMENTS ~~PHONE~~

- Matt Panico
- Daniel Wainiger
- Jack Lane
- Chris Marsten
- Deanne Wainiger
- James Newlin
- Paul Smith (David Frost)
- Ann Smith
- Jessy Montenegro
- Sarah DeWolfe
- Aja M. Shurtard
- David Smith
- Jessy Orestino
- Frank Schulz
- Brandon Shapiro
- Jessica Kendall
- Max Edwards
- Chris Matti
- Ethan Goldbeck
- Daniel Koenig
- Brian Parker
- Dan Philbeck
- Martin Michaels
- ~~Kevin Williams~~
- Mickey Cooper Ford
- SAMANTHA LOWMYER
- Fred Faulstich
- Cathy Burgess
- Dennis Larson
- ~~John Smith~~
- John Schiskey
- Bon Reiter
- Henry Cole
- Jim Tonico
- Andy Horne



331 Broad St. Hollow
Shandaken, NY 12480
April 20, 2004

21 South Putt Corners Rd.
New Paltz, NY 12561-1620

To Alexander Ciesluk, Jr.,

I am writing to express my adamant & absolute disgust & disapproval of the proposed resort at Belleayre. There is not a single aspect of this possible development that I agree with. On the contrary, I fear that such a massive development project would utterly alter this area for the worse, depleting the beauty of the mountains & streams & destroying its personal small town character & essentially ruining just that which makes this place so special. I was born & grew up in Shandaken & went to school here. After spending a number of years away, living in other parts of this country, as well as abroad, I chose to return to Shandaken a few years ago. Once again my home is in Shandaken. I work here & within a few months will be

beginning to raise a child of my own here. Dean Gitter seems to like to claim that the present state of this town is driving young people away, that if there were more jobs, such as those that would be offered at his proposed resort, all of Shandaken's young would remain here.

This supposed lack of employment certainly is not why I left, just as I doubt that it is why most people in their late teens, early twenties leave. They leave to see something of the world beyond or perhaps boredom from small town life.

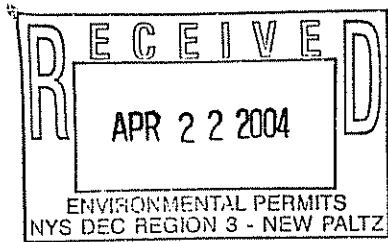
The thirst for adventure will certainly not be sated by a job as a chambermaid, golf caddy or hotel manager.

I for one would never have chosen to return to Shandaken had such a resort already been built sacrificing all that is dear in the heart of the Catskills.

Please don't allow the vision of a money hungry meglomaniac take this town away from the people who live here.

Sincerely,

Jenna Rodgers
Jenna Rodgers



PETER BRITAIN
503 BEN MEERER RD
MARGARETVILLE NY
12455

APRIL 20 04

MR. CIESLUK,

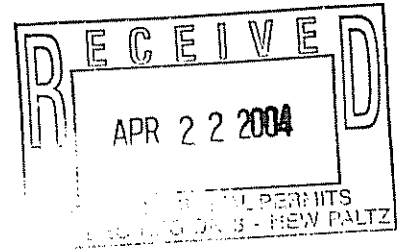
I AM HEREBY VOICING MY OBJECTION
TO THE PROJECTED CROSSROADS VENTURES DEVELOPMENT
ALONG BELLEAYRE SKI AREA.

I BELIEVE THE MULTI-YEAR CONSTRUCTION PERIOD
WILL BE HORRIBLY DISRUPTIVE TO THE LOCALITY,
AND REALLY, TO WHAT END? THERE IS NO GUARANTEE
OF FINANCIAL SUCCESS (DEAN GITTER'S OTHER PROJECTS AT
CABKILL CORNERS BUILT, AT LEAST, IN PRE-EXISTING FACILITIES
ARE NOT PROFITABLE) - THE WHOLE THING SEEMS LIKE
A TREMENDOUS WASTE OF ENERGIES, ~~FOR~~ FOR WHICH THE
AREA WILL PAY FOR EVER.

THANK YOU FOR YOUR ATTENTION,

Peter Britain

AARON HIRSCHHORN
27C HERITAGE DRIVE
NEW CITY, NY 10956



April 20, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Proposed Bellayre Resort

Dear Mr. Ciesluk:

I am writing to you to express my opposition and concerns with the proposed Bellayre Resort project. I am a NYS Licensed fishing and boating guide and an avid fly fisher for trout. As such I have several concerns with this project as it was presented to the general public.

I am deeply concerned with the increased traffic flow that this project would bring to the Route 28 corridor and the cost of additional services.

I am deeply concerned about the project's serious negative environmental impacts to the New York City watershed and on the quality of drinking water. Degradation and pollution of the water quality would have long-term negative effects on our region and the City's drinking water. This obviously could impact millions of state residents.

I am deeply concerned about the negative impacts of run-off and effluent entering our local trout streams, namely Birch Creek, Lost Clove and the Upper Esopus. This in turn would negatively impact our wild fish and the aquatic eco-system that supports a wild trout fishery. Increased water temperatures in these waterways are also a deep concern.

The need for the project is questionable, few benefit from it, and its costs and impacts affect millions of New Yorkers. I would ask that further evidentiary hearings be conducted to address these issues.

Thank you for the opportunity to express my concerns.

Sincerely

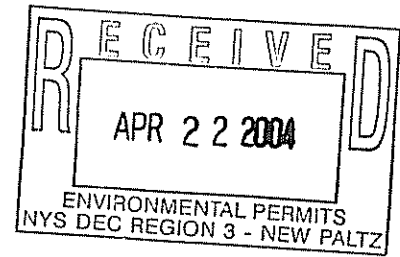
A handwritten signature in cursive script that reads "Aaron Hirschhorn".

Aaron Hirschhorn

PO Box 1161
Margaretville, NY 12455

April 20, 2004

Alexander F. Ciesluk Jr.
Deputy Regional Permit Administrator, NYSDEC, Region 3
21 South Putt Corners Rd.
New Paltz, NY 12561-1620



Dear Mr. Ciesluk and Team:

RE: Comments on the Proposed Belleayre Resort DEIS

The proposed project is too large – way too large. There is no convincing evidence provided in the DEIS justifying that the project be so massive. Size alone makes this proposed project unfit for its surroundings, a context characterized by small villages and hamlets forming a mosaic of rural settlement that reflects the essence of the Catskill Mountains. Alternatives in the DEIS are woefully undeveloped and dismissed readily, with little or no elaboration. Development projects in the New York City Watershed are meant to complement and sustain existing nodes of activity, not open up new tracts creating golf courses and impervious surfaces where there now exists healthy forests and streams on steep rocky slopes and mountaintops. Numerous watershed protection measures are consistently and painstakingly applied in order to continue to allow natural filtration to occur. This development proposal runs counter to these ongoing efforts, and despite proposed engineering solutions to the contrary, a project of this magnitude at the apex of two major drainage basins poses a direct threat to maintaining the delicate balance that now protects the surface-water drinking supply for millions.

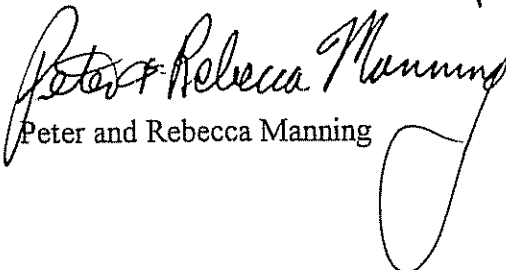
The proposed project exhibits numerous inefficient land use practices that contrast with what are commonly referred to as “smart growth” principles. This is obvious, but it merits restatement here because of the sources that emphasize the continuation of historical development patterns, in particular, the West of Hudson Economic Development Study (HR&A). The proposed project does not reflect many of the study’s principles and the DEIS distorts the study’s recommendations. The process by which the proposed project has emerged also contradicts a statement in the report of the Quality Communities Interagency Task Force, released by New York State in 2001. On page 113 of this report it says: “A quality community can only be created when its residents, business and community leaders collectively visualize and agree upon the potential of their community, adopt this ideal with a plan to achieve it and then work together to harness available resources and become what they have envisioned.” Instead, the proposed project has created divisiveness, not collective visualization and community cooperation. Similarly, the Hudson River Valley Heritage Area Management Plan, which respects a national designation and develops a future course for the region, says, among many other relative recommendations and visions, “Resource protection and land management policies are coordinated in a viable regional plan.” The “Resource Protection and Economic Development Strategy for the Route 28 Corridor”, chaired by the project’s proposer, is not such a viable regional plan and gives no clue to the massive size of the project that is being proposed.

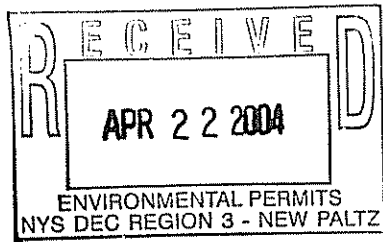
The proposed project is out of character with the Catskill Park. In particular, the proposed monstrosity on Big Indian Plateau would extend, at considerable elevation, into the interior of the Catskill Park and be surrounded by large tracts of public lands on three sides, not including the Belleayre Ski Center. The topographical deformation of this eastern arm of Belleayre Mountain would be an ugly and appalling contrast to this surrounding mountainscape, and it would be a gross injustice to the people of New York State – both current and future residents as well as those who came before and established the Forest Preserve and the Catskill Park, entrusting the inheritors of this natural wonder. The DEIS does not adequately address the points from which this portion of the proposed project would be visible. For example, from Halcott Mountain, one of the 35 Catskill high peaks, the transformed ridgeline would occupy and disrupt the middle ground, effectively laying waste to a spectacular unobstructed view encompassing numerous high peaks including Slide, Doubletop, Fir, Big Indian, Graham, and Balsam Mountains. This viewpoint is identified with a “star” symbol (vista point) on the widely used Catskill trail map published by the New York-New Jersey Trail Conference. This panoramic view from Halcott is an example of a designated vista point that is not near a trail, a highly sought after prize of the adventurous wanderer who seeks the challenges and seclusion of the Catskill’s inner reaches. Slightly different, is an unmarked vista point that *is* near a marked trail. Such is the situation on Westkill Mountain, just west of the summit, near where the trail begins to make its descent. From this vantage point on a clear day, in addition to the ridge of the proposed massacre at Big Indian, one can easily observe Wittenberg, Cornell, Peekamoose, Table, Lone, Big Indian, Fir, Panther, Doubletop, Balsam, Balsam Lake, and Graham Mountains – all of which are over 3500 feet. And what about the 360 degree view from the Hunter Mountain Fire Tower? Is this in the DEIS? We couldn’t find it. The scoping document specifically requests that views from fire towers be properly addressed in the DEIS. And the DEIS belittles the impact of the Big Indian Plateau blasting site on the view from Plateau Mountain, mentioning how you could only see it on the clearest of days: yes, these are the types of days many people especially like to go to these view points.

The DEC, as lead agency and guided by SEQRA, has a job to do for the people of New York State and for the Catskill Park: strike the proper balance. A hotel on the western side of Belleayre Mountain could be an asset to the region by complementing the ski center. Although it would be in the Catskill Park, it would not intrude on the heart of the park, the interior of the high peaks. And architecture such as that of the proposed Wildacres Hotel echoes the region’s tourism history without blasting away the topography that the tourists are coming to see -- which is the same topography most of the people who live in the Catskills appreciate. If the proposed project were half -- or less than half – it’s size and located west of the ski center, this might be the proper balance.

We hope you listen to the people who are listening to the mountains... and the mountains hope you are too.

In recreation,


Peter and Rebecca Manning



Box 644 Main Street
Pine Hill, N.Y. 12465
April 20, 2004

Alexander Cieśluk
Dept. of Environmental Conservation
21 S. Putt Corners Road
New Paltz, N.Y. 12561-1696

Dear Mr. Cieśluk:

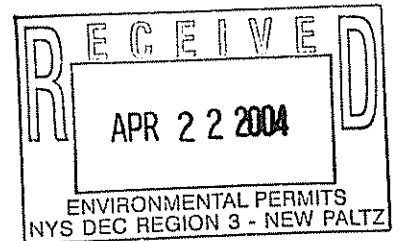
I have been a resident of Pine Hill for over 50 years. My forbears settled here in 1920. They chose Pine Hill for its pristine beauty, clean air and clear water. Though the landscape has changed through development, the air + water are still unpolluted.

I am deeply concerned that the proposed mountaintop golf course development will drastically compromise the air and water qualities around Pine Hill. Obviously, the immense amounts of fertilizers, insecticides, herbicides and fungicides needed for golf course upkeep will permeate the land and end up in the Esopus and area ground water, both of which people drink. People will be drinking water containing these chemicals.

April 20, 2004

5321 Route 28

Mt Pleasant, NY 12457-5319



Mr. Alexander Ciesluk, Jr.
NYS DEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561 1696

Dear Mr. Ciesluk:

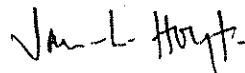
I am against the development of the Belleayre Resort for numerous reasons

1. Loss of community identity. I reside in Mt. Pleasant, the location of the Catskill Corners and the Emerson Inn. In his advertisements, Mr. Gitter gives the address of Mt. Tremper, not Mt. Pleasant. The road sign from the DOT says Mt. Pleasant. All my life it has been Mt. Pleasant. I am Fifth generation here. Cars stop me on the highway asking for directions to Mt. Tremper. I tell them they past it. They say they are looking for the Kaleidoscope. I tell them it is the other way. The driver will say it is supposed to be in Mt. Tremper. I tell him the developer doesn't know where he is. This is Mt. Pleasant and this is where the Kaleidoscope is located. Although this is a subtle point, it erodes the community identity and ultimately will make it easier for the developer to do as he wishes. Also, our Mt. Pleasant Mountain is no longer labeled as such on most recent DEC maps, which is another cause for great concern.
2. The local motels, hotels, inns, etc. are not filled to capacity, including his Catamount Lodge and Emerson Inn.
3. Having a huge development gives rise to possible large environmental accidents. For example, there was a large oil leak several months ago at the Emerson Inn. Since the water table in this area is very high (i.e. shallow wells), all in the neighborhood were fearful about the safety of their water. We were not even warned about the potential danger.
4. I am concerned about the financial health of the local region when one person controls so much of the local development and commerce in the community.
5. I have grave concerns regarding the increase of traffic on Route 28. What the developer proposes the traffic to be is probably a gross underestimation. To create a four-lane highway to the "Heart of the Catskills" is inappropriate for the Catskill Park. And what would that do to communities with commerce so close to Route 28, such as Shokan?
6. Light pollution is another major issue. During the public hearings on the Catskill Corners project, the neighborhood was promised modern style lighting with minimization of light pollution. When the project was completed, the light pollution was worse than anyone had predicted! To add insult to injury, a Catskill Corners flag and a New York State flag were erected (i.e. 2 flag poles), with several spotlights to illuminate them throughout the night. "Gitter's Northern Lights" usurped the Aurora Borealis.

7. I am very concerned about an increase in the crime rate. With a large influx of low-income wage earners will come increased crime. An example of this is Ellenville, which has a higher crime rate proportionately than the rest of the county.
8. Many people have already voiced concerns regarding the increased demands on the local police departments, fire departments, schools, road service, etc. So I will not go into that.
9. I will be extremely saddened to see a commercial build-up around the Belleayre Mountain ski slope. As it is, its beauty is incredibly outstanding. In contrast are Hunter and Windham Mountains, which are surrounded by commercial build-up, condominiums and slope side homes. It is enormously refreshing to go to the pristine environment of Belleayre and to take in all the natural beauty from the mountaintop. I pray this does not change. Was the developer required to analyze the visual impact of the project from the top of Belleayre Mountain, or can he be required to do so?
10. Going back to the Catskill Corners, a proposal was temporarily tabled to build a 14-foot cement wall around the Emerson Inn to shield it from the traffic noise of Route 28. This is not within the zoning regulations and certainly not in keeping with the local scenery. It would be more akin to something seen along Route 17 in New Jersey or perhaps Sing-Sing, but certainly not for the nationally renowned, scenic Route 28, passing through the historic Catskill Park.

I thank you for your diligence in scrutinizing this large proposal. I am sure there is no doubt in your mind where I stand on this issue. I am happy to be given the opportunity to voice my opinions.

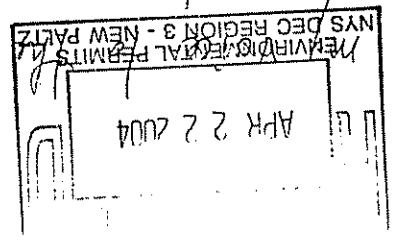
Sincerely yours,



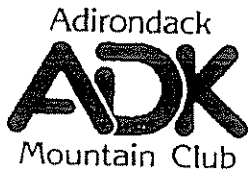
Jan-Lauritzen Hoyt

I would like to add
 Mr. Cieslik,
 Although I grew up elsewhere, I have lived in this area for the
 last twenty-five years, more than half my life. But even if I only
 me to these beautiful Catskill Mtns for the natural beauty and wilderness
 recreation, it would still be as meaningful a claim, as worthy a hope
 that we could preserve this amazingly pristine area for generations to
 come. It is incredibly remarkable that here so near New York City we
 still have such rural purity, so little of the creeping meatball of
 development so prevalent nearly everywhere else. How can we ever
 consider plunking such a huge incongruity of commercial develop-
 ment into the middle of it, forever destroying its specialness, makin
 this area exactly like every other suburban area sprawl, every
 other Jersey or Racoono (resort area) This is one of the last
 refuges from such rampant consumerism, one of the last places so
 many of us could still come to try and get away from all that
 to suggest that the locals would benefit from the jobs is
 ludicrous. No one could survive on the six to eight dollar an
 hour jobs they have to offer. They'll undoubtedly bring in labor-more
 people with needs of services that will fix our communities. The

April 20th
 protest against the



proposed Crossroads Venture project.



ADIRONDACK MOUNTAIN CLUB

Conservation
Education
Recreation
Since 1922

FACSIMILE TRANSMITTAL SHEET

DATE: April 22, 2004

TO: Region 3 General Permits Office

FAX NUMBER: 845-255-3042

FROM: Neil Woodworth

FAX NUMBER: (518)449-3875

PHONE NUMBER: (518)449-3870

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12845 4117
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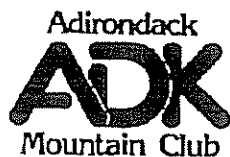
5

North Country Operations
P.O. Box 867
Lake Placid, NY
12946-0867
Reservations 518-523-3441
Office: 518-523-3480
Fax 518-523-3518

COMMENTS Written comments on

Belkayre Resort at Catskill Park.

Albany Office
301 Hamilton Street
Albany, NY
12210-1738
Phone: 518 449-3870
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A Partnership for New York's Parks & Forest Preserve



Adirondack Mountain Club
301 Hamilton Street
Albany, NY 12210
518-449-3870
Fax - 518-449-3875
(Please Reply to this office)

New York-New Jersey
Trail Conference
232 Madison Avenue
New York, NY 10016
212-685-9699

April 22, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: Applicant: Crossroads Ventures, LLC, PO Box 267, Mt. Tremper, NY 12457

Project: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

Upon reviewing the Crossroads Ventures DEIS for the Belleayre Resort at Catskill Park, the Adirondack Mountain Club (ADK) and the New York-New Jersey Trail Conference (Trail Conference) have serious concerns about the size and scope of the proposed project and its impact on surrounding Forest Preserve lands. The DEIS fails to adequately discuss the effect of secondary and induced growth from the project on levels of use of surrounding state Forest Preserve lands, including the Slide Mountain Wilderness and the newly proposed Hunter-Westkill Wilderness Area. The project site lies in the heart of the Catskill High Peaks region. Additionally, ADK and the Trail Conference believe that DEC itself must explore the impact of the proposed resort on the surrounding Forest Preserve lands.

Size and Scope of Proposed Project

The Crossroads Ventures assemblage consists of approximately 1,960 acres of private land located to the east and west of Belleayre Mountain Ski Center. 1,242 acres are located to the east of the Belleayre Ski Center and 718 acres are located to the west of the Ski Center. 573 of the 1,960 acres are to be developed (331 acres on east side and 242 acres on the west side). (DEIS, 1-2)

The eastern portion of the project site is referred to as the Big Indian Plateau. There will be two sub-areas separated by Giggle Hollow. 263 acres to the east of Giggle Hollow will be developed into the Big Indian Country Club, Resort and Spa and 68 acres to the west of Giggle Hollow will be developed into Belleayre Highlands. The 263 acre parcel will be composed of the Big Indian Country Club Championship Signature 18-hole golf course (154 acres) and the Big Indian Resort & Spa (109 acres). The Resort and Spa would include a 150-unit hotel building, 95 detached hotel lodging units in 55 structures, a golf clubhouse, golf maintenance buildings and a wastewater treatment facility. Approximately 3.5 miles of roadway and 292 parking spaces are proposed. The Belleayre Highlands portion of the Big Indian Plateau would include 88 detached hotel lodging units in 22 4-unit structures, tennis courts and a swimming pool. An additional 2.4 miles of roadway would be constructed to access the area. (DEIS, 2-1)

The western portion of the project site will be composed of the Wild Acres Resort, Highmount Estates and a Wilderness Activities Center. The Wild Acres Resort would include another 18-hole golf course (138 acres) as well as a 240-unit hotel, 168 detached housing units in 21 structures, a wastewater treatment facility and golf course maintenance buildings. Approximately two miles of roadway and parking areas accommodating a couple of hundred parking spaces would be constructed. Highmount Estates will be composed of a 21-lot residential subdivision. Lots can range from 2 to 16.8 acres. 2,400 feet of internal roads would be constructed. The Wilderness Activities Center would use existing buildings and one 15 x 25 ft warming hut. (DEIS, 2-2, 2-3)

The eastern portion of the project is located on the eastern portion of the Belleayre Mountain ridgeline and on some of the steep south slopes and a portion of the northern slopes above Lost Clove. The DEIS claims that the "major" development of the Big Indian Country Club and associated buildings will be located on the plateau on the eastern ridge of Belleayre Mountain. Downslope of the plateau there are a series of flat benches connected by areas of steeper slope. Slopes on either side of Giggle Hollow (which separates the eastern portion of the project) are steep. (DEIS, 3-3)

Construction will require grading for access roads, building locations and golf courses. Rock blasting will be necessary to accomplish some of the proposed grading on the project site (Draft DEIS, 3-3).

Impact of the Project on the Forest Preserve

The project site is in close proximity to Forest Preserve lands. According to the DEIS, just in the Town of Shandaken, New York State owns 73 percent of the Town's total acreage (DEIS, 1-1). Of this percentage, approximately 56,000 acres 'are classified as 'Forever Wild,' and only 2,000 acres are designated as 'Intensive Use Area'..." (DEIS, 1-1)

The DEIS claims that the project will "generate a new non-skier market" for its housing and overnight lodging facilities (DEIS, 7-11) According to the DEIS one of the resort amenities generating this non-skier market will be "Catskill Forest Preserve access." (DEIS, 7-11) The draft DEIS states that additional trails will be constructed on the project site, "some connecting to and augmenting access to existing state trails administered by NYSDEC." (DEIS, 1-24)

The DEIS refers to the number of people staying at its various amenities as visitor nights per year. According to estimates contained in Appendix 26 of the DEIS, "an estimated 435,860 persons would stay at the timeshare and Club interval ownership units per year." (DEIS, Appendix 26 p. 4-15) The number of visitors per year or visitor nights per year staying at the various hotels is estimated to be 195,250 (DEIS, Appendix 26 p. 4-21) Additionally, Highmount Estates (21 detached single-family residences) would add another 6,707 people per year or visitor nights per year (DEIS, Appendix 26 p. 4-23). The total estimated number of visitors to the resort per year is approximately 637,800 people. Since Crossroads has unequivocally stated that it will market its close proximity to the Forest Preserve in generating a "non-skier market," it is of great concern to us that a potentially large number of resort visitors will be encouraged to use surrounding Wilderness and Wild Forest areas.

The Big Indian-Beaverkill Range Wilderness is separated from the Big Indian Plateau portion of the project site only by the private lands in Lost Clove. Close to the project site the unit can be accessed by state hiking trails in Lost Clove and Woodchuck Hollow.

The Slide Mountain Wilderness is located to the south of the project site. This Wilderness area is a very popular wilderness destination in the Catskills. ADK has been unable to find any analysis of the effect of this project on the use levels of this unit in the DEIS. The Slide Mountain Unit Management Plan (UMP) states that the "largest threat to Wilderness character is from recreational overuse on the Slide-Cornell-Wittenburg-Woodland Valley-Panther-Giant Ledge hiking complex." (Slide Mountain UMP, 2)

While the Slide Mountain Wilderness Area does not adjoin the project site, the most popular trailheads are located within a short drive from the proposed Resort. If the Resort intends to aggressively market access to the Forest Preserve as part of their plan to create a large four-season resort complex, it is axiomatic that many more visitors are likely to be drawn to already popular trails of the Catskill High Peak region (DEIS, 7-11).

For example, visitors can access the network of trails in the unit from a parking area on Fox Hollow Road, which is located approximately 5 miles southeast of the project site off of Route 28 just east of Shandaken. Additionally, the Woodland Valley parking area, which provides access to the well-known Wittenburg-Cornell-Slide Trail is located approximately fourteen miles southeast of the project site. Visitors can also access the popular Giant Ledge and Panther Mountain trails off of Ulster County Route 47 – only a short drive of approximately 8 miles from the eastern portion of the project site. Several other access areas to the unit can be easily reached from the Route 28 corridor.

Other popular destinations in the Catskill Forest Preserve can be easily reached from the project site. To the east of the project site lies the Westkill Wilderness Area and Hunter Mountain Wild Forest. Pending adoption of the draft revision of the Catskill Park State Land Master Plan these two areas will be consolidated to create the Hunter-Westkill Wilderness. This Wilderness Area will be easily accessible for resort visitors via Route 28 and Route 42. Hikers can access the parking areas off of the Spruceton Road, which is located approximately 13 miles northeast of the project site. These areas are already very popular with hikers and other outdoor enthusiasts. Additionally, the scenic Dry Brook Ridge Wild Forest would be just a short drive from the Resort on Route 28.

DEC's Final Scoping Document for the Proposed Belleayre Resort at Catskill Park, transmitted to Crossroads Ventures LLC on November 3, 2000, states that the "analysis of secondary and cumulative impacts shall include...effects on...Forest Lands, and the added visitors to Forest Preserve Land." (DEC Final Scoping Document, 20) Upon review of Section 7.0 of the DEIS we have been unable to find any such analysis. Section 1 of the DEIS briefly discusses regional documents such as the Catskill Park State Land Master Plan, the Big Indian-Beaverkill Range Wilderness Area UMP and the Shandaken Wild Forest UMP but fails to concretely discuss the impact of the proposed project on these plans. The DEIS does not analyze the impact of the number of visitors to the Resort on usage levels and the carrying capacity of these areas of the Catskill Forest Preserve.

Furthermore, the DEIS does not at all address the impact of the project on usage levels on popular Forest Preserve units in close proximity to the project site such as the Slide Mountain Wilderness and the newly proposed Hunter-Westkill Wilderness Area. The DEIS apparently fails to discuss the impact of the number of Resort visitors on these Forest Preserve destinations because they do not directly abut the project site. However, these areas are easily accessible by automobile from the Resort via major roadways such as Route 28, Route 42 and Route 47. Therefore, the draft DEIS should address the impact of the number of visitors to the Resort on the carrying capacity of surrounding Forest Preserve lands.

Additionally, DEC's Final Scoping Document on the proposed project states that Section 3.8.3 of the DEIS entitled "Local and Regional Land Use Plans" states that "the local and regional land use plans to be addressed shall include...DEC management plans." (DEC Final Scoping Document, 15) Upon review of this section, we notice that there is no detailed discussion of the impact of the proposed project on any of the Catskill Forest Preserve UMPs with the exception of the Belleayre Mountain Ski Center plan. The Catskill Park State Land Master Plan is a regional planning document and the effect of the project on this document must be thoroughly evaluated. Crossroads Ventures itself refers to the authority of the Master Plan as a guideline for Forest Preserve lands in the Catskill Park (DEIS, 1-9, 1-10). As noted above, the DEIS mentions the Master Plan in Section 1 as a regional plan but fails to complete a thorough analysis of the impact of the project on the implementation of the plan in Section 3.8.3.

DEC must evaluate, upon its own initiative, the impact of the proposed project on the surrounding Forest Preserve Lands. Criteria for determining proper management of the Forest Preserve are outlined in the 2003 Draft Revision of the Catskill Park State Land Master Plan. DEC should use these criteria to determine how the various Forest Preserve units will be affected by the proposed development project. DEC must evaluate and analyze the impact of this project on the types and extent of actual and projected public use of the Catskill Forest Preserve. DEC, in evaluating this project must also make an assessment of the impact of the project on the actual and projected public use on the resource, ecosystems and public enjoyment of the area with particular attention to portions of the area threatened by overuse." (2003 Catskill Park State Land Master Plan, 48)

The Forest Preserve is constitutionally protected so that special attention is paid to the forms of recreation on these lands and the number of people visiting Forest Preserve lands. Hence, the requirement of discussing carrying capacity in Forest Preserve unit management plans. Therefore, DEC, as protector of the Forest Preserve, must require and perform a comprehensive evaluation of the impact of such a large number of people visiting a resort, in the middle of the Catskill High Peaks, on surrounding Catskill Forest Preserve trails.

In regards to the visibility of the proposed project, Crossroads concedes that the project would be at least partially visible from certain Catskill peaks. After a careful review of Appendix 21 of the DEIS, we believe that the applicant has minimized the aesthetic magnitude of these visual impacts. The Catskill Park is one of the areas of statewide significance designated in the Inventory of Aesthetic Resources section of a DEC document entitled Assessing and

Mitigating Visual Impacts, dated July 31, 2000. We believe that DEC should carefully assess the results of the visibility study according to the standards set forth in this document.

Pending Expansion of Belleayre Mountain Ski Center

ADK and the Trail Conference observe that there is no discussion in the DEIS regarding the cumulative impact of the construction of the Resort and the pending expansion of the Belleayre Ski Center. The proposed expansion of the ski center, which would be outlined in an update of the 1998 UMP, has not yet been released to the public.

However, according to a March 4, 2003 news article in the Daily Freeman, Belleayre Mountain Ski Center Superintendent, Tony Lanza, stated his vision of a completely renovated ski center at a public meeting held on March 1, 2003. According to the article, Lanza envisions the construction of parking lots down near Route 28, a new main lodge close to the lower lodge and the removal of some smaller chairlifts to make way for bigger and faster equipment to get skiers up the mountain.

It is expected that the proposed expansion of the ski center will be announced in the upcoming months. It is highly likely that the construction of the proposed project and the expansion of the Ski Center will coincide. DEC must take this fact into consideration and evaluate its impact on Belleayre Mountain.

ADK and the Trail Conference strongly feel that the environmental impacts of the development of the proposed Belleayre Resort cannot be accurately addressed without a complete analysis of the updated expansion plans for the Belleayre Mountain Ski Center.

Conclusion

ADK and the Trail Conference believe that the DEIS for the Belleayre Resort at Catskill Park is incomplete in its assessment of the impact of this large scale development project on the Catskill Forest Preserve. We believe that if the proposed resort is to attract an estimated 638,000 visitors per year and aims to market its access to the Catskill Forest Preserve, the DEIS must include a detailed and comprehensive analysis of the impact of the proposed project on the usage and future management of the surrounding Forest Preserve. We also urge DEC to conduct its own assessment of the impact of this project on the future management of the Catskill Forest Preserve.

United in partnership, ADK and the Trail Conference are dedicated to conservation, education, outdoor recreation and protection of New York's Forest Preserve, parks, wild lands and water. Together, we represent over 70 clubs and over 100,000 hikers, paddlers, skiers and backpackers.

Thank you for this opportunity to present our views on this very important matter. Please feel free to contact me if you have any questions at (518) 449-3870.

Sincerely,

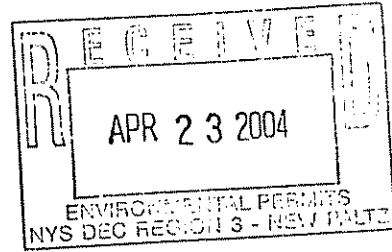


Neil F. Woodworth

Counsel

Adirondack Mountain Club

New York-New Jersey Trail Conference



FAX COVER SHEET

DATE 4.23.04

TO Alexander Giesluk, Jr.

FAX NUMBER 845.255.3042

MESSAGE _____

FROM Cathleen Breen

TELEPHONE 212.349.6460

FAX NUMBER: 212-349-1366

NUMBER OF SHEETS SENT (INCLUDING COVER SHEET) 7



Via Facsimile (845) 255-3042 and E-Mail afcieslu@gw.dec.state.ny.us

April 23, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Crossroads Ventures, LLP
The Belleayre Resort at Catskill Park
NYSDEC No. 3-9903-00059/0001

Dear Mr. Ciesluk:

I write to submit comments on the draft environmental impact statement (DEIS) for Crossroad Ventures' LLC proposed The Belleayre Resort at Catskill Park. The New York Public Interest Research Group (NYPIRG) is the state's largest student-directed research and advocacy organization, focusing on consumer protection, government reform and environmental preservation. NYPIRG has long been active in supporting New York City Watershed protection and is one of five environmental signatories to the 1997 New York City Watershed Memorandum of Agreement (MOA), which was also signed by New York State, New York City, EPA and upstate watershed communities.

The MOA put in place the mechanisms for protecting New York City's drinking water at the source and established a program supporting responsible, environmentally sensitive economic development projects in the Watershed. As a result of the protection programs laid out in the Agreement, EPA has allowed the city to avoid filtering (Filtration Avoidance Determination) the Catskill/Delaware drinking water.

Crossroads Ventures, LLC proposed development includes a total of 400 hotel rooms, 351 additional hotel and housing units, a 21 lot single-family residential subdivision and two 18-hole golf courses. The project would be developed within 1,960 acres in the Catskill Mountains of Ulster and Delaware Counties, with a total of 573 acres disturbed and the remainder left undisturbed.

The project site is located in the Towns of Shandaken in Ulster County and Middletown in Delaware County, within the New York City Catskill and Delaware Watershed (the Pepacton and Ashokan Reservoirs), and within the boundaries of the New York State Catskill Park. The project is located on either side of the state-owned Belleayre Mountain Ski Center and is in the heart of the state's Catskill Forest Preserve.

The proposed Big Indian Plateau would be developed on a 1,242-acre site east of Belleayre Mountain Ski Center. A total of 331 acres would be developed to build an 18-hole golf course, a 150-room hotel, and 183 additional hotel/detached lodging units in 77 buildings, and related infrastructure. This project site lies within the New York City Ashokan Reservoir watershed, and would be served by central water (provided by an on-site well) and central wastewater treatment, with effluent discharge to Birch Creek and/or golf course irrigation.

The proposed Wildacres Resort would be developed on 242 acres of a 718 acre site west of the Belleayre Ski Center and would include an 18-hole golf course, a 250-room hotel, 168 additional hotel/detached lodging units in 21 buildings, and a 21-lot subdivision of single-family homes, and related infrastructure. This project would be served by central water (provided by the Village of Fleischmanns water system) and central wastewater treatment, with effluent discharged to an unnamed tributary of Emory Brook and/or golf course irrigation. This site is within the New York City Pepacton Reservoir watershed.

Given the size of the proposed project, the anticipated lengthy 8-year construction timeframe and the location within the New York City watershed, we believe this project, as proposed, will result in significant and unmitigated adverse environmental impacts on the Watershed and the drinking water supply for millions of new Yorkers.

According to the New York City Department of Environmental Protection (DEP), "The Ashokan is one of two reservoirs in the City's Catskill Water Supply System. The other is the Schoharie, located 27 miles to the north, whose water flows into the Ashokan via the Shandaken Tunnel and the Esopus Creek. Including the water it receives from the Schoharie Reservoir, the Ashokan supplies about 40% of New York City's daily drinking water needs in non-drought periods. Water enters the Ashokan's West Basin and, after a settling period, is withdrawn from its East Basin. It is carried southeast under the Hudson River via the 92-mile Catskill Aqueduct, which has a maximum depth of 1,114 feet. It ordinarily enters the Kensico Reservoir in Westchester for further settling, where it mixes with Delaware system water and then travels south in two aqueducts before entering New York City's water supply distribution at the Hillview Reservoir in Yonkers, just north of the City line.

The Pepacton is one of four reservoirs in the City's Delaware Water Supply System. As the reservoir with the largest capacity, it normally contributes more than 25% of the total daily water flow into New York City. Water withdrawn from the Pepacton Reservoir enters the East Delaware Aqueduct and flows southeast for 25 miles into the Rondout Reservoir. There it mixes with water from the Cannonsville and Neversink Reservoirs, before heading south via the 85-mile long Delaware Aqueduct, which tunnels below the Hudson River. Pepacton water ordinarily makes its way to the West Branch and Kensico Reservoirs for further settling. After mixing with

Catskill system waters in the Kensico, it travels via aqueduct to the Hillview Reservoir in Yonkers, where it enters New York City's water supply distribution system. The Pepacton watershed's drainage basin is 371 square miles, and includes parts of 13 towns in three counties."

Both the Ashokan and the Pepacton are stringently classified by DEC as "AA" surface waters. Thus, by virtue of DEC regulation, these water bodies are required to be maintained at a quality that allows each to serve as an unfiltered drinking water source. Also, DEC has developed a Total Maximum Daily Load (TMDL) for phosphorus within the Ashokan Watershed.

Sediment and Erosion Control

The potential for adverse impacts to water quality from construction of this project is significant.

In accordance with the New York State SPDES General Permit for Stormwater Discharges from Construction Activities, Permit No. GP-02-01, a plan must be prepared for any construction activity that exceeds one acre of soil disturbance.

According to EPA, sediment runoff rates from construction sites are typically 10 to 20 times greater than those of agricultural lands, and 1,000 to 2,000 times greater than those of forested lands. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several decades. The resulting siltation, and the contribution of other pollutants from construction sites, can cause physical, chemical, and biological harm to our nation's waters.

The DEIS calls for the phased construction plan to disturb greater than 5 acres (up to 25 acres of soil at one time during Phase I and up to 16.4 acres during Phase II.) New York State SPDES permit limits areas of unprotected, exposed soil to no more than 5 acres at any given time without prior written approval from DEC.

Construction should comply with the New York Standards and Specifications for Erosion and Sediment Control, which provides minimum standards and specifications for meeting criteria contained within the New York State Department of Environmental Conservation (NYS DEC) general permit for stormwater discharges associated with construction activity. These standards and specifications provide criteria on minimizing erosion and sediment impacts from construction activity involving soil disturbance. They show how to use soil, water, plants, and products to protect the quality of our environment and were developed by the Natural Resources Conservation Service (NRCS) in cooperation with New York State Soil and Water Conservation Committee (NYSSWCC.)

The standards and specifications apply to lands within New York State where housing, industrial, institutional, recreational, or highway construction, and other land disturbances are occurring or are imminent. They are statewide in scope and, in some cases, are somewhat generalized due to variations in climate, topography, geology, soils, and plant requirements. Feasible ways to minimize erosion and sedimentation are varied and complex. Alternative methods may be

explored and must be discussed with NYS DEC regional staff.

These standards and specifications call for controlling erosion as the first line of defense and to "pay special attention to critical areas (e.g. steep slopes, highly erodible soils, surface water borders), which must be disturbed. Staged clearing and grading is necessary to keep areas of disturbance less than 5 acres."

The proposed project's plan to disturb 16 to 25 acres at a time is not in keeping with the standards and specifications and may result in severe water quality impacts. It is critical to limit the phasing of construction activities; otherwise the risk from increased stormwater runoff and the subsequent sediment loading of receiving waters is great. The sensitivity of the site including the nature of the soils on the site, the steep slopes and its location amidst important trout streams and the Catskill/Delaware watershed justify a condition that not more than one acre be disturbed at any one time.

The DEIS lacks the necessary details on the erosion and sediment controls that would be used. This needs to be rectified and the requested waiver denied.

Inadequate SPPP

The Stormwater Pollution Prevention Plan (SPPP) determines the overall benefit to the environment calls for removing pollutants from contact with stormwater. According to DEC guidelines, the SPPP should comply with the standards and requirements contained in the DEC General Permit for Construction Activity, New York State Standards and Specifications for Erosion and Sediment Control and New York State Stormwater Management Design Manual. The proposed SPPP was inadequate and should be revised to provide a thorough plan.

Golf Course Integrated Pest Management

Integrated Pest Management Program (IPM) focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties.

However, IPM does not eliminate pesticides. The DEIS provides that pesticides will be used only for curative, and not preventive, purposes and only affected greens and tees would be treated.

We believe a comprehensive strategy is needed to achieve the reduction and eventual elimination of pesticides and fertilizers in the sensitive New York City watershed. Pesticides and fertilizers pose real health risks such as cancer, nervous system damage, development and reproductive abnormalities, hormone disruption, and immune suppression.

Pesticides can enter groundwater by infiltration through the soil or by accidental discharge into wells. Pesticides can enter surface water by runoff, soil erosion, spray drift, misapplication and

spillage. When you apply a pesticide, airborne particles can drift and land on surface water, or rain can wash particles from the air; for several days after pesticide application, irrigation and rain may still wash pesticide residues into storm drains and chemicals may also enter storm drains directly or indirectly through spills, illegal dumping, or rinsate from product containers. Storm drains are frequently located in streets and the runoff flows through directly into our waterways.

While wastewater treatment plants send incoming wastewater through a treatment and disinfectant process before releasing water into the river; however, they do not actually detoxify pesticides, thus sending residue into our waterways.

Organic Golf Course

Instead, organic turf management and lawn care practices are safe, effective and responsible alternative to the use of pesticides, herbicides and commercial fertilizers, all which may pose a threat to human and environmental well-being.

According to the Long Island Neighborhood Network, leaders in the implementation of organic golf courses. "typical golf courses are not only heavy users of pesticides, they are also held up as the standard for suburban lawns. The goal of the Organic Golf project is to prove that golf courses can be maintained organically, and thereby demonstrate that all turf can be maintained without chemical pesticides."¹ In addition to Long Island Neighborhood Network's work on golf courses in Long Island, an example of an organic golf course is Fiddlers' Green Golf Course in Nova Scotia, Canada.²

Cumulative Impacts

Pursuant to SEQRA regulation, 6 N.Y.C.R.R. 617.9(b)(5)(iii)(a), an EIS is required to assess significant cumulative impacts. The DEIS mentions, but does not address the cumulative impacts which will result from construction and operation of the proposed project and the proposed expansion of the Belleayre Mountain Ski Center. Given the close proximity to the ski center, it is imperative to the Belleayre Project and the proposed expansion of the Belleayre Mountain Ski Center be looked at together, which the DEIS fails to do. The two projects will result in cumulative impacts on the availability and adequacy of potable water supplies, surface water flow and aquatic habitat, traffic, use of Forest Preserve lands, and secondary growth.

Alternatives

The DEIS did not fully consider and provide sufficient detail for a range of reasonable alternatives, including, but not limited to, a scaled down version that does propose one golf course on the western portion and does not include the more sensitive eastern portion.

¹ Neighborhood Network/Organic Golf, Massapequa, New York Website: www.longislandnn.org/golf

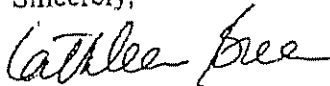
² Fiddlers' Green Golf Course, <http://users.eastlink.ca/~fiddlersgreen/>

Conclusion

Protecting the watershed makes good economic sense for all of us. In 2002, EPA granted the City another Filtration Avoidance Determination for the Catskill/Delaware system, which was signed right at the Ashokan Reservoir. If we fail to protect this New York City's Watershed, then the City will be forced to construct a filtration plant that is projected to cost between \$4 and \$8 billion, with \$300 to \$500 million in annual operating costs and debt service. Not only would filtration be a very expensive proposition for the city, it would place tremendous financial burdens on local communities as well. More importantly, there is no guarantee that it will preserve public health.

Thank you for the opportunity to comment.

Sincerely,

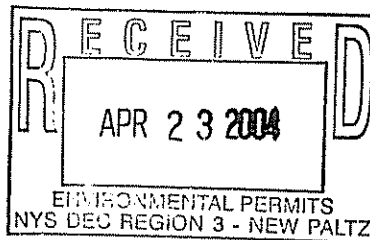


Cathleen Breen

Watershed Protection Coordinator

April 20, 2004

Walter McGrady
475 Frog Alley
Margaretville, NY 12455
845-586-3955



Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

The Crossroad Venture project, the proposed Belleayre Resort at Catskill Park, is an oversized development that is completely beyond the appropriate scale for the region. It is destructive to the very attributes that make the Catskills unique, out of sync with the surrounding communities and endangers the purity of the watershed and the supply of drinking water for millions of New Yorkers.

The site is unsuitable and creates massive problems for the fragile ecosystem. The insanity of leveling vast areas of ridgetop to create golf courses is an idea that is arrogant and exploitive of the natural resources and habitat that area residents cherish and that attract eco-tourists from far beyond the immediate region. The Catskills are known for their pure water, historic trout streams, settings of natural beauty and unspoiled mountain vistas. Crossroad Ventures proposes to deforest large tracts of the mountain area above Pine Hill and Shandaken, creating soil erosion, chemical and pesticide runoff and raising the water temperature of adjoining streams, which fosters algae and smothers trout spawning and other aquatic life. The proposed site is one of the areas of heaviest rainfall in New York and at times suffers from drought. The forest and natural terrain act as a natural filter for rainwater and snowfall, thereby insuring the purity of the watershed and water sports. Pollution from this project is not just possible – it's assured. The wisdom of the founders of Catskill Park to keep the area "forever wild" will forever be changed by the politics of big money exploitation to the detriment of the surrounding communities and tourist attractions. The area is already under duress by acid rain, the turbidity of the Schoharie reservoir runoff tainting the Esopus and a downturn in the economy.

The DEIS minimizes negative effects on the environment and relies too heavily on computer models and best case scenarios. The construction exceeds the DEC regulations of limiting construction activity to 5 acres at a time. There is no mention of any alternative plans that might be in keeping with the preservation of the natural environment and work in tandem with local communities. Why is the applicant exempt from providing alternative plans? To push through this proposal without testing any of the assertions made in the DEIS is to invite disaster, because once it is approved there is no turning back or curtailing construction activity when problems occur.

There should be some kind of pilot program where the project can be built in stages and the environmental impact can be monitored and appropriate measures be taken to address problems that occur and remedy or curtail the adverse impact on the environment. This process of accepting the whole of this project without testing is irresponsible and I think the applicant clearly wants to bulldoze the project through before the adverse impact can be seen and quantified. Crossroad Ventures should be required to carry insurance and be bonded against, and therefore liable, for any pollution that the project creates.

The DEIS capitalizes and appeals to the sparse economic climate in the region by providing low paying jobs to locals. The document minimizes the number of rental units and beds available to tourists and offers their project as a panacea for local economic woes. There are fifteen golf courses already in the Catskill region and the latest trends seem to indicate that interest in golf resorts is on the wane. According to The New York Times, golf resorts are a "king-sized bust".

In reality I believe the local taxpayers will subsidize this project and the project will compete "head on" with local businesses for tourist dollars and threatens to usurp local business while spoiling local tourist destinations down stream from the project site.

My property taxes in Delaware County are up 30% in the last two years, many people in Ulster County have seen their taxes rise up to 50% in the same time. Crossroad Ventures will receive various tax breaks up until the year 2025. The DEIS claims there will be no impact on schools, traffic and local infrastructure. Does this mean that the hundreds of new residents that will be brought in to run this resort will not drive cars or have school age children? Does this also mean that thousands of tons of timbers, rock and debris will not be trucked out over local roads? The DEC should demand a more complete and comprehensive DEIS and reject the current document as incomplete.

In summation, I do not believe the DEIS, I think taxpayers will subsidize the upgrading of roads and additional cost for education. I think the environmental impact will be severe. Pollution is inevitable and will very likely destroy water quality, our historic trout streams and adversely effect ecotourism. What's more, the success of such a huge project is not assured and could be a huge liability for the state and local residents.

When the adverse effects take their toll on the watershed and a water treatment plant is proposed to clean up this mess and the cost of it passed on to taxpayers, I will participate in local grassroot opposition and strive to educate New York City residents as to the history of this fiasco. Recent estimates for a water treatment facility are in the six billion dollar range. Can Crossroad Ventures guarantee that the DEC will not need to build one when the project is completed? As stewards of the watershed, I hope you maintain the high standards that the DEC is known for.

Trout Unlimited is monitoring many aspects of water quality and fluctuations in weather and environment. We have brought a successful lawsuit against New York City to compel it to reduce turbidity in the Esopus creek. The Zen Center in Phoenicia is also active in ongoing monitoring and both organizations count lawyers, various scientists, engineers and water management experts among our members. These volunteer organizations have demonstrated the persistence in safeguarding our natural resources and have fought to hold responsible those who spoil the "forever wild" nature of The Catskill Park and watershed.

I urge you to join us in opposing this project, this reckless urge to allow a large self-interested corporate enterprise to exploit and spoil our wonderful and natural habitat that has survived until now and remains one of the very few areas of New York State that serves so many citizens as a respite to overdevelopment and refuge from an increasingly compromised environment. I am many like-minded people call it home and will fight to preserve it.

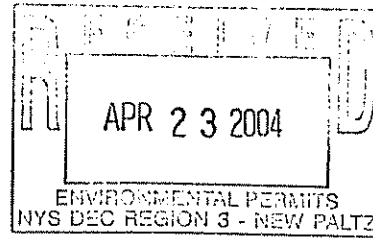
Yours most sincerely,

Walter McGrady

345 West 55th Street #8C
New York, New York 10019

April 23, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1620
845-256-3014
845-255-3042 (fax)



Dear Mr. Ciesluk,

I am writing to express my opposition to the proposed Belleayre Resort atop Belleayre Mountain in the Catskill Park. As you are well aware, the local folk who oppose this project for the very best reasons have labored tirelessly over the last several years in a valiant attempt to avoid the permanent desecration of the valuable natural resources associated with this site.

I also believe that the environmental impact analysis does not fully reflect the impacts of this proposed project. This large development will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution.

The environmental impact statement (EIS) does not adequately describe the affect this development will have on the natural and cultural resources of this region and it fails to completely address reasonable alternatives to this proposal. This large-scale development would be wholly inconsistent with the character of the Catskill Park and its hamlets. I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and I oppose the loss of a pristine ecosystem and the damage to its plant life and animal habitat. This mega-resort will devastate the magnificent view and night sky of the State Forest Preserve and Catskill Park. I oppose the loss of a unique environment, a prized asset for all the people of New York, in order to provide financial gain for a few.

The EIS minimizes expected secondary sprawl and development impacts, as well as traffic impacts. Further, it fails to adequately address the water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs. I oppose the compromising of the water supply for New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses.

I urge you to require more information and analysis of this proposal, especially a more comprehensive analysis of alternatives, in the State Environmental Quality Review Act process, and to ultimately reject this proposal to build the Belleayre Resort on Catskill Park.

Sincerely,

Dale L. Reynolds

345 West 55th Street #8C
New York, New York 10019

April 23, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC Region 3
21 South Putt Corners Road
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Sincerely,



Dale L. Reynolds

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC Region 3
21 South Putt Corners Road
New Paltz, NY 12561-1620

April 22, 2004

Re: Comments on the DEIS for the Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk;

My name is Aaron Bennett. I am a 29-year resident of Oliveria, located in the Town of Shandaken, and near the headwaters of the Esopus Creek. I want to share some of my many concerns as a lifelong resident, a New York State licensed hiking guide, and as someone with a background in water resource management - regarding the proposed Belleayre Resort project.

One concern I have is the definite impact on water quality. One of the most serious threats to a stream's health is the amount of impervious cover (rooftops, roads, parking lots, and sidewalks) of its watershed.

Extensive research has been done in this field within the last 20 years. The Impervious Cover Model - derived from over 30 studies shows that once impervious cover reaches 10% in watersheds of 1st, 2nd, and 3rd order streams - which all of those in the proposed project site are, water quality declines. Most notably, the pollution sensitive animals like brook trout and stonefly nymphs die off - resulting in an overall decline in biological diversity. A few other impacts include increased stream temperature, increased stormwater runoff, more frequent flooding and increased flood peaks, stream widening and erosion, and embeddedness. In small headwater streams (like Giggie and Woodchuck Hollows, Lost Clove, Crystal Spring, and Todd Mountain Brooks) that threshold drops to 8% cover. *see attached*

The DEIS, states that 3.6% of the Birch Creek Watershed will be developed. Using GIS, a friend and I roughly calculated the existing impervious cover in the Birch Creek Watershed (using 1997 data) to be 2.2%. Taken together that would equal 5.8%. This figure does not take into account Belleayre's expansion and any other building since 1997, and of course the future expansion of Belleayre Ski and Day Use Areas and the proposed 20+ unit sub-division on Birch Creek Road. If approved, this project will severely limit any new growth within this watershed and specifically the hamlet of Pine Hill.

Also provided in the DEIS, are the watershed areas of Giggie Hollow and Crystal Spring Brooks and how much of the project site lie within each. However, unlike other sub-watersheds of Birch Creek and the Esopus, no percentage of impervious cover is provided. Again, using GIS and overlaying a map of the project site, we estimated that roughly 20% of the Giggie Hollow watershed would be impervious. Giggie Hollow Brook (flows off of Belleayre adjacent to the Day Use Area) is a Class B trout stream with recommendations by NYS DEC to be upgraded to a trout-spawning stream. A similar situation exists for the tributaries of Emory Brook watershed that drain the Wildacres portion of the project.

Mitigation measures may help reduce some of the effects of impervious cover, however these measures have not proven to maintain the biological integrity of streams. I am sure the DEC realizes that because Giggie Hollow is a Class B trout stream, aquatic life is a designated use - therefore ANY

impairment that results in the loss of aquatic life (whether it be brook trout or stoneflies) found in this or the other 5 Class B streams draining this project site is a violation of the federal Clean Water Act.

As an avid hiker and guide, the visual impacts of this project worry me. Some of the vistas on trails where the project can be seen are identified in the DEIS, some are not. For instance Simon's Rock – a designated vista on Belleayre's south shoulder is 1 mile away, and a marked viewpoint on Halcott Mountain, which looks directly across the Birch Creek Valley at the site, is less than 5 miles away. The DEIS repeatedly downplays visual impacts from these points because the ski slopes are more intrusive to the viewshed. In addition, because much of the project faces east or northeast, these structures will undoubtedly be visible at sunrise due to all of the glass. I can't tell you how many times I have seen the sunset glare off of the Mohonk Mountain House from our mountains – which are all at a distance greater than 15 miles.

My biggest fear about this project is how it will undoubtedly change my life in ways that are undesirable. After graduating from this very school, I went away to college for 4 years and then decided to come back home. Why did I come back? It's likely for the same reason as everyone here – the combination of surrounding landscape, history and culture, recreational opportunities, local people, and the absence of large corporations and their chains of stores or developments that bring more degradation than benefit.

I don't want the Catskill Mountain Region to take on a different feel – a different image. My father, another lifelong Catskills resident, once told me he believed the largest contributor to the downturn of the economy in this area was the construction of new Route 28 in the late 50's and early 60's. With its construction, now bypassed villages and hamlets like Phoenicia, Shandaken, Pine Hill, Fleischmanns, and Margaretville lost not only their identity but the tourist dollar as well. This allowed for tourists to drive right through the heart of the Catskills without ever seeing our biggest assets – unique villages flanked by clean streams and engulfed in mountains. These villages have finally come back to life – and it's very exciting.

I fear that if this project is built and is as successful as indicated in the DEIS, we will be back where we started over 40 years ago. It'll be a self-containing entity that sucks the life out of every hamlet and village, resulting in the establishment of convenience stores and traffic lights on Route 28. The economic well-being of the Catskill Region does depend on tourism. However its sustainability is very similar to the ability of Slide Mountain to sustain thousands of users each year – the tourists and users must be spread out. Putting all of our eggs in one basket is risky and will only benefit a small few.

In Section 1 page 8 the DEIS looks to Ulster County's 1977 Land Use Plan to show praise for this type of project. The Land Use Plan reads quote "expansion of tourism is a natural and economic function of the future development of Ulster County". This is true, however in that plan the following statements help to make the County's real vision clearer.

Page 14 - "degradation of hillsides also destroys a community's character. The surrounding hills are an aesthetic resource, which gives the community its distinctive setting. Could anyone imagine the loss to Woodstock, and our region if Overlook were denuded or to Ellenville or New Paltz if the Shawangunks were stripped?"

Page 40 - "Our basic philosophy is to work with the land and let it guide us, rather than superimpose a new design as one might do in the plains of the Midwest. We believe this is

critical from an environmental standpoint. We think it is also critical from a long term economic viewpoint.”

Page 46 – “The tourist industry can provide facilities and events which can enrich the livability of a community. It can also lead to a procession of billboards, strip commercial blight, traffic congestion, and seasonal workers who stay on to collect welfare. Ulster County has a long heritage of small family businesses and a rich resource in artisans and others who love the environment of this area. With proper land use controls, especially along our highways, and good site planning review, communities have a strong position to implement a policy of desirable tourist growth and prevent the intrusion of those who would destroy our environment.”

This is the Ulster County and Catskill Mountain Region that I came home to and wish to live in. Please – for the benefit of those of us that will live here for the rest of our lives – spend the time and resources to look at this project from all possible angles and I’m confident that you’ll see what most of the local people have seen in this DEIS and the projected project – a lot of vacancies.

Thank you,



Aaron Bennett
915 Oliverea Road
Big Indian, NY 12410
845.254.9977

The Impervious Cover Model

Stream research generally indicates that certain zones of stream quality exist, most notably at about 10% impervious cover, where sensitive stream elements are lost from the system. A second threshold appears to exist at around 25 to 30% impervious cover, where most indicators of stream quality consistently shift to a poor condition (e.g., diminished aquatic diversity, water quality, and habitat scores). Table 1 reviews the key findings of recent research regarding the impacts of urbanization on aquatic systems.

Table 1. Review of Key Findings of Recent Research Examining the Relationship of Urbanization on Aquatic Systems

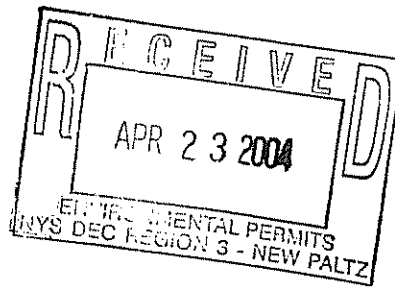
Watershed Indicator	Key Finding	Reference	Year	Location
Aquatic insects	Negative relationship between number of insect species and urbanization in 21 streams.	Benke, <i>et al.</i>	1981	Atlanta
Aquatic habitat	There is a decrease in the quantity of large woody debris (LWD) found in urban streams at around 10% impervious cover.	Booth, <i>et al.</i>	1996	Washington
Fish, habitat & channel stability	Channel stability and fish habitat quality declined rapidly after 10% impervious area.	Booth	1991	Seattle
Fish, habitat	As watershed population density increased, there was a negative impact on urban fish and habitat	Couch, <i>et al.</i>	1997	Atlanta
Aquatic insects and fish	A comparison of three stream types found urban streams had lowest diversity and richness	Crawford & Lenat	1989	North Carolina
Stream temperature	Stream temperature increased directly with subwatershed impervious cover.	Galli	1991	Maryland
Aquatic insects	A significant decline in various indicators of wetland aquatic macroinvertebrate community health was observed as impervious cover increased to levels of 8-9%.	Hicks & Larson	1997	Connecticut
Insects, fish, habitat water quality, riparian zone	Steepest decline of biological functioning after 6% imperviousness. There was a steady decline, with approx 50% of initial biotic integrity at 45% impervious area.	Homer, <i>et al.</i>	1996	Puget Sound Washington
Aquatic insects and fish	Unable to show improvements at 8 sites downstream of BMPs as compared to reference conditions.	Jones, <i>et al.</i>	1996	Northern Virginia
Aquatic insects	Urban streams had sharply lower insect diversity with human population above 4/acre. (About 10%)	Jones & Clark	1987	Northern Virginia
Aquatic insects & fish	Macroinvertebrate and fish diversity decline significantly beyond 10-12% impervious area.	Klein	1979	Maryland
Aquatic insects	Drop in insect taxa from 13 to 4 noted in urban streams.	Garie and McIntosh	1986	New Jersey
Fish spawning	Resident and anadromous fish eggs & larvae declined in 16 streams with > 10% impervious area.	Limburg & Schmidt	1990	New York

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Fish	Shift from less tolerant coho salmon to more tolerant cutthroat trout pop.-between 10-15% impervious area at 9 sites.	Luchetti & Fuersteburg	1993	Seattle	
Stream channel stability	Urban stream channels often enlarge their cross-sectional area by a factor of 2 to 5. Enlargement begins at relatively low levels of impervious cover.	MacRae	1996	British Columbia	
Aquatic insects & stream habitat	No significant difference in biological and physical metrics for 8 BMP sites versus 31 sites without BMPs (with varying impervious area).	Maxted and Shaver	1996	Delaware	
Insects, fish, habitat, water quality, riparian zone	Physical and biological stream indicators declined most rapidly during the initial phase of the urbanization process as the percentage of total impervious area exceeded the 5-10% range.	May, <i>et al.</i>	1997	Washington	*
Aquatic insects and fish	There was significant decline in the diversity of aquatic insects and fish at 10% impervious cover.	MWCOG	1992	Washington, DC	*
Aquatic insects	As watershed development levels increased, the macroinvertebrate community diversity decreased.	Richards, <i>et al.</i>	1993	Minnesota	
Aquatic insects	Biotic integrity decreases with increasing urbanization in study involving 209 sites, with a sharp decline at 10% I. Riparian condition helps mitigate effects.	Steedmen	1988	Ontario	*
Wetland plants, amphibians	Mean annual water fluctuation inversely correlated to plant & amphibian density in urban wetlands. Declines noted beyond 10% impervious area.	Taylor	1993	Seattle	*
Wetland water quality	There is a significant increase in water level fluctuation, conductivity, fecal coliform bacteria, and total phosphorus in urban wetlands as impervious cover exceeds 3.5%.	Taylor, <i>et al.</i>	1995	Washington	*
Sediment loads	About 2/3 of sediment delivered into urban streams comes from channel erosion.	Trimble	1997	California	
Water quality-pollutant conc.	Annual P, N, COD, & metal loads increased in direct proportion with increasing impervious area.	US EPA	1983	National	
Fish	As watershed development increased to about 10%, fish communities simplified to more habitat and trophic generalists.	Weaver	1991	Virginia	*
Aquatic insects & fish	All 40 urban sites sampled had fair to very poor index of biotic integrity (IBI) scores, compared to undeveloped reference sites.	Yoder	1991	Ohio	

Taking all the research together, it is possible to construct a simple urban stream classification scheme based on impervious cover and stream quality. This simple classification system contains three stream categories, based on the percentage of impervious cover. Figure 1 illustrates this simple, yet powerful model that predicts the existing and future quality of streams based on the measurable change in impervious cover.

Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620



April 22, 2004

This letter (regarding the Belleayre Resort at Catskill Park DEIS) is meant to replace the letter we read and submitted at the public hearing at the Onteora Central School on February 19th, 2004. This letter is more detailed and brings up a number of other issues we feel need to be answered by the developer before the approval of the DEIS by the NYSDEC.

Dear Mr. Ciesluk,

As graduates of the Onteora and Margaretville school districts between 1987 and 2000, and as people who have grown up here in the heart of the Catskill Mountain region, we have some serious reservations regarding the proposed Belleayre Resort at Catskill Park project. We all have one thing in common - we have strong ties to the Catskill Mountains, whether it is because we still live here, our family and friends still live here, or we return to visit.

We all agree that science, and the objective data that supports it, is needed to conclusively show that this project will not threaten the future of the Catskills, but rather enhance it. Unfortunately, we believe that the science and data provided in the DEIS, prepared by consultants hired by the developer, does not convincingly illustrate this. We now call on experts at NYSDEC, as the lead agency, to dissect and analyze all information that has been provided. The economic future of the Catskill region, and the future well being of the Catskill Forest Preserve (owned by each and every citizen of New York State) depend on it.

Our Home

As sons and daughters of lifelong residents, more recent transplants, local business owners, and decision-makers, we are the future generation of the Catskill region that must be convinced that this project will not be burdensome not only to ourselves and our children, but to the region as a whole for generations to come.

We are bright, well-rounded, and well-traveled individuals that have been educated at some of the best colleges throughout the country. We have lived and worked in other areas facing similar challenges. These opportunities have given us more than a great education. They have given us the ability to learn about and experience what irreversible consequences this type of project often brings with it and leaves behind after it is long gone. We all recognize how special the Catskill Mountains truly are and how important it is to keep that in mind as we make decisions regarding their future.

Whether we own a business here, are full or part-time residents, or just visit our families on holidays, the Catskills are still our home. They are a place familiar to us, and unique to anywhere else on Earth. Why is our home so different, so special? One hundred years ago a blue line was drawn on a map around the existing state-owned land. Its purpose was to direct the states

The Future

We feel the impacts from this project could very likely threaten our home 25, 50, and 100 years from now in ways we have yet to imagine. The immediate impacts in all likelihood will pressure our way of life, our water quality, our open spaces, our viewshed, and our night sky. We must ask Mr. Gitter and the others involved in bringing this project to its current form, what is your childhood home like now? Is it as comforting and welcoming as you remember? Ours currently is. Are the things you valued about it still intact? Ours currently are. Do its boundaries stand up against the pressure of poorly planned development? Ours currently do. Is it still a place you strive to live or return to? Ours is.

There is no question that tourism is the most important economic asset for the Catskill Mountains. However the reason that tourism was and continues to be the engine for our economic growth is because of the Catskill Mountain region's biggest asset – The Catskill Park and Forest Preserve. Without our forested mountain summits and tucked-away vistas, without our unspoiled trout streams, without our fresh air, and without our mosaic of autumn leaves that surround each and every distinct village and hamlet, there would be no tourism. This project, as proposed, will seriously encroach upon on everything the tourists have come to expect, everything the new residents learn to cherish, and everything we natives have always loved about our Catskill Mountains.

Championship golf courses, ritzy hotels, and timeshares are not the reason that the majority of tourists come here, or ever will. They can go to the Poconos (2 hrs.), the Hamptons (2.5 hrs.), Atlantic City (2 hrs.), or the Berkshires (2.5 hrs.) for that. The Catskill Mountain region has greatly benefited from the development and consequent loss of open spaces, clean streams, diverse wetlands, and rural character in much of northern New Jersey, Long Island, and the lower Hudson Valley – where the majority of our tourism dollars originate. As more and more open space is lost throughout the northeast, we will continue to benefit economically – and the region's economy has and will continue to grow into the future.

There are two documents that emphatically support our position on this project, and our vision for the economic and environmental future of the Catskill region. The first is *Ulster County's 1977 Land Use Plan* developed by the Ulster County Planning Board and is referenced in the DEIS. These excerpts from the document speak clearly to the importance of investing in our hamlets and villages and the coexistence of economic development and our natural resources.

- Page 14 - "Degradation of hillsides also destroys a community's character. The surrounding hills are an aesthetic resource, which gives the community its distinctive setting. Could anyone imagine the loss to Woodstock, and our region if Overlook were denuded or to Ellenville or New Paltz if the Shawangunks were stripped?"
- Page 40 – "Our basic philosophy is to work with the land and let it guide us, rather than superimpose a new design as one might do in the plains of the Midwest. We believe this is critical from an environmental standpoint. We think it is also critical from a long term economic viewpoint."
- Page 46 – "The tourist industry can provide facilities and events which can enrich the livability of a community. It can also lead to a procession of billboards, strip commercial

Agreement seven years ago, NYC has invested over \$1.25 billion in the Catskill and Delaware Watersheds, not counting property taxes. This project, if approved, could very well be a giant step down a long, costly road full of uncertainty.

Conclusion

This proposed project has polarized the residents of the Catskill Mountains. If you envision leaving things just the way they are now that you are here, or if you envision developments of large scale and in all locations now that you stand to gain, then you may fit well into the polarized landscape currently defining the future of the Catskill Mountains. We hope that this initial polarization will result in a clear and sustainable middle ground for the Catskill Mountains. If you envision a future for the Catskills that is characterized by revitalized hamlets with intelligent zoning, responsible ordinances, increased density, and strong incentives for infill, restoration, and robust yet sustainable development, then you support our vision. If you envision a future for the Catskill Mountains that restores the integrity of its land ethic, that restores the logic of the city, town, and farm or forest model, and that continues to protect open spaces and the ecology, history, and natural capital of this area, then once again, you appreciate our vision.

“In the long term, the economy and the environment are the same thing. If it’s unenvironmental it is uneconomical. That is the rule of nature.”

-Mollie Beatty

Sincerely,

Margaretville Central School:

Theodore Finkle, Class of 1987

Fleischmanns, NY

ted@theevergreen.org

Jessica Sweeney, Class of 2000

Arkville, NY

jessica.m.sweeney@elmira.edu

Onteora Central School:

Gabrielle Weis, Class of 1992

Fleischmanns, NY

ted@theevergreen.org

Aaron Bennett, Class of 1993

Big Indian, NY

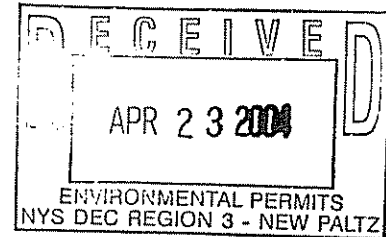
abennett@catskill.net

Matthew Barrette, Class of 1993

Roanoke, VA

mbarrette@sfnonline.com

MEMO TO: ALEXANDER CIESLUK
DEPUTY REGIONAL PERMIT ADMINISTRATOR
NYSDEC
21 SOUTH PUTT CORNERS ROAD
NEW PALTZ, NY 12561-1620



SUBJECT: PROPOSED BELLAYRE RESORT

DATE: APRIL,21,2004

THERE IS A MAJOR THREAT TO FISH AND EVEN MANKIND, THAT IS THE BY PRODUCTS OF PERScription MEDICINE. EVERY TIME MARY OR JOHN DOE POP A "BIRTH CONTROL PILL" OR "PROZAC" THEIR BODIES PASS A MEASURE OF THESE COMPOUNDS INTO THE SEWAGE SYSTEM, AND EVENTALLY THE CHEMICALS END UP IN THE WASTE WATER TREATMENT PLANTS. MOST (ALMOST NONE) ARE NOT EQUIPPED TO FILTER THESE CHEMICALS AND THEY ARE SIMPLY RELEASE.

THE FEBUARY ISSUE OF "FLYROD & REEL" MENTIONED THE EFFECTS OF BIRTH CONTROL PILLS BYPRODUCTS BEING RELEASED BY SEWAGE TREATMENT PLANTS IN TROUT WATERS. THEY CUT REPRODUCTION OF RAINBOW TROUT BY AT LEAST 50 PERCENT

THE MARCH ISSUE OF "FLYROD & REEL" LISTED MORE BAD NEWS, A RECENT STUDY BY A BAYLOR UNIVERSITY AQUATIC TOXICOLGIST FOUND CONCENTRATIONS OF PROZAC IN BULLGILLS LIVING IN DALLAS' PECAN CREEK - DOWNSTREAM FROM A WATER TREATMAN PLANT. BAYLOR'S DOCTOR BROOKS INDICATED STUDIES MAY INFLUENCE FISH REPRODUCTION AND DEVELOPMENT - EVEN IN CONCENTRATIONS AS LOW AS ONE PART PER TRILLION.

FURTHER WILDLIFE CONSERVATION SOCIETY "NOTES FROM THE FIELD" WINTER 2004 INDICATE PROBLEMS WITH DRUGS USED TO REDUCE FEVER AND PAIN IN CATTLE (ALSO HUMANS IN AFRICA). IT APPEARS THIS HAS LED TO KIDNEY FAILURE IN VULTURES AND THIS HAS LED TO THE ABUNDANCE OF UNEATEND ANIMAL CARCASSES. THIS CAUSED A BOOM IN STRAY DOG POPULATIONS, CAUSING HUMAN RABIES FATALIES TO SPIKE INTO THE TENS OF THOUSANDS.

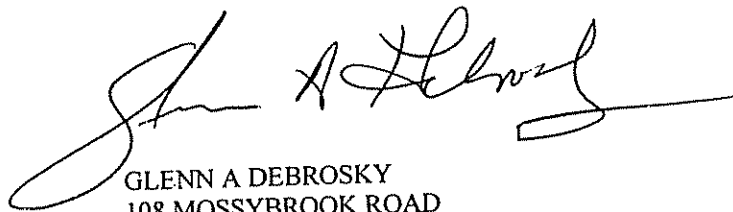
BOTTOM LINE: THE FUTURE OF THE ESOPUS RAINBOWS WILL BE AT RISK IF UNTREATED WASTE WATER CONTAINING SAID AND OTHER CHEMICALS ARE RELEASED INTO THE HEADWATER OF BIRCH CREEK, A MAJOR SPAWNING AREA FOR THIS NATIVE FISH. UNTREATED MEDICAL BYPRODUCTS POSE A THREAT TO FISH REPRODUCTION ETC. AND I'M SURE FINDING OF ONGOING STUDIES WILL INDICATE THE HUMAN SPIECES WILL HAVE RISKS FROM THE CONTINIAL RELEASE OF PHARMACEUTICALS AND PERSONAL-CARE PRODUCTS INTO OUR STREAMS.

"PLEASE LOOK INTO THE CONTROL OF THESE BYPRODUCTS", NOW IS THE TIME TO INCORPORATE CHEMICAL TREATMENT MEASURES INTO PROPOSED TREATMENT PLANT.

ANOTHER SUBJECT IS "THE BLACK BEAR". BLACK BEARS BY ALL REPORTS I HAVE READ ARE EXPANDING THEIR POPULATION, THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION WORKING WITH THE WILDLIFE CONSEVATION SOCIETY HAS LAUNCHED THE BLACK BEAR EDUCATION, AWARENESS AND RESEARCH PROJECT "BBEAR". THIS PROJECT IS DISTRIBUTING BEAR INFORMATION TO PEOPLE ENTERING BEAR COUNTRY. THE PROPOSED PROJECT WILL BE BUILT RIGHT SMACK IN THE MIDDLE OF BEAR COUNTRY, THUS INCREASING PEOPLE AND BEAR CONFLICTS. THERE HAS TO BE SOME SORT OF EFFORT TO PROMOTE HEALTHY RELATIONSHIPS BETWEEN BEARS AND HUMANS.

BOTTOM LINE: I SUGGEST THE NY DEC REQUEST WAYS TO MINIMIZE CONFLICTS AND
THEY ARE INCORPORATED IN ANY PROJECT PLANS.

THANK YOU FOR THE OPPORTUNITY EXPRESS MY VIEWS

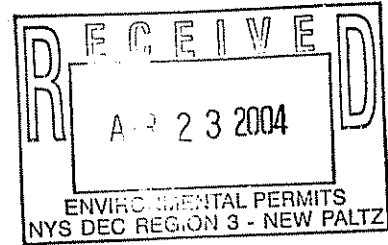
A handwritten signature in black ink, appearing to read "Glenn A. Debrosky". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

GLENN A DEBROSKY
108 MOSSYBROOK ROAD
HIGH FALLS, N.Y. 12440

PHONE: 845-687-9988

EMAIL: TROUTMAN@HVACCESS.COM

Alexander Ciesluk, Jr.
NYS DEC
21 South Putt Corners Rd,
New Paltz, NY 12561-1620
email: afcieslu@gw.dec.state.ny.us



04-20-04

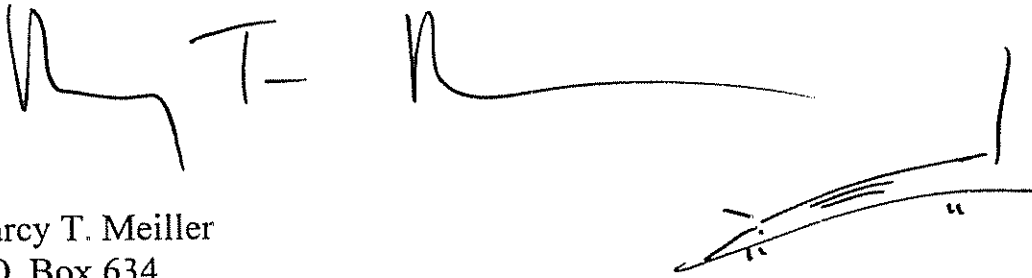
Dear Mr. Ciesluk,

I am writing to you today to express my strong opposition to the proposed Belleayre Resort project. There are many, many reasons why this project should not be allowed to come to be. I would like to share a few thoughts on this subject.

1. I speak for those who have no voice to speak with, the creatures whose homes and environment will be destroyed. Surely there will be a tremendous loss of life as well as habitat. Nestlings and young animals will be massacred, families will be destroyed, sentient beings will die for no valid reason. I feel it is our responsibility as caretakers to protect what little wilderness is left.
2. It is absurd to think that chopping off the top of a mountain will not affect the water courses below. This is the watershed for 18 million people, how can one conscionably endanger their rights to clean water. The cost of the developer's greed will be paid for through great suffering, not to mention the financial burden that will inevitably be placed on all the taxpayers of New York when the filtration system has to be built to counter the damage. Toxic pesticides and fertilizers do not seem to be in order here. This is a watershed situated in a wilderness area. Flooding down line will also be inevitable owing to erosion, many people's homes and lives will be put at risk.
3. A destination resort of this magnitude is totally out of character with the existing communities. We do not have a need or a want for this. There will be negligible advantage to any of the hamlet businesses, rather I believe it will create irreparable damage. People will not be shopping or dining in the local establishments. In fact, the resort will be taking business away from the hamlets, our livelihoods will clearly suffer.

4. There are not enough employees to fill the vacancies in the established businesses at this time, where will the hundreds of employees needed to staff a resort of this magnitude come from? Where will they live? Where will their children go to school?
5. The emergency services, Fire, Police and EMS are already overtaxed in Shandaken. There is no way that we could handle additional burden on these services. The Officer in charge of the Shandaken police has, as recently as two years ago, sought approval from the town board for another full time position, which has not yet been approved. How would the additional human traffic be served by a dept. that is already overextended? In the height of the ski season our ambulance is already so busy with calls at the Belleayre ski center that outside services must be called in to handle the volume of calls. That means a 45 minute wait for an ambulance to even arrive, doesn't bode well to meet the criteria of "the golden hour". How can they possibly assume any additional burden? There are simply not enough qualified emergency medical technicians to service this area as it is. I believe that it is the tax payers that will have to pay for the expansion of these depts.
6. Route 28 is already vastly overcrowded, it is a dangerous situation, people are losing there lives as it is, if one adds the additional burden of a heightened volume of traffic, I feel it will be a recipe for disaster. Additionally the road will likely have to be widened which probably cannot be accomplished without the taking of private lands through the process of eminent domain. Our communities will truly suffer. The developers figures regarding traffic growth and patterns in the DEIS where misleading and inconsistent.
7. The developer has corrupted the local Government. He bought the last election and did so blatantly and illegally. The filings with the Board of Elections for campaign expenditures are clearly understated. This is easily documentable. Two members of the Shandaken town board have personal ties to the developer's corporations, and stand to personally profit; I see a major conflict of interest here. Although I am unclear whether this topic falls under the purview of the D.E.C., I feel it is my duty to address it. I sincerely hope that it the D.E.C questions the credulity and integrity of both the developer and his henchman. The developer has torn apart this community with lies and innuendo. It is truly shameful.

I could go on and on, I could provide details and examples, but fortunately there are experts to do that. I urge you from the depths of my heart and soul to do everything in your power to see that these mountains, these rivers remain whole, healthy and safe for all. Please don't perpetuate this travesty. Please put an end to this absurd proposal. Please hear the voices of those who have spoken and those who cannot speak for themselves. Thank-you in advance for your consideration.
Be well.

A handwritten signature in black ink, consisting of a stylized 'M', a 'T', and a long horizontal line that ends in a vertical stroke.

Marcy T. Meiller
P.O. Box 634
Phoenicia, N.Y. 12464
(BraveEmma@aol.com)

Comments in the Proposed Belleayre Resort

I would like to give my input on some aspects of the controversy over the proposed Belleayre Resort. I have lived in Olivebridge for 18 years, and chose this area not only for the beauty of its natural environment but also for the community values I found here. I grew up in the woods in New Jersey in an area much like this, which is now deforested and paved over, and have concerns about the proposed project's impact.

Traffic Impact on the Town of Olive

The proposed Belleayre Resort is expected to add 300-500 trips per hour to Route 28's existing peak traffic. Impact on the Town of Olive, downstream in all senses from this Catskill Xanadu, was largely ignored by Gitter's projections. The DEIS fails to address the impact of added construction and delivery vehicles on our icy, winding roads, which often remain icy in the winter long after the major roads are clear.

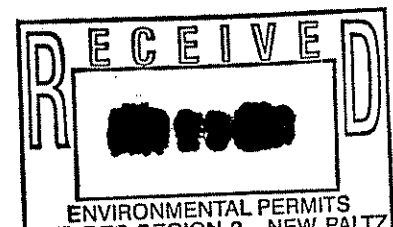
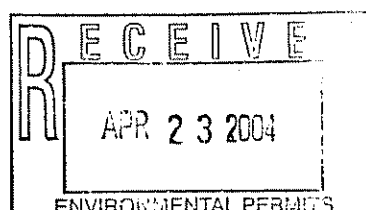
Helen Chase, of the Town of Olive Town Council, pointed out that the DEIS ignores Olive. Was Dean Gitter somehow issued the maps with labels of "Terra Incognita" and "Here there be dragons" instead of "Olive"? Traffic, air quality, and water quality affected by the Belleayre Resort will affect Olive in a very real way. Olive residents who have spoken out see no real benefit for the town as a whole, and many drawbacks.

An average sedan, about 200 inches long plus recommended four car lengths at 45 mph gives 1000 inches per car and spacing. Times 300 trips gives us a crocodile of cars winding its way through Olive every peak hour that's about 4.7 miles long -- about the distance from the front door of Onteora MS/HS to the Get The Scoop ice cream parlor in Shokan. While the posted speed limits in some areas of Route 28 is 55mph, inevitably some travellers always miss the signs for the higher speeds, and traffic is kept crawling at the default speed of 45 mph.

We only have about 7 miles of Route 28 running through Olive. Add normal peak traffic in that corridor, and we'd probably have one lane filled quite solidly with cars. It already is often difficult to make a left hand turn onto Route 28 in Olive at peak times.

The alternatives to Route 28, routes 28A and 213, cut through the southern half of Olive. They have few passing zones (213 has none for 8 miles between Stone Ridge and Olivebridge), and dangerous curves. Two cars become a traffic jam on 213 when the one in back wants to pass but can't and tail-gates instead. Route 213 would be the shortcut for the many expected union workers coming from counties to the south. If the bridge over Tongore Creek on 213 in Olivebridge is replaced within the next few years (the steel is crumbling to an alarming degree), that detour will send traffic over an even more treacherous section of local road.

Routes 28A and 213, due to their rural nature and proximity to the reservoir lands, are infested with deer. In 2001, there were 8,570 deer/vehicle collisions in New York. I don't know if you've ever had your car hit a deer, but we've found from our own personal experience that it usually requires renting a car for 3 weeks while the car is in the body shop. The Insurance Information Institute estimates about \$2000 in costs per claim. Nationally, in 2000 there were 100 deaths due to deer/vehicle collisions.



We've already had one fatality on 28A since the DEP closed the Monument Road "Lemonsqueeze" last year. A serious car crash closes our roads for hours, and forces many of us to make 20-mile detours. I had to make such a detour once last fall during a medical emergency where I needed my asthma medication which was at home, three miles away normally but requiring a 20-mile detour to bypass the accident. Many Olive residents who need side roads off Route 28 don't have the options of detours or alternatives, unlike those living in more suburban areas with a wealth of connecting roads parallel to the main artery. A century ago Olive was split by the reservoir. Will it again be split, this time by a wall of traffic on Route 28?

Jobs

There was another promise of hundreds of jobs in this area some 300 years ago that we should remember when considering Dean Gitter's proposed Belleayre Resort project.

In 1710, thousands of people arrived in New York from the Pfalz Palatinate in Germany, fleeing war, hardship and religious persecution in their homeland. I'm descended from a dozen of those families; a look at the families listed on the Palatine Monument in West Camp will show many names still common in Ulster County.

New York's governor, Robert Hunter, had plans to put the Palatines to work in the Hudson River Valley producing tar and turpentine for the Royal Navy. However, while the area was rich in pine trees, they were not the kind from which tar and turpentine could be made. With all their hopes set on a single industry that couldn't support itself, they soon fell into grinding poverty. Their subsidies cut off by Governor Hunter, some of them boiled grass and ate leaves to survive the harsh winter of 1712/13.

We remember too the disruptions when IBM withdrew hundreds of jobs from this area. Have we not learned that depending too much on one major employer, especially in a situation where the profits will not necessarily stay in the area, has the same hazards of monoculture in agriculture?

While we need jobs and lodging in western Ulster County, let us figure out how we can achieve this through strengthening our diverse range of small independent businesses, rather than depending on the capricious fortunes of a single employer. We want businesses that create, not take.

Nostalgia

Some speakers at the open hearings at Onteora brought up their nostalgia for the way western Ulster County was in the past. Legislator Ward Todd, one of the few local supporters of the project, made an emotional appeal regarding the town of Fleishmanns, and its changes in the years since he grew up there. He spoke wistfully of its four supermarkets back in the old days.

Nothing is going to bring four supermarkets back to Fleishmanns. The era that supported such growth in the town decades ago was eclipsed by the rise in air conditioning and air travel. People do not vacation like that in the Catskills anymore, and they certainly won't at a resort where everything is provided for them. The Belleayre Resort would provide one-stop shopping, with no inducements to leave its grounds and patronize local business. As Angela Caponigro pointed out in an Onteora hearing, her job is to type up itineraries for executives going to resorts for business or pleasure, and they never include visits to local communities.

The Oxford English Dictionary lists as its primary definition for "nostalgia" its pathological sense, as a form of melancholia, echoing its Greek roots in the words for "return home" and "pain." We can't go back there anymore.

Who benefits?

This project will be for the economic benefit of the few, and not for the greater good of our communities. Those of us who live here made our choices knowing that what we valued was clean water and air, unsullied views of the grandeur of these mountain landscapes, and community values that favored small independent businesses over corporate interests like whatever hotel chain Crossroads plans to eventually sell the resort to. We prefer to see profits on local businesses be reinvested in the area, not sent to corporate headquarters. We reject the possibility of casinos. We believe that lands which were to be Forever Wild should remain so. As one speaker said at a hearing, "Here in the Catskill Park, the environment IS the economy."

Dean Gitter said four years ago that his objective was to make this area like Vail, Colorado. The people of this area have overwhelmingly rejected this notion, as heard over and over again in the hearings.

The top paying jobs will not be for locals. Local unemployment figures show that the number unemployed in the area, even for unskilled jobs, is not sufficient to fill the needs of the massive project, thus requiring a steady stream of outside workers commuting.

Our housing market is tight enough already, with the few rentals available stretching the budgets of many workers. Even an influx of a few more people, especially those seeking second homes, impacts the area even more. With so many homes being bought as second homes, and thus rents and house prices spiraling upward, it is harder to get volunteers for local fire departments and first aid squads, because so many people must work far from home. Here in Olive we have only one or two houses available for rental at any given time, and they can hardly be considered affordable housing.

Law and boundaries, actions and consequences

The law sets boundaries. Boundaries of what you can do where, boundaries of what times you can do it, measured anywhere from a period of minutes to perpetuity. Unsaid, or often lost after a while, are why these boundaries are here, and how justice and wisdom will have to interpenetrate with legalism and literalism.

The boundaries and laws we have talked about in these hearings are not just the ones bound up in federal laws, state laws, or the ones made up by our neighbors kicking around ideas on the town councils. They aren't just the boundaries appearing on maps, and enshrined in surveyor's arcane terms. We are subject to laws like gravity, which is not just a suggestion but the law, the promise that everything that is on top of the mountains will come down into the valleys, one way or another. We are subject to the laws of carrying capacity, which say that there is only a certain amount of clean fresh water available to our communities. The boundaries we have to live with have a rhythm and grace that comes from the particulars of where and when we are.

At the Pineview Deli on Route 28, Julie fries eggs whose golden yolks echo the sun rising huge and golden in the east, the air rich with the scents of bacon and coffee and raisin French toast cooking right there in front of you, not in some unseen kitchen by a faceless hotel corporation staff. In the south, John Ingram works his draft horses, his farm an example of the strength of using renewable resources. In the west, the waters start as quiet springs drawing on ancient aquifers, joining together in vast armies of liquid power as they seek the greater waters of the Hudson. In the north, the rattle snakes sleep in their mountain dens.

There are some members of our community who couldn't make it to the open hearings. Bear, bobcat, and woodchuck. Cardinal, turkey, and pileated woodpecker. Garter snake, peeper, and the frog who lives in the ditch by the driveway. Katydid, firefly, and monarch. Fern, hemlock, and elder. We must speak not just for ourselves, but for the voiceless in our community, when considering the impact of this project. We must speak not just for the short-term gain of the present, but the future of our children and our children's children in the communities that would be impacted by the building of the Belleayre Resort.

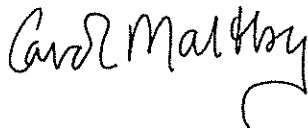
I give these particulars to you because you must weigh not just the letter of the law, but the spirit of the law. You must take the whole of the impact into consideration.

You've sat at the hearings and listened to hundreds of thousands of words, and read reams of paper with such a profusion of words that your head may swim at times. Some of the testimony is awkwardly expressed yet honest and heartfelt. Many speakers have shown contradictions, errors, and omissions in the Crossroads DEIS. You must decide what is fantasy, what is reality, and what is justice when two different sides may be right in their own ways.

Your decision is not one that is purely based on abstracts, but on very real and tangible actions and consequences that would impact so many of us. From what I have seen at the hearings, our communities are overwhelmingly opposed to this huge project which has a footprint that is far too massive for our communities to bear, in every aspect. The proposed Belleayre Resort would not benefit our natural environment, nor our human environment.

Your decision could forever alter the fabric of these communities. Please make your decision one that comes from wisdom, assessing what is good for the whole, rather than just narrow legalism.

Sincerely,

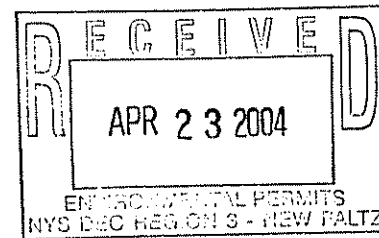


Carol Maltby
23 Mill Road
Olivebridge, NY 12461
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April 23, 2004

April 23, 2004

Mr. Alec Ciesluk
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York 12561-1620



Re: Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

Thank you for the opportunity to comment.

As a 22 year resident of the Town of Shandaken, I would like to talk about a very important issue, the climate that has overtaken our once-peaceful town in the wake of this development proposal. To say that it has fractured the town would be an understatement. I suspect this is not a new story, but it is a new story to us. The following is some background on what has happened in the process of proposing a \$300 million development for a sparsely populated rural area where many if not most in the population are inexperienced in the stakes involved in developments of this scale.

Crossroads Ventures and it's principle partner, Dean Gitter, have continually claimed that they would be serving the needs of the local community if their massive development is built. I obviously disagree with Crossroads' claims on many levels. For starters, any developer who truly wanted to serve the needs of a community would work openly and honestly with the people of the community it wished to serve. In light of that, I would like to highlight some elements of Dean Gitter's and Crossroads' track record with the local community over the past 10 plus years.

1. Dean Gitter attempted to build a \$500 million theme park called China USA, first in Newburgh and then in Baltimore. Both attempts were unsuccessful.
2. Following those attempts, Dean Gitter came to Shandaken. In the early nineties, he went before the Shandaken Town Board to discuss the need for an economic development strategy for the area and requested their support and support was given. Grants were acquired and a committee was formed with Dean Gitter as chair, and a study, the *Economic Development Strategy for the Route 28 Corridor* was the result. It is a study that does not support a resort of the magnitude of the Belleayre Resort although the DEIS claims it does. The *Tourism Development Plan for the Central Catskills followed* was completed in 1998. Many of the same committee members were involved. Both studies are cited in the DEIS as support studies for building the Crossroads resort project. Mr. Gitter's relationship to those studies is not clarified in the DEIS to the best of my knowledge.
3. In late summer of 1998, significant purchasing of property began for the resort. World bridge Associates (the corporation involved in the China USA proposal) and Ridge Sportsman's were among the original purchasers of land holdings. Those holdings were later transferred to Crossroads Ventures in December of 1999. The use of multiple corporations for purchase made it difficult for the public to be aware of the amassing of a large parcel by one entity.

4. In 1998, Dean Gitter requested a zoning change to allow golf courses and increase density in R-5 (5 acre) districts which included the area where Crossroads was amassing land. At this time, the public did not know about the resort plans and would not until October of 1999. In January of 1999, the Town Board put together a zoning revision committee and it is interesting to note that some of the committee members had also been involved in the Rt 28 Corridor Study mentioned before. There were concerns from the public and the Ulster County Planning Board because the R-5 zoning designation is the most environmentally sensitive of all. The UC Planning Board also expressed suspicions that the zoning change was connected to an as of yet unnamed project. The zoning changes went through on April 14, 1999. The following is a quote from a letter sent by Dean Gitter sent to 2 area newspapers attempting to assure those concerned that the zoning change could not lead to a mountaintop golf course. "Shandaken is comprised entirely of steep valleys and uplands. There is, in fact, no contiguous acreage in districts R-3 or above which could conceivably accommodate a golf course. There are only a few in R-5 and none of them is on a "mountaintop"." Six months later he announced his resort to the public. The original proposal included 3 mountaintop/mountainside golf courses.

5. In October of 1999, the Shandaken Planning board held a special meeting to allow Crossroads Ventures and their consultants and legal team to present the resort plans. The town hall was packed (standing room only) and the public was told that this would be a presentation only and they would not take questions or comments from the public. They claimed there would be many other opportunities for dialogue and questions in the future. Since then, there have been 2 other meetings with Crossroads consultants, one at Belleayre Ski Center in 2002 and one on February 3rd of this year. In both instances, the public was excluded from the dialogue and only board members could participate.

6. In December of 1999, less than 2 months after the development was announced to the public, I attended a packed meeting in the Pine Hill Firehouse just after Mr. Gitter had purchased the Crystal Spring, which had for decades served as Pine Hill's emergency water supply. Needless to say, residents were worried. One of the many fears expressed was that Mr. Gitter would go after the rest of the privately-owned water system which the town was poised to buy. Gitter publicly 'assured' all in attendance that he had no need, no intention and no desire to own Pine Hill's water system. Three months later, with the support of Town Board member Jane Todd, Dean Palen of the Ulster County Health Department and others, Gitter was the owner of Pine Hill's water system.

7. In spring of 2000, when Mr. Gitter reneged on his word and purchased Pine Hill's water system out from under the town, he claimed he did it to 'help' Pine Hill. He 'assured' everyone that he didn't need the water for his resort and he would simply make a few repairs and then sell it to the town. Dean Palen of the Ulster county Health Department called him a 'white knight'. It didn't turn out to be quite that simple. Three years, six figures and endless legal negotiations later, the town finally purchased most of the water system from Mr. Gitter, a system that they could have gotten free from the previous owner had Jane Todd and Dean Palen only 'remembered' to tell the town of the offer. The parts that Gitter retained are listed in the draft Environmental Impact Statement as water sources for his proposed resort.

8. Mr. Gitter has told many stories about the Town of Shandaken and I will share

a few with you. a) He claimed in a presentation to the Ulster County Legislature in February 2000 that 40 % of the town of Shandaken was on some form of public assistance. That sounded ridiculous so I checked with the Ulster County Department of Social Services and the truth at the time was that approximately 7.2% were on some form of public assistance and that included all with full and partial benefits as well as those on disability. b) Mr. Gitter claimed and I quote, that "Shandaken was on a treadmill to oblivion" and according to him we were a dying town. The truth according to the 2000 census is that Shandaken is one of the fastest growing towns in Ulster County. We do not need a "savior" or a "white knight".

9. Local politics has become cutthroat since the Crossroads development has been the main political issue in town, especially in the most recent elections. A group called Citizen's for Progress surfaced a few years ago advocating for the resort and in January of 2003, they became a dominating voice in local politics. Starting with the draft of Shandaken's Comprehensive Plan, they started putting out distorted information about what it contained. For example, the draft suggested down pointing lighting and Citizen's for Progress distorted that to mean you couldn't light an American flag at night. The draft suggested that businesses turn off unnecessary lighting at night after closing and Citizen's for Progress distorted that to mean that Christmas lights would be banned. The distortions continued into election season and it was very clear that their aim was to bring down our former Town supervisor, who was elected on a preservationist platform. They pulled out all the stops and spent thousands. There were so many lies and distortions that it was impossible to keep up with them. Clearly this looked like a professional smear campaign. The ads were well-written, professionally done, and full of outright lies as well as lies of distortion and omission. Even Christopher Ward, Commissioner of the DEP was moved to write a letter to local papers setting the record straight when Citizen's for Progress claimed that our former Supervisor of "stonewalling the city of New York" and setting up the town for losing 11 million in grants for a sewer treatment plant. Of course, this was not the case. When the local Democratic Party requested information about Citizens for Progress and their contributors from the board of elections, CFP had not submitted the required information. When Citizen's for Progress did comply, which is required by law, it was discovered that most of the contributors were known Crossroads employees and affiliates and included Dean Gitter himself.

10. I would also like to mention the Ulster County Townsman, a local newspaper which has been a rabid supporter of the Crossroads development since day 1. Not only have they been a supporter, but they have continually attacked individual opponents in their editorials, one must assume as an attempt to intimidate them. They also perpetrated the same misinformation that Citizen's for Progress put out in their ads. A couple of examples. 1. When Dean Gitter bought Pine Hill's aging water system, he was responsible for it's maintenance. When it appeared that the system was losing water, both Dean Gitter and the Ulster County Townsman accused the people of Pine Hill of eco-terrorism. Blake Killin, owner and editor of the Townsman said in an editorial, ECO-Terrorism, we knew it would come to this. In actuality, an antiquated pipe had broken 6 feet underground and was leaking water. It was verified by the state police yet the Townsman refused to apologize the people of Pine Hill. 2. Another example was when the former Town Board wanted to appoint a Conservation Advisory Council. The council's parameters are defined by state law and they are supported by most planners. The first one to protest was one of Gitter's employees, Al

Frisenda, and then it took fire. Citizen's for Progress got hold of it and the Ulster County Townsman went so far as to say that if we had a Conservation Advisory Council, anyone on the council or on the Town Board who "coveted" your land could just take it. The editorial went on to say that this council would have 'sweeping powers' and would take away your property rights. This point was hammered in almost every paper for a long time and was also kept alive by Citizen's for Progress to the point where many believed it which was a tragedy.

11. Currently we have 2 Town board members in Shandaken who we believe have conflicts of interest. Supervisor Robert Cross was supported financially during the election by Mr. Gitter and Mr. Cross' wife has recently been given a job at Catskill Corners, which is one of Mr's Gitter's establishments. Jane Todd purchased land just 19 days before major acquisitions for the resort began in August of 1998. She and her husband Ward Todd (former Ulster County Legislature chair and current head of the Ulster County Chamber of Commerce) bought a piece of land surrounded on 3 sides by resort property which is at the gateway to the resort. Ward Todd publicly supported the resort in both capacities and spoke in favor at the recent public hearings. Jane Todd has been asked to recuse from all discussion and votes that pertain to the resort and she has refused. Monday, April 19 at a Town board meeting, she voted for the Town board not to petition for party status. Since January, the Shandaken Town Board has hand-picked 3 new Planning Board members and demoted the former chair, who was experienced with SEQRA and doing an excellent job. Instead, they appointed a new member with no planning experience to chair the Board through this critically important time.

12. Recently there have been 2 meetings with consultants hired by the Town of Shandaken with the Planning Board and the Town board. At both meetings, the public was not allowed to speak, comment or ask questions. Since many of our board members do not ask questions, or do not ask the ones many want answers to, this was a great loss to the public since questions that could have been supplied answers were suppressed.

Thank you for allowing my comments.

Sincerely,



Judith Wyman
PO Box 44
Chichester, NY 12416

Relating to Gitter's request for a zoning change - The resort was not known to the public until Oct. of 1999.

ions



Mailbag



Facts about zoning

To The Editor:

The *Catskill Mountain News* and the *Ulster County Townsman* in their April 7 and 8 editions cite a number of comments by a spokesman for the Ulster County Planning Department. Some indicate the probable objections of the county board to proposed changes in Shandaken's zoning regulations which would extend special permit oversight of golf course construction to the R-5 districts of the town. Such permitting is already allowed in R-3 and other districts

Some understanding of the origin and relevance of the current zoning regulations is necessary to evaluate the validity of the reported comments of the county. (As of this writing the town has received no official word of any such comments.)

Shandaken's zoning regulations were provided years ago by a consultant who spat them out of his word processor, often failing to delete several references to Rye, New York, the city whose ordinance was used as the model. There was little acknowledgement that 72 percent of the town's area was already protected by the "forever wild" provisions of the state constitution through its owner, the DEC. Virtually all of the state's land in Shandaken is in the R-5 district—a vast holding approaching 70 square miles of preserved mountain land.

Shandaken is comprised entirely of steep valleys and uplands. There is, in fact, no contiguous acreage in districts R-3 and above which could

conceivably accommodate a golf course. There are only a few in R-5 which could serve and none of them is on a "mountaintop"

A few more facts:

- no abutting town to Shandaken prohibits golf courses in its most sensitive zone.
- golf courses exist in Saugerties, Kingston, Woodstock, New Paltz, High Falls, Walker Valley, Highland, Kerhonkson and Accord, some of them on land which would, if classified by Shandaken's standards, be in R-5 zones.
- golf courses exist in Delaware, Greene and Sullivan counties which would be similarly classified as R-5. The newly-opened course in Windham at Christman's is on a mountaintop and was built on land higher than any appropriate in Shandaken and without a word of protest from either Greene County, the DEC or the DEP. Onteora, Colonial, Round Top and parts of Hannah and Stamford are also "mountain" courses.
- when the DEC built Belleayre Ski Center, its comprehensive plan called for their construction of a state golf course at the level of the lower lodge—land now classified as R-5.
- the only golf courses ever to exist in Shandaken, the one destroyed by the State of New York when it built Route 28 and the one at the Grand Hotel on Highmount were on land partially or wholly on land now classified as R-5.
- over the last decade, techniques of golf course construction and maintenance have been extensively refined to eliminate virtually all

negative environmental impacts

The proposed revisions would still require exhaustive environmental review for any specific site as part of the special permitting process. Ample safeguards would surely be part of any special permit provisions.

The Route 28 Corridor Study, the Catskill Planning Alliance Study and the latest draft of the HR&A study for the Catskill Watershed Committee all stress the economic need for golf amenities in the vicinity of Belleayre Ski Center in order to attract a year-round clientele. Contrary to the assertion in your article, the Route 28 Corridor study was subject to several meetings soliciting public comment and input, and the Catskill Planning Alliance study, which built upon it, has extensive environmental review incorporated within it.

Dean Gitter
Shandaken

Ambitious project

To The Editor:

I'm sorry I missed the brief reference in your March 31 issue, to rumors that the Delaware & Ulster Rail Ride may be buying the old Roxbury train station.

As Peg O'Connell's letter this week correctly notes, it's the Ulster & Delaware Railroad Historical Society which has a two-year option to purchase the station, and your readers may be interested in knowing more about the project and about our organization.

Our historical society does have a friendly and cooperative relationship with the DURR, but we're a separate organization, an independent, tax-exempt, not-for-profit railroad historical society, concentrating on researching, preserving and propagating the history of the Ulster & Delaware Railroad, and connecting and related lines like the Delaware & Northern, the old Catskill Mountain & Stony Clove and Kaaterskill, and other area lines, along with the related institutions like the tourist hotels, the dairy, bluestone and other regional industries, and the Ulster River steam

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At Your Service

by Margaret Inge



Every once in a while I am struck by the profound nature of human relationships. Certainly those which affect our lives most are the relationships with intimate ones, our family and friends. It is not uncommon, however, for impactful moments to occur in relationship with strangers or mere acquaintances.

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Catskill Watershed Corporation to hear, first hand, what the concerns of his "partners" are.

Sounding Board

APR 23 2004

to the Editor:

In response to the editorial that ran in the Ulster County Townsman on Thursday, May 1, 2003 ["Here We Go Again"], I find myself stunned and regretably saddened that its author chose to address the subject of the Crossroads project not with the serious goal of seeking a resolution of open questions concerning the project, or even of starting a dialog between interested parties, but with the aim of promoting divisiveness and bitterness between upstate communities and New York City. The term the author uses, in fact, is "war". This style of writing, which shuns facts in favor of sensationalism, may help boost circulation figures, but it does little to help promote the cooperation and understanding that more sensible people (both upstate and downstate) know is necessary to achieve the goals the City and its watershed neighbors share; namely, protecting the water supply while at the same time preserving the economic vitality of the watershed.

The piece goes on to make a number of unfounded and unfair accusations as to both the activities and intentions of New York City DEP. I will briefly respond to the more outrageous of these charges.

First, I am stunned to be accused of "refus[ing] repeated invitations to sit down with officials in the upstate communities within the watershed." DEP as an agency and I as its Commissioner pride ourselves on DEP's willingness to meet with any individuals or groups who have a serious interest in the future of the watershed, and the safety and integrity of the City's water supply. Within days of my becoming Commissioner, I made it my business to travel upstate and meet with leaders of both the Catskill Watershed Corporation and the Coalition of

Watershed Towns, to learn more about them and to hear their concerns firsthand. Since that time, I have traveled to the Catskills frequently, and have met with other interested parties on a host of issues, including (among many others) the leaders of the Watershed Agricultural Council (on agricultural issues), Trout Unlimited (fishing and recreation), individual Town supervisors (property taxes) and private landowners, including the sponsor of the Crossroads project. When asked by Patrick Meehan, chairman of the Coalition, to meet with him about the Crossroads project, I arranged to see him within 24 hours. In point of fact, I have never refused to meet with any local official who asked for time to discuss a matter of concern.

Second, DEP is not attempting to bypass or subvert the environmental review process for the Crossroads project by hiring an environmental consultant. State law contemplates that any interested party - whether an individual, a group or a government - may participate in the environmental review process and make its views known on the potential impacts of a project - whether positive or negative. Many parties have already expressed views about the Crossroads project and doubtless many more will make their opinions known as the review proceeds. DEP has taken no position on the project to date and simply wants to make certain that the review is thoughtful and thorough. We believe this will help ensure that the concerns of both the upstate communities and the City are identified and addressed, which can only be beneficial to all parties in the long run. It is extremely disheartening, after seven years of working closely with local leaders, investing hundreds of millions of dollars in the watershed, and voting in favor of vir-

tually every economic development initiative presented to the Catskill Watershed Corporation, that DEP's desire to help inform the evaluation of Crossroads is irresponsibly characterized as an attempt "to prevent any and all construction" in the watershed.

Turning to the 1997 Watershed Memorandum of Agreement, it is absurd to suggest that the Crossroads project should be of no interest to DEP or that it is "outside of DEP's jurisdiction". The project encompasses 1,900 acres of land (the largest single development proposal in the region in decades) and sits astride the ridge line between two large reservoir basins that supply water to nearly half of the State's population. It seems obvious that an undertaking of this size and scale should be carefully studied, to make certain that it has no damaging impacts on the environment. This is entirely in keeping with the 1997 Agreement, which stressed the compatibility of responsible, environmentally sensitive development and protection of water quality.

Finally, it disappoints me that certain individuals - including the editorial's author - have opted for what amounts to smear tactics instead of establishing a real dialog that could enlighten and inform all of the parties who have an interest in this project. The persons labeled as "local activists" and "Benedict Arnolds" are apparently those Catskill residents who (on their own initiative) have expressed reservations about the project and how it might affect the natural environment and alter the character of their communities. If these types of concerns - expressed by Catskillers - are characterized as unworthy or treasonous, it makes me wonder whether there is a future in working toward cooperation and

understanding between the City and its watershed neighbors.

It was my hope and belief that the 1997 Watershed MOA would be mutually beneficial to all parties, and would herald the beginnings of a new working partnership, but if such a level of distrust and ill will is borne by our "partners", even towards their own neighbors, then perhaps the millions of dollars already invested by DEP in repairing septic systems, upgrading privately owned sewage treatment plants, constructing salt domes, and funding loans and grants to local businesses, was not a worthwhile expenditure. After all this time, we should be able to talk to one another - even when we disagree - with a modicum of courtesy and with respect for each other's concerns. The May 1st editorial is a step in the wrong direction and a repudiation of everything so many people - upstate and downstate - have worked so hard to achieve.

Very truly yours,
Christopher O. Ward
Commissioner, NYC-DEP

Ulster County Townsman 5/8/03

EDITORIAL

Ulster County Townsman 5/1/03

Here We Go Again!

Just when some believed we were safe from the regulatory grip of New York City, its sharp talons are once again aimed at our throats. With the ink barely dry on a new five year extension on the Watershed Memorandum of Agreement between New York City and the upstate communities that supply it with water, NYC is seeking to increase its influence over local zoning and planning issues. And that is contrary to the spirit of the MOA and the law.

No, where not just talking about Dean Gitter's controversial golf course proposal, although its the most visible project in the region NYC's Department of Environmental Protection is on the war path seeking to prevent any and all construction in the watershed. It is seeking to impose new regulations which some believe is a legal violation of the terms of the MOA.

NYC's actions have outraged officials in Delaware County, the largest county in the West of Hudson Watershed. NYC-DEP is poking its nose into local planning and zoning issues, something the MOA said it would not and could not do. Sure, NYC has a vital interest in what goes on in the region regarding water quality. But both DEP and the Coalition of Watershed Towns has proven to EPA that water quality can be maintained while still allowing for development in the watershed. There is no threat to the water supply or else EPA would not have granted NYC another five year waiver from having to filter water from the Catskill-Delaware Watershed.

There is no outrage from environmental groups over construction projects in the watershed except for a handful of local activists and the Natural Resources Defense Council which opposed the MOA in the first place. NRDC's Eric Goldstein believes that the only way to safeguard the water supply is to condemn our land and force us to move out. Well that didn't work.

Now, DEP wants to conduct a review of the review of Dean Gitter's Crossroads Ventures resort at the urging of Mr. Goldstein and a handful of local activists who do not care about anything but their own selfish agendas. DEP fought, unsuccessfully, to take over lead agency status for the lengthy environmental review of the project. The state Department of Environmental Conservation took over that position to conduct the review under the State Environmental Quality Review Act. Now, DEP is seeking to circumvent the SEORA process by asking for a review of DEC's review to the tune of \$600,000.

Despite gaining the needed approvals and permits under SEORA, the Hanah Country Club in Delaware County is having a nightmare of a time with an expansion project. Remember, it received all the approvals and permits under existing state and local laws, along with provision under the MOA. But that was not good enough for DEP.

What NYC-DEP is attempting to do is form a new, "super planning board" to oversee the actions of local zoning and planning boards, building inspectors and departments of health. While it currently cannot overrule home rule, it can cause unacceptable delays by attempting to demand further reviews or through litigation.

We thought there was a new attitude within DEP with the appointment of Christopher Ward as commissioner. That, apparently, is not the case. He has refused repeated invitations to sit down with officials in the upstate communities within the watershed. DEP's "information" department no longer returns phone calls. And now it is seeking to force people wishing to build anything in the watershed to provide more information and to adhere to new restrictions than are required under the MOA.

This is war. We fought long and hard to prevent NYC from throwing us off our land. We remember what NYC did to the people of Browns Station, Dunraven and other communities that now sit under water. We remember how NYC reneged on its initial promise to adequately compensate people for what they had taken away. We remember the promise to open up vast tracts of NYC-owned property for recreational use. We remember the promise that allowed home rule on local zoning and planning issues. Evidently, NYC does not remember its promises or legal obligations.

Expect this mess to wind up in court. The Coalition of Watershed Towns was able to bring about the MOA through litigation. No one expected the tiny upstate communities to defeat NYC's phalanx of high priced, high powered lawyers. But it did. Why? Because we had the law on our side just like we have the law on our side now.

But look out for the Benedict Arnolds in our midst. They are willing to turn the Catskills into New York City's sixth borough. They have no sense of community nor understanding of history. Some people's zeal to prevent Dean Gitter from building his resort will also have a rippling effect on every community in the watershed. If they allow NYC-DEP to stop Dean Gitter from doing what the law allows, if they are able to stop Hanah from completing an already approved project then what is to stop them from preventing you from adding a deck on your home or building a garage? Remember, this is what some members of Shandaken's Comprehensive Plan Committee and current administration is trying to do. They couldn't stop development locally so they have invited New York City and the NRDC to invade us.

So, here we go again. We are under attack from the big bully to the south. We find it amazing that NYC is forced to close firehouses, lay off firefighters, police officers, teachers and cut vital services but it will find \$600,000 to conduct a review of a review.

Officials in NYC need to remember something. They are being forced to filter water from the Croton system East of Hudson by EPA. It will cost in excess of \$1 billion. It is currently off the hook from having to spend \$8 billion to filter the water we send it. Without our cooperation, EPA may require NYC to filter our water as well. That would bankrupt the city. And one more thing. To build its filtration plant for the Croton watershed, it has proposed to place it at Van Cortlandt Park in the Bronx. In order to build anything in a state park, approval of the state legislature is required. Don't expect the State Senate to go along with anything that will be of benefit to NYC while NYC is attempting to stick it to their upstate

groundcovers, shrubs, houseplants, and herbs for the sale. Label the plants with their names, and we will help them find a happy new home. Or, if you need some help with digging and dividing, we have a few volunteers who will come to your garden and do it for you.

You can bring your plants to the library on Friday, June 6. Or, if you need to have them picked up, we can arrange that.

For help with digging and potting, or someone to bring your plants to the Plant Sale for you, please call Veronica Rowe at 688-5477 or Elizabeth Holland Kern at 688-7314.

We look forward to seeing everyone at the Library Fair in June. It's all for a wonderful cause: The Phoenicia Library.

Thanks,
Veronica Rowe

To the Editor:

Our "leaders" are on a frantic search in Iraq to find the "elite" of Hussain's government and punish or kill them. This has been customary through the ages for the victorious side of a conflict.

Since King George IV (not II, since his father was apparently a legitimately elected president; our last king being George III before the revolt in 1776), has prevailed over King Saddam of Iraq, the "elite" in this country are now privileged to hunt down and eliminate the "elite" of Iraq.

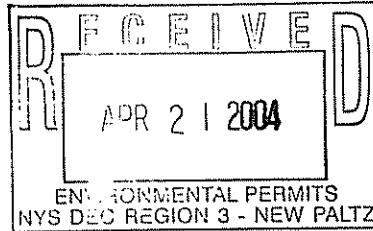
So what if anything is different from former wars between the elites? In former wars between the kings of European and other countries the elite used the working people as cannon fodder to play their deadly games of dominance; but the toil of non-fighters, civilians, was not generally very high. Sometimes civilians would even come out in crowds to watch the field of battle, and take the small risk of being hit by a stray bullet.

Now however, in our enlightened modern times, the advances in killing efficiency results in increasing "collateral damage", even when it supposedly is not intended.

Maybe this generates some hope that the people of the world will ultimately simply refuse to be sacrificed in the conflicts of the elites as to who shall profit economically, the real cause of wars under capitalism.

Phil Sullivan
Woodstock

19 April 2004



Alexander Ciesluk, Jr.
NYSDEC Region 3 Headquarters
21 S. Putt Corners Rd.
New Paltz, NY 12561

Dear Mr. Ciesluk,

I am writing to express my opposition to Crossroads Ventures' proposed Belleayre Resort on the ridge of Belleayre Mountain above Pine Hill and Highmount.

I am generally opposed to the proposed resort for a number of reasons: I think such a large-scale development does not fit the personal, small-scale character of the Catskills; would permanently disrupt and degrade the environment of Belleayre Mountain and adjoining lands; would overtax the social and governmental resources of the town of Shandaken; and would destroy the character and quality of life in the village of Pine Hill, which as a home owner on Bonnieview Road in Pine Hill, I do not want to see or experience.

I have read many sections of the Draft Environmental Impact Statement and will limit my comments to two areas that I find glaringly deficit and inadequate.

The first is the issue of the traffic impact of the proposed resort. I think it is wishful thinking that the proposed resort would not cause a significant increase in traffic along the Route 28 corridor. Although the developer, Dean Gitter, likes to portray the Catskills as a depressed backwater, the current levels of traffic along Route 28 suggest otherwise. I have personally driven Route 28 in all seasons, all times of the day and week over the past 10 years and have witnessed a general increase in traffic, so that except at the extremes of morning or night, I encounter a steady flow of cars and trucks. Three times in the past year I have had to brake suddenly and pull onto the shoulder to avoid a head-on collision with oncoming cars that were dangerously overtaking other cars as they passed. These incidents occurred at night, in the day, and both on weekends and during midweek. As the recent accident on Route 28 indicates, in which two people were killed and others critically injured, with the road closed for six hours while rescue operations took place, my experience is not unique. I cannot help but conclude that these types of near misses and accidents will become a regular feature of highway driving should the Belleayre Resort become a reality.

The second issue I would like to comment on is water supply. Although the DEIS includes the results of well capacity tests, these are very limited, site


specific tests of pumping capacity over very short periods of time (72 hours). What is glaringly absent from the DEIS is an attempt at offering a conceptual model, supported by hydrogeological studies, of how pumping groundwater to meet the demands of golf course irrigation and potable water supply will affect the aquifer supplying the Belleayre valley and the towns of Pine Hill, Highmount, and Fleischmans. What are the hydrogeological connections between all these? How will the resort wells (R1 and R2) affect the Birch Creek flows, the springs and wells supplying Pine Hill with its water, the private wells both in Pine Hill up through Highmount of residents not connected to the Pine Hill water system and at the Belleayre Ski Center? How will increased draws from the Fleischmans' water system for the resort affect the aquifer?

These questions are not only critical for maintaining the current water supply to Pine Hill and neighboring private well owners and villages west of Pine Hill but also vital to the future economic growth of the hamlets of Pine Hill, Highmount, and Fleischmans. Pine Hill especially faces a potential water shortage, as it has only one main water supply yet there are proposed development plans for the village that would require tapping into the Pine Hill Water Company: namely, the subdivision planned for Chelsea Park, the renovation of the old hotel on west end of Main Street, and a proposed 100-bed hotel on Route 28 at the east end of Pine Hill. These developments would be in keeping with small-scale, hamlet-based projects that existing town government and social structures could absorb. They would complement traditional entrepreneurial economic activity in the Catskills and would relieve the hotel room shortage in the Catskills. Yet without a secure water supply, these sort of projects will never proceed. The expansion of the Belleayre Ski Center and the push to encourage summer season visits will also tax the water resources of the aquifer supplying the Belleayre area.

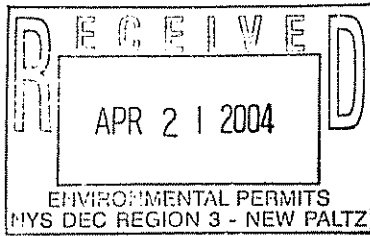
Is there enough water to go around, to meet the needs of the villages already in existence and of a popular ski area as well as to service a large-scale resort? The DEIS makes no attempt to answer this question, as though it is ignoring the existence of current residents and businesses and their efforts to maintain their homes and lifestyles and develop their towns in a way that is sustainable.

For these reasons I urge you not to issue permits for the proposed Belleayre Resort.

Sincerely,



Roger Wall
48 Bonnieview Ave. (PO Box 552)
Pine Hill, NY 12465



LISA WADLER
PO BOX 248
HIGHMOUNT, NY 12441

April 19, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1696

RE: Crossroads

Dear Mr. Ciesluk,

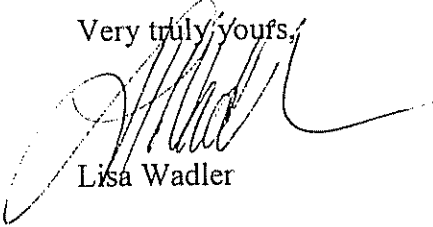
I have lived most of my life in the Highmount area.

Thru the years, there have been many changes in our community. In the 1930s, there were a hundred times more hotel rooms than the number of rooms proposed by Crossroads. Many of the old hotels had their own golf course, such as the Takanassee, the Grand Hotel, the Pakatakan, and the Shandaken Inn. Today, the Pine Hill sewage plant is so large because it is based on the number of old hotel facilities.

I understand that many people do not like change and will object to any change in the area. Crossroads will be a benefit to the community. It will create jobs and the community will be able to enjoy their facilities.

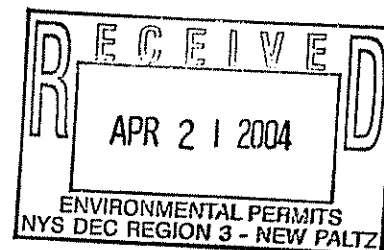
Crossroads purchased their property and has a right to use the land within the boundaries of the law. If their project meets the existing laws, then they should be allowed to proceed with their resort.

Very truly yours,



Lisa Wadler

STEVEN W. WADLER
64 SCHOOL LANE
PHOENICIA, NY 12464



April 19, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1696

RE: Crossroads

Dear Mr. Ciesluk,

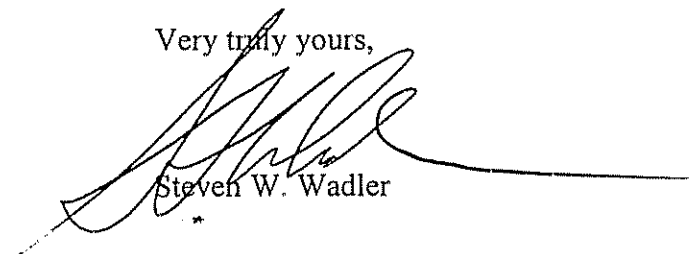
I have lived my entire life in this area and have a special feeling for the area.

Thru the years, there have been many changes in our community. In the 1930,s most farmers took in summer borders. Also, there were many small boarding house along with the large hotels. Many of these hotels had their own golf course, such as the Takanassee, the Grand Hotel, the Pakatakan, and the Shandaken Inn.

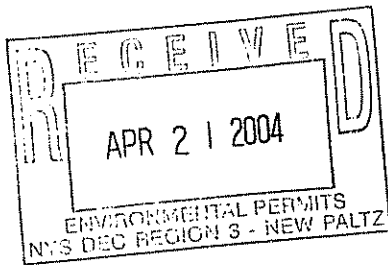
I understand that many people do not like to see change in a community, but communities are always changing. Crossroad is willing to spend money to upgrade your area with their resort. Crossroad is not using public money. The new money from Crossroads will bring jobs and people to our community in a positive way.

Crossroads purchased their property and arland owners in the local community. If their project meets the existing laws, then they should be allowed to proceed with their resort.

Very truly yours,



Steven W. Wadler



HERMAN WADLER
BARLEY ROAD
HIGHMOUNT, NY 12441

April 19, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1696

RE: Crossroads

Dear Mr. Ciesluk,

I was born in Halcott Center and have lived my entire life in the Highmount area.

Thru the years, there have been many changes in our community. In the 1930s, there were a hundred times more hotel rooms than the number of rooms proposed by Crossroads. Many of the old hotels had their own golf course, such as the Takanassee, the Grand Hotel, the Pakatakan, and the Shandaken Inn. Today, the Pine Hill sewage plant is so large because it is based on the number of old hotel facilities.

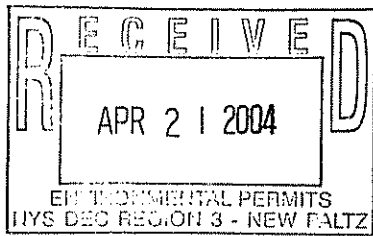
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Crossroads purchased their property and has a right to use the land within the boundaries of the law. If their project meets the existing laws, then they should be allowed to proceed with their resort.

Very truly yours,

A handwritten signature in cursive script that reads "Herman Wadler".

Herman Wadler



JASON S. WADLER
BREEZY HILL ROAD
FLEISCHMANN'S, NY 12430

April 19, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1696

RE: Crossroads

Dear Mr. Ciesluk,

Having been born in Margaretville and raised in Ulster County, I have a special feeling for the area.

Thru the years, there have been many changes in our community. In the 1930s most farmers took in summer borders. Also, there were many small boarding houses along with the large hotels. Many of these hotels had their own golf course, such as the Takanassee, the Grand Hotel, the Pakatakan, and the Shandaken Inn.

I understand that many people do not like to see change in a community, but communities are always changing. Crossroad is willing to spend money to upgrade your area with their resort. Crossroad is not using public money. The new money from Crossroads will bring jobs and people to our community in a positive way.

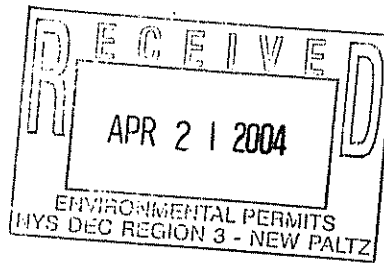
Crossroads purchased their property and are land owners in the local community. If their project meets the existing laws, then they should be allowed to proceed with their resort.

Very truly yours,

Jason Wadler

From: Margaret Braun
33 Bank Street
New York, NY, 10014

To: Erin Crotti
C/O Alexander Ciesluk Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561-1620



Dear Ms. Crotti

April 17, 2004

I am New York City Resident. I attended all four of the DEC hearings this winter. Mr. Ciesluk and Judge Wissler will tell you of the outpouring of opposition to Crossroads Ventures' Belleayre Resort Proposal.

As you are The Commissioner of the New York State Department of Environmental Conservation, am I to understand that after all the fine work, research, and testimony supplied by The Adirondack Mountain Club, Riverkeeper, Trout Unlimited, The Sierra Club, The Audubon Society, Friends of Catskill Park, The New Jersey Trail Conference, The Catskill Heritage Alliance, The Catskill Center for Research and Development, NIPERG, NRDC, as well as the scores of citizens who took time from their jobs and families to study the DEIS to site the flaws and inconsistencies in the DEIS text, who braved sub-zero temperatures to state their concerns to his honor Judge Wissler, that you might consider dismissing their findings? I must believe you would not. I must believe that you would respect the voice of your colleagues and your constituency. Because the former would be downright Un-American.

The Belleayre Resort proposal came to be under questionable circumstances starting with Developer Dean Gitter's underhanded purchase of the Pine Hill Water Company. Had only the Shandaken Town Board member who asked to oversee the transition, and who owns land adjacent to the resort site notified the citizens of Pine Hill that the water company had been offered to the town - free of charge, Pine Hill would have gladly accepted. But this was not the case, and the DEC remains uninterested in the details of this vital transaction. Conflicts of interest abound, while unethical practices continue to this very day. How unfortunate for the good citizens and businesses of the surrounding hamlets who will suffer the effects of this resort. And how regrettable that millions of New York City residents will have to pay billions to filter their tap water from pesticides, herbicides, fungicides and insecticides coming from the Proposed Belleayre Resort.

Oversized hotels in The Catskills have been failing since the invention of the air conditioner. New York City and Upstate New York residents do not need a mountaintop golf course that will spill toxic chemicals into the Esopus and Birch creeks. To deny the effects this will have on The Ashokan and Pepacton Reservoirs leads me to believe that the agency over which you preside is not interested in protecting the environment. And instead leads me to believe that an operating Belleayre Resort regardless of its environmental standards, could be approved in part for monetary gain to the state owned Belleayre Ski Center that sits atop Belleayre Mountain.

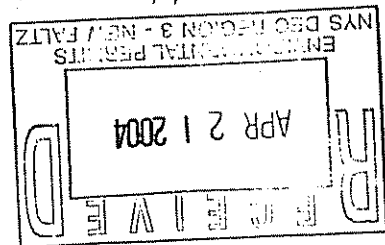
The clientele Dean Gitter hopes will patronize his resort prefers to stay at a smaller hotel, a renovated creekside motel, or a family run mountain house run by a chef who connects with the community by supporting local agriculture. City dwellers escape to the Catskills to fish, hike, ski, visit the hamlets and marvel at the high peaks. That or they board an airplane. A toxic mountain city that leaks into the New York City watershed is a terrible idea. Mr. Gitter wants to "Save the Catskills" but he will impoverish the Catskills if his resort is approved. Crossroads' dated statistics in the DEIS failed to include the advent of Internet and the post 9/11 run for the hills which has brought responsible development to The Catskill Region - brought on naturally, gracefully, and by good citizens who passionately support local businesses, and cherish the pristine wilderness. What a shame that the state would implement the doom its' own great cities watershed. And what a disgrace that the state would allow one real estate developer to deny an entire mountain region the opportunity to invest in its own positive future.

As time passes, and opposition increases, my hope is that you will do all you can to prevent this ill-conceived proposal. I hope that you will recognize that The Crossroads Ventures Belleayre Resort Proposal is an outright assault on democracy.

Thank You for taking the time to review my comments.

Very Sincerely,

Margaret Braun



Dear Alexander Cicilke Jr,

I have been a 31 year full time resident of
Shandaken. My profession is woodworking + house
design + construction I am also a NYS. certified
fishing guide

I am completely against the proposed Belleayre
Resort development. The project is totally out of
scale and its ecological + economical effects
would be devastating to this area.

Ecologically speaking, the impact that would
occur due to clear cutting over 500 acres of

mountaintop land and the square miles of impervious
surfaces (roads, parking lots, rooftops, etc) would cause
a dramatic increase in the amount of runoff
into fragile cold water trout + NYS watershed
streams. Increased temperatures of runoff have been
calculated to be over 70° - trout would die

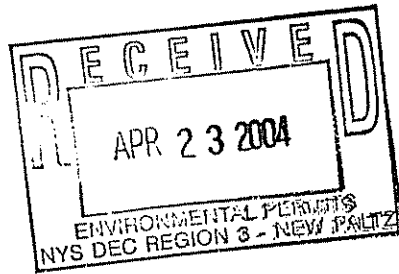
from the temperature increase and algae blooms could
occur with warmer water causing oxygen depletion
waterborne chemicals from pesticides + heavy
metals from excessive use of heavy equipment
would only be part of the toxic soup that
will come pouring down the rocky non porous
mountainsides + into the pristine waters of Bitch Creek

In the past 5 years the catfish have seen

a dramatic increase in the amount of heavy
downpours of 4" - 7" in 2 - 6 hour periods

without any long range forecasts of their

arrivals. How could a golfcourse possibly exist



PO Box 23
Phoenicia, NY 12464
845-688-9881
nita@upstateart.net

April 22, 2004

Alexander Ciesluk, Jr
DEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: STATEMENTS AND INFO REGARDING BELLEAYRE RESORT / DEVELOPER DEAN GITTER

Dear Mr. Ciesluk,

Enclosed please find:

- a copy of my original statement read at the Onteora hearing by Karen Charmin
- an additional statement
- a notebook of interesting material

Hope this information gets a careful look.

Thanks.

A handwritten signature in cursive script, appearing to read "Nita Friedman".

Nita Friedman

In addition to the statement that was read at the Onteror High School public hearings, I would like to add the following:

Regarding the Survey of Businesses in the appendix to the developer's DEIS, I would like to say that in the year that survey was conducted (2000, I believe it was) I was visited at my place of business in Phoenicia, Upstate Art, by a young person conducting the survey. This person told me that they were gathering information for the DEC, concerning peoples' position on the Resort. My recollection is that the DEC was informed that the developer's people were going around saying this and that at that time the DEC said that the survey would not be accepted because of this misrepresentation.

I also would urge the DEC to be skeptical about the developer's claims that all the businesses are for the resort. This is simply untrue. The developer's associate Ward Todd, current head of the Ulster County Chamber of Commerce has been saying this in the press, etc. He may well have persuaded his organization to vote in favor of the project, but there are not that many business people in Shandaken who are for it for the simple reason that a big destination resort is bound to drain business away from the hamlets. Many business people have been intimidated into staying out of the public discussion.

The other issue I would like to address, although it is not a part of the DEIS per se, is the political (and social!) corruption that has taken place in Shandaken, particularly in the last year and one half. When I mention to people that I intend to address this issue, they all say, 'Oh yea, but developers buy elections all the time, it's no big deal.' Well, I disagree with this notion. Just because it is done all the time, does not make it right and does not mean it should go unaddressed.

In considering whether to allow this developer to radically alter the central Catskills, I would think that consideration of his public deeds should be considered relevant.

Here are some of the deeds that deserve consideration, in my opinion anyway:

1. Pine Hill Water System

This is a very long story, but suffice it to say that it is fairly common knowledge around Shandaken that Mr. Gitter, through the aid of Shandaken Councilwoman Jane Todd, effectively bought the Pine Hill Water System out from under the Town which was poised to purchase it, (although as it turns out they could have had it for free); kept then -Town Supervisor Peter DiModica embroiled in legal hasslings over it for several years and then finally sold it to the Town minus important back-up supplies.

A letter exists from water system owner, Ben Odierno, to Dean Palen at the Ulster County Health Department and copied to Jane Todd, stating that the Odierno's could no longer afford the water system so the town could have it for \$1. Neither Dean Palen nor Jane Todd notified the Town of this fact. Meanwhile, Mr. Gitter swoops in and buys the system. It is my understanding that the part of the system that he split off for the resort were the Pine Hill reserves and that lack of these water reserves will forever hobble Pine Hill's ability to grow and prosper.

(Please note that 19 days before Mr. Gitter began amassing land for the resort under various company names and individual names, Ward and Jane Todd bought a piece of property that abuts the proposed resort site on three sides.

Ward Todd, then Chair of Ulster County Legislature is also the person who, in a series of secret, closed-door meetings signed a contract with the Modoc Indians of Oklahoma to provide casino gambling in Ulster County. The contract stipulates that the County is obliged to sue any town that objects to having casinos in their midst and that such towns will receive no revenue if casinos go in over the objections of said towns. I have been personally told by one of the investors in the project and by a partner in one of the design firms involved in the project that it is unfinanceable....except if casinos are involved. The one thing that practically all residents of Shandaken agree on is that we do not want casino gambling.)

(Also, please note that current Shandaken Town Supervisor Bob Cross's wife now works for Crossroads and that the editor of the extremely pro-resort newspaper, The Ulster County Townsman also bought a large parcel of land near the resort in Highmount)

2. Property Rights Revolt

In preparation for the fall elections of 2003, the developer and his political action committee, Citizens for Progress, ignited a huge bonfire of anger in Shandaken involving property rights. In January of '03 CFP member Shandaken Town Councilwoman Jane Todd sent out an incredibly inflammatory flyer (see notebook) quoting the constitution and claiming that the heretofore sleepy and plodding Comprehensive Plan Committee was plotting to take peoples' land, keep them from flying American flags, putting up Xmas lights, painting their houses the color of their choice and running their chainsaws.

The Comp Plan Committee had been meeting regularly for months, and had been begging the public to attend the meetings and/or submit text and ideas but very few people did this. Shandaken newcomer John Mathaisson was Chair and he rather naively set a public hearing for input on a DRAFT comprehensive and made this huge, unedited, everything-but-the-kitchen sink document available to the public beforehand.

Well, Mr, Gitter, the Todds and their group saw a political opening and they went for it big time. Sending out flyers, running endless and incendiary ads scaring the public into a huge uproar which resulted in the famous Belleayre public hearing. About 500 people showed up to Belleayre on a very cold night (Jane Todd offered bus and car rides to anyone who needed transportation). It was truly scary with many of the local people screaming and yelling, intimidating people. Honestly, it had a lynch mob-type air about it. Mr. Gitter and his political action committee did a brilliant job of focussing long-simmering resentments of the old-time local population and pointing it at the head of then Town Supervisor Democrat Pete DiModica who was not in the developers' pocket.

Mr. Gitter and the Todds just sat smiling at the whole thing like a bunch of cheshire cats. It was just what they wanted. The Town has never been the same. Much of the ill-will and ire created during this particular set of shenanigans was used for ammunition in part two of the mis-information campaign -- the election itself

3. Election offensive

Citizens for Progress ran huge, expensive ads inflaming the public on all manner of topics but most especially, they endlessly maligned incumbent Supervisor Pete DiModica. As evidenced in the as yet incomplete Board of Elections reports (see notebook) these ads were paid for by Crossroads employees, (Umhey, Joan Lawrence-Bauer, Gary Gales), Gitter himself, and mysterious and unknown people and entities. Rhino Consultants, for example, has no phone number, no street address and registered mail sent to their PO Box in Boiceville was returned unopened and marked unclaimed.

Even more importantly, the ads contained what I firmly believe to be lies, distortions, misrepresentations. The distortions were so outrageous that it was difficult to rebut them. Please note that DEP Commissioner Christopher Ward wrote in several times trying to rebut some of it. (see notebook - section campaign offensive)

It would take pages upon pages to elaborate on all this but suffice it to say that Mr. Gitter ran a vigorous misinformation campaign beginning with the Comprehensive Plan firestorm and continuing on through the election.

I cannot emphasize how much these activities have poisoned the atmosphere of the Town. The degree of mistrust and ill-will among citizens, which is due to a very well-financed, year-long campaign of misinformation, is heart-breaking, really.

Those who question the validity of this huge undertaking are constantly subjected to different forms of harassment and intimidation and many of us feel unheard and unprotected.

I sincerely hope these matters will be considered.

Thanks for providing a forum.

Sincerely,

Nita Friedman

Nita Friedman POB 23

Phoenicia, NY 12464

845.688.9881

My name is Nita Friedman. I moved here eleven years ago and five years ago started a business in Phoenicia called Upstate Art.

I am one of those who do NOT want to see this project go through.

There are three reasons I feel this way:

Before I enumerate these reasons, I would like to thank the DEC for providing this forum though I also feel compelled to lodge a complaint about the timing of this public comment period -- that much of the time given to the public for review of the thousands of pages of the DEIS was the holiday season. And also the lack of accessibility of the document. The CDs are unsearchable and no hard copies were provided to libraries or town halls, at least not in Shandaken. Nobody without a computer could possibly participate in the process.

All of which speaks of a certain disrespect for the public and for public input.

Many people assume that the timing and accessibility issues are merely further indication that the whole thing is a done deal...that the state is in favor of the project and intends to make it happen no matter what objections the public and other agencies raise. I sure hope that is not the case.

1. The first reason I am against the project is because of what the massive scale of the undertaking would do to the long-protected and pristine landscape.

NYC started building the reservoirs in 1905 or thereabouts and since that time, almost 100 years, the city and the state have basically controlled economic development in the area in the name of providing clean drinking water for 9 million people here and downstate. Generations upon generations of people have worked and sacrificed and incalculable amounts of money has been spent to protect the landscape.

Even the state constitution declares that the Catskill Park should remain 'forever wild.'

And this effort continues today. Small business and home owners, are totally hobbled and constrained by issues relating to water quality. The DEP, the DEC, the County health department, the local code enforcer tend to bust the little guy who is prohibited from adding a sink, or a toilet or a bedroom or doing anything at all to sustain their hanging-on-by-their-fingernails enterprises.

Miraculously though, all this effort to constrain development has paid off and paid off big, in the form of clean drinking water and an unusually pristine natural environment.

This is why people move here. This is why people visit here...to be close to the wilderness. Put this mega-development in and we might as well call ourselves North New Jersey.

Engaging in massive high-elevation blasting and earth-moving in order for people to play a game that's first requirement is flatness of terrain is the kind of idea whose time has passed...it's like something out of the '50's, out of the mists of time before anybody was concerned with pesky issues like preserving the environment for future generations to enjoy.

2. The second reason I am against the mega-project is that I think it will be bad for hamlets.

I think we could all agree that economic situation in the area has greatly improved over the last ten or so years. The hamlets are doing pretty well -- it's a slow, organic kind of growth that's taking place and it's a process that should be fostered in every way possible.

Say the developer succeeds. Some corporate outfit decides to buy the permits. It might be great for the developer and his bank account. It would also be great for the lead agency in the review process, the DEC which owns and operates the Belleayre Ski Center.

But the fact is that the proposed project is a destination resort and destination resorts are by definition self-contained -- the whole point is to keep the patrons within, with endless restaurants, amusements, shopping, entertainment, etc.

Obviously, this would drain business away from the hamlets.

So then what have we got?

- We undo generations worth of effort to preserve the natural environment.
- We render the water-protection effort that's been going on since 1905, a farce.
- Whatever marginal economic opportunities are available to the region are gobbled up.
- We degrade the landscape with building and blasting not to mention all the sprawl, otherwise known as secondary growth which is known to follow in the wake of this type of massive mega-development.
- plus we get an enormous increase in traffic on a two-lane road, Route 28 which is already known as one of the most dangerous roads in the state.

The result of all this is that there will be far less reason for non-resort. tourists to visit and far less reason for second-home owners to want to invest in the area.

And this spells disaster for the hamlets. In fact it puts the hamlets in the position of being the back alley for the grand "Crossroads Corridor" as the developer has been known to call Route 28.

Here's another, I think even more likely scenario:

What if nobody wants to purchase the permits for the mega-resort, except the gambling Indian tribe from Oklahoma? I intend to go into this subject at length in my written comments for now will suffice it to say that casinos are another recipe for disaster for both the hamlets and the natural environment.

3. The third reason I am against the proposed mega-development is because I have watched as the developer, in league primarily with those he pays and those who think they stand to gain

from the project, have ripped the town apart, setting neighbor against neighbor, in an utterly ruthless effort to ram this huge project down our throats.

I've got to say that what we have seen locally, especially in the recent elections is that no distortion or misrepresentation is too outrageous for these folks. They seem to feel that any means justifies their ends and that they know what's best for everybody.

Personally, I feel that at this point, no good could ever come of this project given the nasty, community-curdling tactics that have been employed by the developer, his political action committee, his political associates and his minions.

They leave a scar on this community that will be a long time healing.

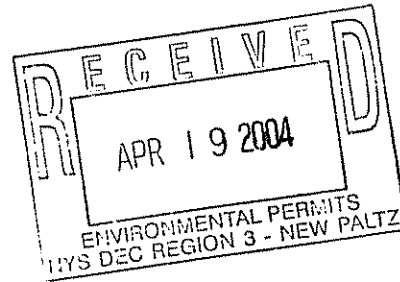
I dearly hope that they will stop tearing up the precious and irreplaceable mountaintops.

Thank you..

A handwritten signature in cursive script, appearing to read "W. H. F. F. F.", written in black ink.

Stuart D. Root
P.O. Box 417
Livingston Manor, NY
12758
856-549-4255

April 16, 2004



Alexander Ciesluk, Jr.
NYS DEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I offer my comments on the proposed desecration of Bellaire Mountain, Town of Shandaken, Ulster County, a/k/a the "Crossroads" project.

The Catskills have been my residence, first weekends and for several years now permanent, for over 30 years. For over 25 of those years I have been active in water quality preservation activities in the region as a trustee of the Open Space Institute (although I have no portfolio now to write on behalf of OSI and do not do so).

At the DEC hearing on February 19th I offered the substance of these comments, whereupon the developer's spokesman asked: What makes Mr. Root an authority on development financing (or words to that effect)? Hence I first offer my apologia on that issue.

From 1960 onward I have practiced real estate law in New York, punctuated by some relevant digressions, such as:

- President of The Bowery Savings Bank from 1981 - 3 when it was the second largest in New York State, with 5.5 billion dollars in assets;
- Prior to that, from 1960 onward, counsel for the bank when it was the largest savings bank in the United States, specializing in commercial real estate development financing;
- From 1970-1975, principal outside counsel for establishing the mortgage securitization programs of the Federal Home Loan Mortgage Corporation, known now as

Freddie Mac (and adviser on the same subject to GNMA in 1988-89).

- Executive Director of The Federal Savings and Loan Insurance Corporation from 1987-89 where my mission was to maintain public confidence in one trillion dollars of insured deposits. The only *nonpartisan* evaluation of that period [Veribanc, Inc.] concluded that the programs I supervised/initiated saved the government over \$18 billion.

My comments now are certainly influenced by those cumulative experiences.

I believe that the development proposed by Mr. Gitter is fundamentally flawed and environmentally dangerous **for reasons not previously addressed**. These reasons have to do with the lack of information about basic financing requirements for large development activities.

Usual development is financed by institutional sources in the financial marketplace. Those sources use "other people's money," and institutional lenders are constrained to avoid unsafe and unsound lending practices.

One element of safety and soundness is to require "completion bonding" when embarking on a large project where lack of completion can spell ruin for the loan or development. That is to say, lenders require financial assurance from a recognized source that the lenders will not be left with a hole in the ground, raw land, concrete foundations, and skeletal frames for buildings, or worse.

In the case of Crossroads, I have read of people having substantial resources backing this project. I have looked in vain for anything of substance to support those assertions. Who has committed to provide financing? What are the conditions, limitations, exceptions and constraints on such commitments, if any commitments exist? Are they written and enforceable? If the project is allowed to commence, but then later fails because it is so at odds with other well-known failures in this area, and in indeed - if I read the New York Times correctly -- Mr. Gitter's own experiences with other large scale developments, *who* will have the right to compel completion?

Suppose for example that Mr. Gitter obtains his approvals from the environmental authorities, but does not have assurances of **bonded** completion financing, what then? In the normal course if the project encountered difficulties we would expect him to declare bankruptcy and to seek reorganization under the protection of the bankruptcy laws. Where would that leave the people of Shandaken? For starters, it would leave them with hosts of unemployed workers who would become public charges against the Town's meager resources - and as I understand it, without any State resources for assistance.

And where would such an event, without verified "bonded completion financing" leave the rest of us? It would leave us with a scarred and torn-up mountainside, possibly with concrete foundations dotting the landscape, and a landscape itself which would bleed erosion and detritus into the watershed.

Frankly, I am completely underwhelmed by assertions that Mr. Gitter has the backing of some people of considerable means. This suggests to me that the project **lacks** the normal institutional safeguards and validation provided by the crucible of the financial marketplace. Moreover, in response to my public delivery of these comments, the developer's spokesman averred the equity being invested was on a "non-recourse" basis. This only serves to impeach the financial integrity of the project and negates any reliance on the wealth of the putative backers.

Further, in the case of the Concord Hotel reorganization about 4 years ago, the newspapers were full of stories about the Murphy group which was going to restore and rehabilitate the Concord and its golf courses. Mr. Murphy, with normal developer bravado, claimed he had the resources for his plans to benefit the economy. However, when push came to shove, in hearing after hearing in the Federal District Court in White Plains, many of which I attended, Mr. Murphy was unable to provide credible evidence that he had financing for his promises. He was long on newsprint, but short on actual commitments. In short, his plan was dismissed as not feasible - for lack of **verifiable** financing.

Who is there to assure that Mr. Gitter's plans are **feasible**? Who is to **verify** the existence of completion financing credible enough to be supported by an

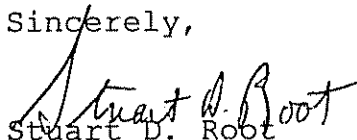
institutional completion bond? In other words, who is to protect the Catskills against Crossroads becoming an ill-conceived, ill-financed, and ill-managed construction project that is pregnant with environmental disasters?

Put another way, are we to be exposed to these dangers because we are not dealing with the "feasibility" requirements which attend a plan in reorganization? I submit the tests should be no less rigorous to protect the watershed. The risks in this case are far more and longer lasting than only financial risks, which alone are monumental.

This project has several Achilles' Heels, most of which are beyond the scope of my comments; but the absence of bonded and verifiable commitments for completion financing is certainly one of them.

Thank you for your attention.

Sincerely,


Stuart D. Root

Sara K. Shinbach
April 12, 2004
P.O. Box 474
Phoenicia, NY 12464



Alexander Cresluk Jr.
21 South Putt Corners
New Paltz, 12561-1620

Dear Mr. Creskuk:

I am writing to express my profound dismay over the proposed development at Bellayre.

I have read extensively and attempted to see all sides of this development. I have lived on Broad St Hollow Road in Shandaken since 1974.

I believe this development will impact the area in an negative way. Moreover I'm afraid that the impact , once made, will be irreversible. That is a terrible prospect, given how precious the appeal of the area is as an on-going tourist attraction. The development is likely to cause a cascade of alterations which will negate the appeal of the area as a natural wilderness area .

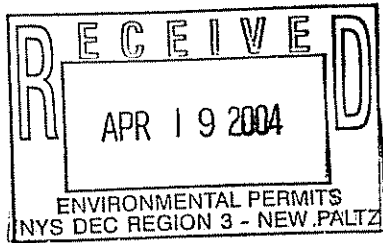
I am especially concerned about the increase in traffic on a highway that is already dangerous. Anyone who drives this highway regularly will tell you about the near death experiences they have had. I personally have witnessed 2 very major head on accidents. It is very sad to look into the future and see that there will be a demand for Route 28 to be widened. The effect of pollution from increased traffic of trucks and cars is a major concern and one that the developers cannot even "promise" to control.

I am very troubled about the danger to the water quality of our streams. Regardless of current assurances, there can be no guarantee that the present owners or FUTURE owners will not end up polluting our precious watercourses with run off from extensive road ways and from golf courses sewerage effluent.

There should be a way to say NO to so called development which is really destruction of the local social structure, and local ecology.

Sincerely,

Sara K. Shinbach



169 Pershing Ave.
Ridgewood, NJ 07450
April 15, 2004

Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC Division of Environmental Permits, Region 3
21 South Putt Corners Rd.
New Paltz, NY 12562

In re: Proposed Belleayre Resort

Dear Sir:

The Catskill 3500 Club is an organization dedicated to hiking the peaks in the Catskills over 3500 feet, as well as promoting conservation and ethical use of the Catskill Forest Preserve.

The Club and its members are very concerned about the size and scope of the proposed Crossroad Ventures Belleayre Resort at Catskill Park: two hotels, two eighteen hole golf courses, restaurants, spas, condominiums, single family homes and all the buildings and paved surfaces to support this mega resort.

The proposed resort would be visible from a significant portion of the Catskill Forest Preserve. Currently, minimal development is visible from the surrounding peaks. This resort, as proposed, would forever change the character of the Catskill Forest Preserve. Outdoors men and women use the Forest Preserve year round. In winter a huge expanse of white will replace the views of forested mountaintops.

The proposed resort is situated close to the geographic center of the Catskill Park. It is immediately adjacent to the Pine-Hill Big Indian Wilderness and in close proximity to the Slide-Panther Mountain Wilderness. As the resort, according to Crossroad's DEIS, will be marketed to non-skiers, huge numbers of additional users will overwhelm what is already the most heavily used part of the Catskill trails system.

These hundreds of thousands of additional visitors will change the lifestyles of the residents of the hamlets and villages that now dot the valleys' floors. Life will no longer move at a measured pace, but with the frantic rush of the close-in suburbs. Traffic congestion will overwhelm the state and county roads and contribute to pollution problems.

The streams and waterways that feed the reservoirs will also be greatly impacted by the chemicals to keep the golf greens playable and the runoff from impervious surfaces. The Crossroads' DEIS states that this will not happen, but if it does it will be the end of the economic contribution from anglers who come to the Catskills to fish its streams for trout.

In conclusion, the Catskill 3500 Club urges the DEC to carefully look at all the impacts of this proposed resort, particularly to wilderness and waterways. We firmly believe, that when all impacts are considered, the DEC will agree that this project is too large and should be rejected as presently proposed.

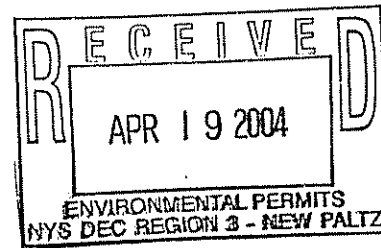
Thank you.

Sincerely,

A handwritten signature in black ink that reads "Wanda A. Davenport". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Wanda Davenport
President
Catskill 3500 Club

Gerry West
17 Academy Street
Kerhonkson, NY 12446
(W) 845-471-7445
(H) 845-626-5540



4/12/04

Alexander Ciesluk, Jr.
Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Re: Proposed Belleayre Resort Development

Dear Mr. Ciesluk, Jr.:

I am especially concerned about the proposed Belleayre development. It violates many environmental, quality of life and local economic prosperity in the central catskills. And if it moves ahead, it weakens arguments opposing the Shawangunk ridge development as well.

I've enclosed a copy of my presentation at the February 19th hearing in Boiceville. It addresses issues that might not have been extensively covered. I appreciate your reading it. *by OTHERS*

Sincerely,


Gerry West

Presenter: GERRY WEST
17 Academy Street
Kerhonkson, NY 12446
H: 845-626-5540

Re: **OPPOSITION TO THE PROPOSED BELLEAYRE RESORT
DEVELOPMENT**

Your Honor, your decision will have far-reaching implications regarding not only the Belleayre project, but similar ones on the Shawangunk ridge including the Awosting Preserve near Mohonk/Minnewaska and the Shawanga Lodge megacomplex in the southern Shawangunks, another in Coxsackie (Greene County), yet another near Pine Plains NY- a 2,000 acre development with a 27-hole "world class" golf course, two proposed casinos in Sullivan County, and one in the Town of Wawarsing in Ulster County – all with proposed golf courses as well. That's why I'm here. I live in Kerhonkson at the base of the Shawangunk ridge. Like Shandaken residents, those of us living near the Ridge are facing destruction of our wilderness with the proposed Awosting Reserve development. If the Belleayre Resort project ultimately goes ahead, our efforts to protect the Shawangunk ridge are severely weakened.

I'm speaking as an independent resident, not as an affiliate of any organization. But I believe I'm speaking for the large majority of residents in the Shawangunk ridge area.

The Awosting Reserve proposal involves 349 detached residential units, yet one more 18 hole golf course, a lodge, a post office and "Village Green", playing fields, wastewater plant, roads, parking lots and other maintenance facilities, all on 2,660 wilderness acres. Sound familiar?

A group called the Shawangunk Ridge Biodiversity Partnership recently put together a report addressing environmental impact issues regarding the Awosting Reserve proposal. It included a sizeable list of experts: Spider Barbour and two other biologists, two hydrogeologists, independent environmental consultants, The Nature Conservancy, the Mohonk Preserve Research center which has been collecting extensive environmental data for about a century, and others. Last, but not least, your own DEC was a contributor and sponsor of this collaborative effort.

The Mohonk Preserve was a key catalyst in developing this impact report. Since their charter prohibits public advocacy, no one from Mohonk will be speaking tonight. But they did issue a statement as a result of the report with a list of concerns about the Ridge development. Let me address just 2 of them:

Concern #1: The open space uses of the Shawangunk Ridge are an economic engine for the region. (The Ridge is a magnet for over a half million visitors who spend over \$10 million annually.)

Comment: Like the undeveloped Ridge, keeping the Catskills unspoiled will benefit the area's current businesses and residents. The peace and tranquility of an unspoiled wilderness is often a reason residents are here, and an attraction to tourists from urban areas. The Belleayre resort won't bring business to the area, it has its own shops and recreation facilities. It will actually compete with local businesses, and bring crowds and traffic congestion as well.

Concern #2: This (Ridge) development as proposed will compromise scientific and land conservation values.

Here are some specific issues from the Partnership report:

- *Development will increase deer populations as a result of habitat fragmentation. It is well known that deer are selective in their browsing, and will reduce adapted and essential plant species. (p. 10)*
- *To what extent will development fragment both plant communities and habitats of wildlife indigenous to the locality? The effect will certainly be major. (p. 11)*
- *Hydrology: Groundwater pumping will cause a decrease in groundwater levels, and a decrease or cessation of baseflow to streams. (p. 14)*

Surface runoff and flooding will inevitably result in further decreasing groundwater by reducing percolation into the ground. This flooding will cause silting in streams, damaging trout communities. Even worse, with decreased groundwater, during dry periods, these streams probably will dry up altogether, destroying entire trout communities. Oh well, so much for the recreational trout fishing industry as we know it in that area!

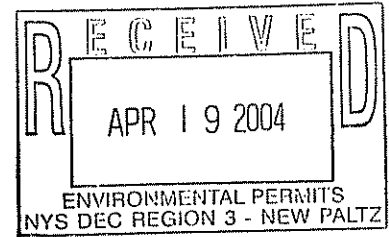
Contamination of groundwater and streams will result from the use of road salt, pesticides, herbicides and other waste byproducts. (p. 14)

- *What about the certain impact of artificial lighting especially at night on both rare and common wildlife species? This would include especially rare and common birds and insects. (p. 20)*
- *Development will certainly foster the spread of invasive non-native plant species. (p. 23)*

Comment: These exact same issues apply equally to both the Ridge and the Belleayre proposals. And, I believe they apply to the 7 other mega projects I first mentioned. This Partnership Report also might validate most of the concerns already expressed here by others which I haven't covered.

Your decision is quite a responsibility! Thank you.

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

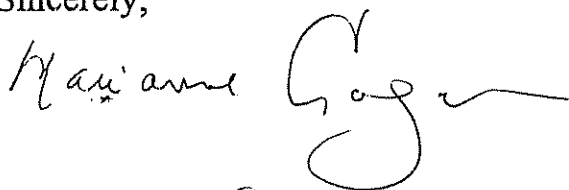
Naturally occurring metals in surface water as a result of chemical weathering and soil leaching are usually of little or no consequence to aquatic organisms. Elevated levels of heavy metal are however toxic to both invertebrate and trout. Toxins are indicative of industrial pollution, wastewater discharge, and stormwater runoff in developed areas.

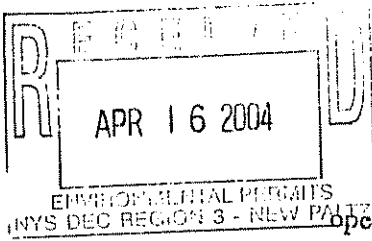
Use of heavy equipment, increased automobile, and truck traffic will substantially increase the absorption of copper, lead, and zinc into the soil. Wear of brake linings, as well as wearing of tires on vehicles on site will raise levels of zinc substantially. Fuel emissions from both gasoline and diesel engines will add concentrations of copper into the soil.

The proximity of the creeks and wetlands to the areas affected by the contamination of the soil with heavy metal obviates any chance of its removal before entering the waterways.

Ichthyologists believe the Brook Trout has inhabited Catskill streams over 100 million years. They were virtually undisturbed until the mid 1800's, when tanneries in the area came close to extinguishing them forever. The Brook Trout were able to take refuge in the small creeks and brooks at higher elevations. Ancestors of the Brook Trout born 100 million years ago now inhabit the very Creeks threatened by The Resort at Belleayre. Please do not let man extinguish this Catskill native.

Sincerely,


(MARIANNA CRAGAN)



For among the mountains, two powerful sides of life have operated side by side and, by a thousand strokes, given the region its shape. One was the greed for land and wealth and the power over others, which both symbolize; the other was the free play of the imagination in the arts and in the exploration of nature. Sometimes the two forces worked together, more often they were locked in battle. The story of their relationship is, at the same time, the story of three centuries of the Catskills.

Alf Evers

"The Catskills"

Broad Street (below) Rd.
Stardaken, NY 12480

April 14, 2004

Attention:

Alexander F Ciesluk Jr.
New York State DEC

We've been hearing that the Resort at Catskill Park is a done deal. Through Dean Giff's and Emily Fisher's political connections in Albany the construction of the resort has been assured.

This prospect is not welcomed by the majority of local residents, as attested to by many who attended and spoke at the EIS hearings. Petitions signed by local residents and visitors to the area list the areas of opposition. We believe "the greed for land and the power over others..." endangers our communities, which are vital and expanding.

Polluting land, water, and air affects all of us; the Catskills are a natural treasure for us to preserve for now and future generations.

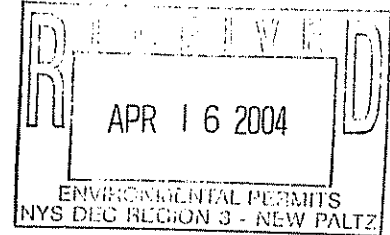
Printed Name: _____

Paul Abrams

2960 Holly Hill , Schenectady, New York 12309

April 02, 2004 09:09 AM

Mr. Alexander Ciesluk, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Subject: Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk, Jr. :

I am writing to voice my opposition to the construction of the proposed Belleayre Resort atop Belleayre Mountain in the Catskill Park. I also believe that the environmental impact analysis does not fully reflect the impacts of this proposed project. This large development will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution.

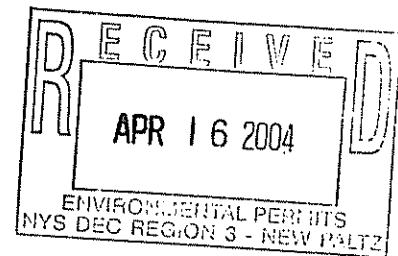
The environmental impact statement (EIS) does not adequately describe the affect this development will have on the natural and cultural resources of this region and it fails to completely address reasonable alternatives to this proposal. This large scale development would be wholly inconsistent with the character of the Catskill Park and its hamlets. I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and I oppose the loss of a pristine ecosystem and the damage to its plant life and animal habitat. This mega-resort will devastate the magnificent view and night sky of the State Forest Preserve and Catskill Park. I oppose the loss of a unique environment, a prized asset for all the people of New York, in order to provide financial gain for a few.

The EIS minimizes expected secondary sprawl and development impacts, as well as traffic impacts. Further, it fails to adequately address the water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs. I oppose the compromising of the water supply for New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses.

I urge you to require more information and analysis of this proposal, especially a more comprehensive analysis of alternatives, in the State Environmental Quality Review Act process, and to ultimately reject this proposal to build the Belleayre Resort on Catskill Park.

Sincerely,

Paul Abrams



02/06/04

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY
12561-1620

Dear Mr Ciesluk,

I am writing to you to express my concern and deep opposition to the proposed Crossroad Ventures resort. After reading much about the project I have come to feel that the negative impacts would far outweigh the positive. I have many issues and questions about the proposal but the main ones are:

1. The developer has promised the creation of 800 plus jobs but they themselves admit that most of the jobs are in the low end category. The higher end by their own admission will probably be filled from outside the area. While they may sustain basic needs, the majority of the jobs will not provide people with a real career. I realize how hard it is to make a living in this area but if we are to be able to successfully provide opportunity we must be very clear on the quality of opportunity that we are being promised and what we are giving away to get it. To succeed you have to make sacrifices and to sacrifice the environment and our quality of life the trade should be worth it. To provide our young people with real opportunity we have to offer them something more than a life working for low wages. And you have to ask yourself, would the very people who are proposing and supporting this project take the majority of the jobs that they are offering? I think the answer to that question would be a resounding "NO".

2. I am not independently wealthy. Just like many others in this community I probably couldn't afford to buy my house at today's skyrocketing prices. I have tried to be responsible and plan well so that my mortgage will be paid by the time that I am ready to retire. But the job remains to make sure that skyrocketing taxes don't force me out of my house. The developer states in the DEIS that " the project will have few, if any, impacts or increased demand on the community resources. The roadways will be private with private security. The vacation resort will add few, if any, students to the local school systems." First of all let me say while the immediate roadways will be private, short of coming by plane, I do believe that the guests arriving and departing will be on roads that have to be maintained by the town and the county. The increased traffic of up to 520 cars per hour on Rt. 28 alone will certainly have an impact on the community resources. Likewise, while the guests using the resort will probably not send their children to the local schools, any increase in the local population by the

future employees of the resort will create a need for school and other services by the town. There is little evidence to suggest that there are enough unemployed local workers to fill the jobs the developer has promised and I believe there could be an increase in the town population to fill those positions. By the nature of the jobs created, the low income earning family would be, in my mind, more likely to require services of all kinds in the future, ultimately increasing the tax burden. I think that it has been proven time and time again in other areas of our country that development does not lower taxes it ultimately increases them. Just ask anyone who comes from New Jersey or Long Island. We have seen it time and time again.

3. The complexes come complete with 5 restaurants, a ballroom, a children's center, hotel shops, a tennis court, a swimming pool, golf courses, a conference center and 2 spas which would all provide the guests with little incentive to leave the property and patronize the local businesses. So I also think that hopes of stimulating the economy are unfounded.

4. The city has spent enormous amounts of money protecting the watershed. What happens if the quality of water degenerates to the point where the city is forced to build a filtration plant. To come up with the billions of dollars necessary to finance the project the state will undoubtedly have to help financially. And in the end we will all be forced to foot the bill. That coupled with the fact that if the city builds such a plant, the grants and subsidies to the watershed area will be drastically reduced and/or disappear altogether.

5. The developer has also refused to discuss funding but I think he should be made to show that he has enough money to cover this project. At the very least the developer should be made to post a performance bond to guarantee the project to completion. If the DEC and the community supports this project and then the project fails the cost to both the local and state communities will be inestimable and the harm would be irreparable.

6. While it has been stated time and time again, GOLF COURSES ARE MAJOR POLLUTERS OF THE ENVIRONMENT!!!. The most precious resource our community has is its clean water and forests. We must not allow the degradation of our resources.

When I started to read the DEIS I couldn't figure out why any agency called the Department of Environmental Conservation would support a project that would be so invasive to the wilderness of the Catskill Park. In reading through it I realized that the DEC obviously thinks that this project will be a good match for the Bellaryre Ski Center. Please do not trade our precious natural resources for a few more skier dollars. It's just not worth the price.

Do not let history repeat itself in our beautiful area. We need to look to the promises made and never kept by all of the other large developers in our area. We need to look at what huge developments have done to the taxes of other areas. We need to look at how golf courses have polluted the environment. We need to look at what huge

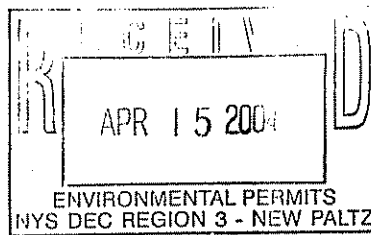
developments have done to NJ and Long Island and remember that even with the large amount of park area in this town those things can happen here. The DEPARTMENT OF ENVIRONMENTAL CONSERVATION is responsible for protecting the natural resources owned by the people of the state of NY. Please do your job.

Sincerely,

A handwritten signature in cursive script that reads "Carol Seitz". The signature is written in black ink and is positioned below the word "Sincerely,".

Carol Seitz
1230 Woodland Valley Road
Phoenicia, NY
12464

Mr Cheslik,



I am writing regarding the Deis you are reviewing for the Crossroads Resort on Bellayre Mountain in the Catskill Park. My concerns are many, but I believe I am limited to those issues you are addressing in the DEIS. I've been on the Shandaken Planning Board January 1998 thru December 2003 I'm well acquainted with this project I'm also a Real Estate Agent.

I'm very concerned about the increase in **TRAFFIC** that the project will bring to our rural roads. Have you considered the additional impacts that the Catskill Mountain Railroad crossing RT 28 2-3 times a day will bring? If not, I believe that's segmentation. It should be a major concern in your review. I don't like the prospect of facing Mack truck after Mack truck during the construction period of 8 years on RT 28 as I'm doing my shopping on a road that is already accident ridden. Mr Gitter has projected an additional 500 cars per hour on RT 28 if the project succeeds. (He said this in front of the planning board, although I see it reads as 300 in the Deis.) As a resident, I don't like the idea of facing this increase as I'm driving back and forth to work every day as my chances, and my neighbors, of having an accident will increase. Many of our visitors come here to avoid the traffic on the Long Island Expressway. Why would they continue to come here if they have to face this congestion on Rt 28? There are studies that prove that the residents of Shandaken taxes will go up to pay for the wear and tear on our roads from a project that few residents will benefit from. Secondary growth from the increase in traffic along RT 28 would forever destroy our scenic corridor and our quality of life.

To say that another town within a town of 3000 residents wouldn't impact our **COMMUNITY CHARACTER** is absurd. The impact would be tremendous on our town and life as we know it today will vanish. A valuable pristine resource would be gone forever. Tourists seeking the serenity, the natural environment, and the hamlets that we are known for will go elsewhere. We cannot afford to subsidize a city on a mountain top in our town. Our hamlets along with their local businesses would be destroyed by a destination resort. It will diminish the quality of life that the residents and second home-owners here have strived for. The importing of outsiders to fill jobs would only be here for the meager wages would negatively impact our neighborhoods, our schools and services. If the proposed project succeeds, there will be an influx of new families who would live in a gated mountain top community and won't integrate into our. More than likely they'll be at odds with us on many community issues. The project would forever change the community, the character of these mountains and their hamlets.

Our **EMERGENCY SERVICES** would be over-worked and not able to give the quality service that we now have to our residents, but our taxes would go up to support the projects needs. The desolate location of areas of the resort, the already over-crowded hospitals, the shortage of help, and increased traffic (and accidents) on RT 28 and our back roads would stretch our emergency services beyond belief to service the resort.

Please vote **NO** on this proposal by Crossroads Ventures on Bellayre Mountain. The developers do not have a track record to prove that they can create and then succeed in this invasion of the Catskills Park. They haven't even shown us that they have the financial resources. Don't allow this countryside to be blighted by the greed of a few men.

Sincerely,

Lynn Davidson
Full time resident of Phoenicia

April 15, 2004 05:29 PM

James .Bodrato

13 Sycamore Drive , ♦ Montgomery, NY 12549

Deputy Regional Permit Administrator Mr. Alexander F. Ciesluk, Jr.

Subject: I support the Belleayre Resort at Catskill Park

Dear Deputy Regional Permit Administrator Ciesluk, Jr.:

The well being of the working people of the Catskills and the Hudson Valley will be served well by the proposed Belleayre Resort at Catskill Park. Hundreds of jobs will be created and the hope of a renewed "green-themed" tourist economy for the Catskill region will have widespread benefits for our economic future.

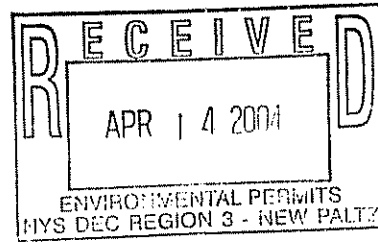
The Environmental Impact Statement filed for the proposed Belleayre Resort at Catskill Park shows an extraordinary willingness to provide every safeguard for the Catskill Park and the New York City Watershed. For example, they have provided two tertiary wastewater treatment plants, 635 drainage basins, dozens of detention ponds, and a three year+ construction schedule to protect against storm water runoff.

I urge the Commissioner to move swiftly toward the granting of the permit approvals under her jurisdiction so this project can move forward swiftly.

Sincerely,

James .Bodrato

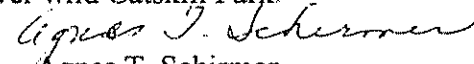
attn: Alexander Crisluk Jr.
21 South Putt Corners Rd. Sub Crossroads
New Paltz, N. Y. 12561



The Crossroads Belleayre Resort is the last sort of development this mountain area needs. To destroy the top of any part of the Catskill Park is incomprehensible. The plans for 450 rooms plus numerous outbuildings to maintain, all with paved parking areas are outrageous. Here is a list of some of the harm this project would inflict upon the mountain and towns (Such as Shandaken and Middletown):

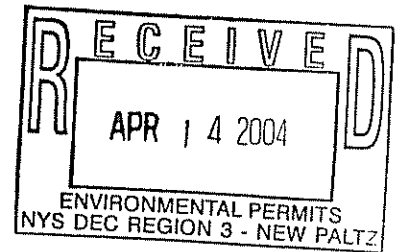
- 1) It will destroy wildlife habitat.
- 2) Excessive water usage, waste, runoff pollution, and erosion.
- 3) Increase traffic on the two-lane route 28 corridor with no practical alternative roads in case of accidents or emergencies.
- 4) I doubt if the amount of help required to service that many accommodations could be found locally. These are mostly low paying jobs, i.e. maids and busboys. If help has to be brought in it would require low cost housing where none exists. There is no low-cost transportation to carry people working rotating shifts from any larger towns.
- 5) Our taxes have been steadily increasing and the project would just speed up the rise with additional Medicaid, school taxes, etc.
- 6) If this resort is built it will have 24 hour lighting fixtures which will destroy the beautiful nighttime skies, still unmarred by artificial light.

Please, forever wild Catskill Park.


Agnes T. Schirmer

67 Swart Rd
Margaretville, N. Y. 12455
(Middletown)

4/11/04



Dear Alexander Ciesluk, Jr.,

As evidenced by the public outcry seen at the recent DEIS hearings in Margaretville and Boiceville the majority of local residents; second homeowners and out-of-town visitors (both old-timers and new arrivals) are adamantly against the Belleayre mega-resort. You can add my name to the list of those strongly opposed. The many people who spoke at the two meetings brought to light (using intelligent, insightful and factual discourse) a long list of reasons why this development is not only a bad idea environmentally but also a potential economic disaster for the towns of Shandaken and Middletown.

Central to the proposed resort's economic viability is the business investment exemption they received from Ulster County and the Townships. This exemption reduces the assessed value of the mega-resort's property tax by 50% in its first year of existence. The assessment is then increased by 5% annually, which means the owners of the mega-resort will not pay full taxes until the year 2025. [DEIS, p. 3-205-206]

The DEIS states the "annual property tax increase" to the town of Shandaken and Ulster County would be \$1,503,154 but that figure is based on full assessment. This is misleading to say the least and has little to do with the reality of the tax levy that is written into the project's development. An analysis prepared by Community Consulting Services (a not-for-profit organization that provides technical services to community leaders seeking sustainable development) states:

"By not reporting background trend-based growth of property tax revenues over the 22 years before the full property taxes are paid to the Townships, the DEIS gives an inaccurate impression of the significance of the contribution from the project. Thus, what appears to be a 10% increase from the Resort of \$526,000 to Middletown in 2001 dollars to the total current tax levy of \$5,157,000 would be 8% if there were just a 1% annual growth in the Town's total tax levy over 22 years. If the tax levy grows at 3%/year, the 2025 Resort contribution will be 5%. At recent 8% growth rates, the Resort taxes would add 2%."

A little digging and analysis tells us that the "promised" 10% increase in tax revenues could easily (and most likely) drop to only 2% annually. Furthermore, the above study states: "It is similarly misleading not to make clear that sales taxes to the counties and sales in the Route 28 corridor will take until 2022 to fully materialize. This is because 76% of resort user off-site sales are attributed to time share owners and country club members for which full operation and occupancy are forecast to take from 2006 to 2018 to achieve. [DEIS, p. 3-203, Table 7-3, Appendix 26, RCI, HVS, Table 6-3]"

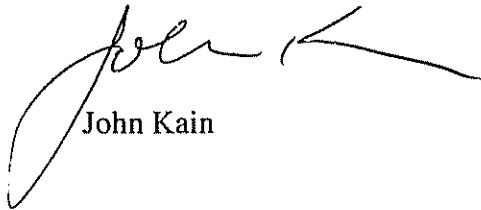
The construction phase of the mega-resort is projected to be 8 years. Who will pay for the increased costs in highway maintenance over that span? We will—the individual taxpayer. Who will pay for the increased medical and support costs due to construction accidents (both on the job and on the highways)? We will. After the mega-resort is finished and the 872 full and part-time resort jobs plus 200 off-site jobs are filled who is going to pay for the increased number of students in our schools? Certainly not the developers who state that not one student will be added to the school system during or after the project is completed. According to the 2000 census there are just over 200

unemployed people in Shandaken and Middletown. Does that mean that the extra 872 employees needed to run the resort will all have to sign a waiver stating that they do not have children and will not have children in the future—of course not. This development WILL add many students to the school system. Who will pay the increased costs? You guessed it.

But there's more. There will certainly be increased costs for police and fire protection and the DEP. Remember we're adding a lot more traffic on Route 28—already one of the most dangerous highways in the state—and increasing the number of visitors to the area exponentially. There will be increased housing needs, other infrastructure upgrades and a Pandora's box of unforeseen costs as sewage and wastewater and chemical runoff from the golf courses are added to the watershed. Is a 2% annual increase in tax revenue going to offset these substantial cash outlays? Simply put, no. The question then is this: Are we willing to let a handful of developers increase our tax burden so they can get a better return on their investment dollars?

Please stop this wrong-headed mega-resort in its tracks. If you allow it to go through the beauty of the Catskill Park will be scarred and the area transformed into a prohibitively unaffordable and sadly undesirable piece of real estate.

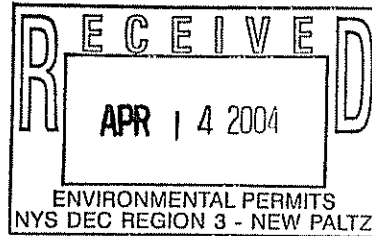
Sincerely,

A handwritten signature in black ink, appearing to read "John Kain", with a long horizontal flourish extending to the right.

John Kain

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

1000
10 Adirondack
1000 Trossard, NY 12567



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

I am deeply concerned with the inevitable increase in water temperature from the Resort. Clearing the mountain of its natural covering and replacing it with impervious surfaces will increase stream water temperature and endanger the trout. Intermittent streams that flow only during snowmelt or after large rainfalls offer habitat for critical stages in a fish's lifecycle such as spawning and rearing. Waste water disposed in Lost Clove and Birch Creeks will affect both the spawning and rearing of trout.

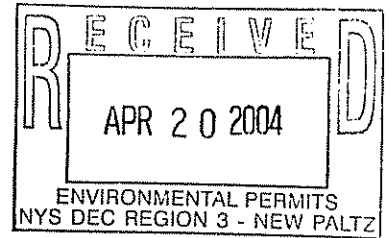
Embryo development in Brown Trout require a water temperature of between 41 and 55 degrees Fahrenheit. Water temperatures in both Creeks and the Upper Esopus into which both flow are kept within the desired temperature range by the natural rainfall and snow melt in the spring.

The SPDES permit fact sheet submitted by the resort at Belleayre permit # NY 0270679 indicate water discharge temperatures as high as 70 degrees will be discharged into the Creeks. This is unacceptable for the rearing of trout.

Sincerely,

A handwritten signature in cursive script that reads "Tom Beam".

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
New York State DEC
21 S Putt Corners Road
New Paltz NY 12561
18 April 2004



Re: The Proposed Resort at Belleayre and its effect on intermittent Streams

Dear Mr. Ciesluk

Intermittent streams and their importance to the trout population must be considered. The developer of the Proposed Resort at Belleayre has not taken into consideration the effect the Resort will have on at least two intermittent streams flowing thru the golf course.

Section 3.2.2.1 of the DEIS describes one stream being crossed by three golf holes, and another being crossed by two. In addition golf cart paths are proposed adjacent to said streams. Section 2.2.5 describes the discharge of effluent into the streams.

Stream flow determines a waterbody's ability to support aquatic life. Stable streams with year round flows provide the best habitat for fish. Intermittent streams that flow only during snowmelt or after large rainfalls offer habitat for critical stages in a fish's lifecycle such as spawning and rearing.

Let me call your attention to New York Department of Environmental Conservation Division of Water and Technical Operational Guidance Series (1.3.1.b). A memorandum issued June 1, 1989 and subsequently reissued recommends a Waste Assimilative Capacity analysis when dealing with low flow streams. I find no evidence in the DEIS that such was performed, and consequently ask the DEC to consider such a study.¹

The following illustrate that best use and water quality standards should be protected in the headwaters and intermittent streams located in the proposed development.

USDA Forest Service Pacific Southwest Research Station on evaluating the biological significance of intermittent streams Leslie M. Reid and Robert R. Ziemer Intermittent channels have usually been considered important to fish resources primarily as seasonal sources of water, sediment, and wood delivered downstream to more important habitats. Because intermittent channels form a high proportion of the channel system, they contribute a lot of nutrients to downstream reaches from primary production and litterfall. Productivity of perennial channels depends on delivery of materials from intermittent channels during at least part of the season. Some intermittent channels are also important as fish habitat. One-third to half the trout production in some Sierra systems is from intermittent channels (Erman and Hawthorne 1976), and intermittent channels are an important winter refuge for juvenile coho (*Oncorhynchus kisutch*) and steelhead (*Salmo gairdneri*) (Peterson and Reid 1984).²

Excerpt from Where Rivers Are Born:

The Scientific Imperative for Defending Small Streams and Wetlands

Many species depend on small streams and wetlands at some point in their life history. Intermittent streams can offer special protection for young fish, because the small pools that remain in such streams often lack predators. Still other fish species use headwater streams as seasonal feeding areas.

For example, headwater streams are vital for maintaining many of America's fish species, including trout and salmon. Both perennial and seasonal streams and wetlands provide valuable habitat. Headwater streams and wetlands also provide a rich resource base that contributes to the productivity of both local food webs and those farther downstream.³

In a recent letter to the Army Corps of Engineers, 43 of the nation's leading stream authorities--PhD senior scientists who are members of the National Academy of Sciences and its boards, officers of other national scientific organizations and leading authors on stream ecology and water detailed the many ways seemingly inconsequential headwater streams "provide valuable ecological goods and services" and urged that they be protected.⁴

Dr. Judy Meyer, a professor of stream ecology at the University of Georgia. "Small streams, even if they are fishless, are important producers of insects that drift to the downstream fish assemblage. Headwater streams are the first aquatic systems that see the input from the terrestrial environment."⁵

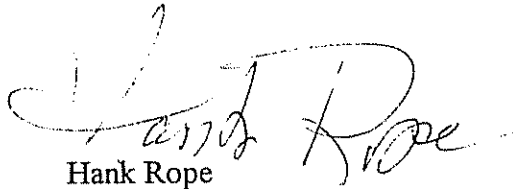
Ben Stout of Wheeling (West Virginia) Jesuit University has found headwater streams in mountaintop-removal country to be even more biologically important than the streams they feed. "The biological community begins in watersheds as small as six acres. In fact, the most diverse communities start right up there at the spring seeps. The majority of taxa we found are leaf-shredders; when they shred leaves the particles feed the whole downstream community. And emerging insects export this energy back to the forest in a form that's available to salamanders, frogs, fish and birds. An intermittent stream is the link between a forest and a river. Fill it, and you break that link."⁶

In researching the headwaters of the Rogue River the Oregon Department of Fish and Wildlife found that trout spawn primarily in intermittent streams. They'd move into them for refuge when they got watered up during winter rains and the mainstems were raging. At that time the developers were diverting and damming these streams, cutting down their riparian forests, building houses next to them, all because they were thought to be inconsequential. As a result of our research we were able to get more protection for those streams. When we went back in the winter we found that these fish radiated upstream. A lot of intermittent streams that looked insignificant in summer would become major rearing and spawning habitat in winter.⁷

Dr. Louis Kaplan of the Stroud Water Research Center in Avondale, Pennsylvania, which assesses impacts to ecosystems from water-chemistry changes upstream. "First-order streams have their own ecology with their own unique insects and fish [including endangered species] that live nowhere else. They are some of the most diverse and productive environments on earth because, in addition to their own production, they are heavily subsidized by the forests they flow out of. They also provide food material for organisms downstream."⁸

In conclusion more research is needed. A quick peak at these streams one morning in November to determine to what extent they are inhabited is insufficient. Further study is needed to determine if construction of the Proposed Resort will destroy the spawning environment for trout. In all probability these intermittent streams support wild trout and indeed do provide nourishment for trout downstream. A comprehensive study of the projects effects on the intermittent streams is called for.

Sincerely,



Hank Rope

PO Box 122

Big Indian NY 12410

¹New York State Division of Water Technical and Operational Guidance Series (1.3.1.b)<http://www.dec.state.ny.us/website/dow/togs/togsb96.pdf>

²Reid Leslie M. Evaluating the biological significance of intermittent streams Leslie M. Reid and Robert R. Ziemer USDA Forest Service, Pacific Southwest Research Station Text of which is available at:

<http://www.fs.fed.us/psw/rsl/projects/water/2IntermitStr.htm>³

Where Rivers Are Born: The Scientific Imperative for Defending Small Streams and Wetlands text available at:⁸

http://outreach.ecology.uga.edu/publications/pdf/scientific_imperative.pdf

⁴Correspondence with Army Corps of engineers text available at:

<http://www.urbanfauna.org/Headwaters.html>

The following were taken from an article written by Ted Williams in Fly Rod and Reel magazine the text of which can be found at:

<http://www.flyrodreel.com/conservation0603.html>

⁵Dr. Judy Meyer, a professor of stream ecology at the University of Georgia.

⁶Ben Stout of Wheeling (West Virginia) Jesuit University

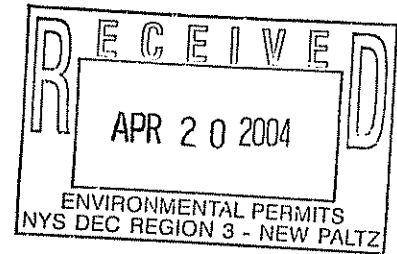
⁷Rogue River the Oregon Department of Fish and Wildlife

⁸Dr. Louis Kaplan of the Stroud Water Research Center in Avondale

4/18/04

RE: Proposed Resort at Belleayre

Alexander Ciesluk Jr
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz NY 12561



Dear Alexander Ciesluk Jr.,

Before the Department can consider any approval for the Proposed Resort at Belleayre a study of the effect on the intermittent streams located on the property should be considered. The current DEIS describes roads crossing and adjacent to streams that are important to the fishery in the Esopus Watershed.

Intermittent streams are used for spawning and rearing of trout. In addition the insect life in these streams is washed downstream and becomes an important nutrient for the fish population of a watershed.

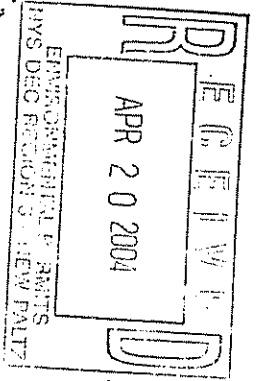
To allow the destruction of 2000 acres of forest land, which includes habitat for all manner of wild creatures to further someone's monetary gains borders on the criminal. Once destroyed this valuable resource cannot be replaced. I ask you to please consider all the repercussions to the future of the watershed if this project is allowed to go forward.

Sincerely,

A handwritten signature in cursive script that reads "Muriel Rope".

Muriel Rope

P O BOX 122
BIG INDIAN NY 12410



April 18, 2004

Dear Sir,

I am writing to oppose the Crossroad Ventures Golf project. I feel there is not enough housing in this area to accommodate all the new people that will come to this area to take jobs at the project. The children of these employees will overburden the school system and cause everyone's school taxes to rise.

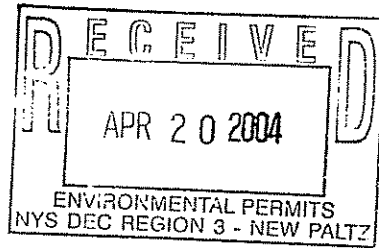
Route 28, the main road going to the resort, will see an unsafe rise in traffic and more accidents. As an avid fisherman I worry about the effect of chemicals and runoff on the Esopus Creek. I think the building of this project is the worst thing that could happen to this area.

Thank You

John Aufreyes
BOX 22,
Chichester, N.Y.

ANDREW FRANCK, PhD

18 April 04



Dear Mr Cieslowski,

On behalf of my family
and myself who have lived
in the Catskills for twenty-five
years, I would like to state
our opposition to the Bellayre
Resort proposal on ecological
grounds. We have read a
number of conflicting reports
on the environmental impact
which leads us to believe that
long-term issues may not
readily be resolved.

Sincerely,

Andrew Franck

18 MAVERICK ROAD WOODSTOCK, NY 12498
TEL: 845.679.8854 FAX: 845.679.1216

Since 1973, our residence has been affected by flooding on the Esopus Creek seven times, and as a result we have suffered

as a whole

developed, would affect our property in particular and the town square Resort at Catskill Park, if it is allowed to be this letter because I have grave concerns as to how The Bell-our primary residence for almost thirty years. I am writing Mount Pleasant, in the Town of Shandaken, since 1969, and it was My family has owned the property at 13 Mount Pleasant Road,

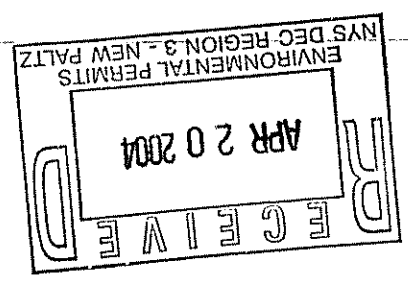
Dear Sirs:

Alexander Ciesluk, Junior
21 South Putt Corners Road
New Paltz, New York 12561-1090

Apr. 17 2004

Red Hook, New York 12571

105 Vosburgh Road



damage to both real and personal property. It was therefore with great alarm that I read in the local newspaper that the Department of Environmental Conservation had prepared draft permits which would allow the Belleaire Resort to discharge an average of 87,000 gallons per day of wastewater into the Birch Creek, a tributary of the Esopus. While this discharge would only be a fraction of the total volume of water which flows down the Esopus every day, I believe that it would be a mistake to consider it insignificant. Several times over the past thirty years the floodwaters of the creek have come literally within inches of entering the first floor of our home, and on those occasions even a slight rise in the crest of the creek would have caused us to experience severe casualty losses. Also, while I am sure that the developer has proposed measures to mitigate stormwater runoff, these proposals must be viewed with extreme skepticism. Because of the orographic effects of the Catskill Mountains, Shandaken is prone to severe rainstorms; localized downpour near Panther Mountain caused the Esopus to reach flood stage in only a few hours. In 1980 and 1987, twenty-four hours caused flooding on the Esopus which destroyed

Sections of the dike which adjoins the creek in Mount Pleasant. If a flood control project which was constructed under the auspices of the Army Corps of Engineers failed under extreme conditions, then how much confidence can realistically be placed in the flood-control efforts of a private developer solely interested in profits?

While those who live along the Esopus and its tributaries would be the people most likely to feel the environmental impacts of the Belleayre Resort, all residents of Shandaken would, to varying degrees, be affected by the changes that the resort would bring to the area. Perhaps that among these changes would be the influx into the area of people who would comprise the workforce of the resort. Because the sparsely populated towns of Shandaken and Middletown are unlikely to provide the number of workers needed at the development, and because it is equally unlikely that many people would be willing to commute long distances on a daily basis to Shandaken to fill at low-paying jobs, the bulk of the labor force would likely consist of people who would relocate to the immediate area. These workers, most of whom would be poorly educated and many of whom would have poor language skills, would be the kind who all too often fill low-wage service-sector jobs and who all too often are ruthlessly exploited because of their willingness to work long hours for low pay.

Unfortunately, it is said but true that these new arrivals would increase stresses on the local schools, law-enforcement agencies, and social services departments; the costs would undoubtedly be borne by the long-term residents of the town, not the developer.

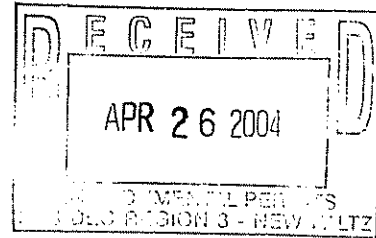
In summary, the Belleaire Resort gives all indications of being a development which will generate profits for the few at the expense of the many. I therefore urge your department to deny the permits which would allow the developer's ill-conceived proposal to become the town's burdensome reality.

Sincerely,

John E. MacLico, Jr.

John E. MacLico, Jr.

Ben Odierno
P.O. Box 371
Highmount, NY 12441



April 22, 2004

Mr. Alexander F. Ciesluk, Jr.
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1696

Dear Mr. Ciesluk,

As a resident of the area for over 30 years I am in complete support of the Belleayre Resort at Catskill Park.

I see this project as beneficial to the economic growth of Ulster and Delaware counties, regions that has been in continual decline. One can see the quality and design of the businesses established by Mr. Gitter by looking at his Catskill Corners and The Emerson Inn.

Now Mr. Gitter has designed another great project bringing jobs to the area which deserve your support and approval.

Sincerely,



Ben Odierno and Family

cc: Crossroad Ventures

Frank Dart

P.O. Box 1233 , Kingston, NY 12401

April 21, 2004 03:40 AM

Deputy Regional Permit Administrator Mr. Alexander F. Ciesluk, Jr.

Subject: I support the Belleayre Resort at Catskill Park

Dear Deputy Regional Permit Administrator Ciesluk, Jr.:

The well being of the working people of the Catskills and the Hudson Valley will be served well by the proposed Belleayre Resort at Catskill Park. Hundreds of jobs will be created and the hope of a renewed "green-themed" tourist economy for the Catskill region will have widespread benefits for our economic future.

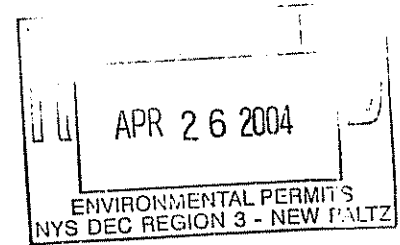
The Environmental Impact Statement filed for the proposed Belleayre Resort at Catskill Park shows an extraordinary willingness to provide every safeguard for the Catskill Park and the New York City Watershed. For example, they have provided two tertiary wastewater treatment plants, 635 drainage basins, dozens of detention ponds, and a three year+ construction schedule to protect against storm water runoff.

I urge the Commissioner to move swiftly toward the granting of the permit approvals under her jurisdiction so this project can move forward swiftly.

Sincerely,

Frank Dart

Lee M. Erdman
P.O. Box 684
Fleischmanns, NY 12430



April 22, 2004

Mr. Alexander F. Ciesluk, Jr
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1696

Dear Mr. Ciesluk,

The purpose of this letter is to voice my support for The Belleayre Resort at Catskill Park.

The Belleayre Resort at Catskill Park will be a major step in reversing the decline of tourism in the region and help to restore its heritage. I know this first hand because my grandfather traveled these mountains in his 1939 Ford selling beef for a Manhattan slaughterhouse to the regions hotels.

When The New York State Department of Conservation built the Belleayre Ski Center it was to provide a destination that would help the declining economy of the area. The Belleayre Resort at Catskill Park will reinforce the efforts of the NYSDEC and continue to build on that to further drive the region's economy forward.

One need only look at the Ianna Country Club to know that a golf course can exist on a tributary of the New York City Water Supply without a problem. As for traffic, Route 28 seems to have no problem with the homebound skiers after a enjoyable day at the Belleayre Ski Center.

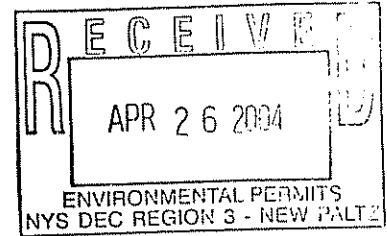
As long as The Belleayre Resort at Catskill Park meets the requirements as set forth by the involved regulatory agencies it should receive the support that it needs.

Sincerely,

Lee M. Erdman

Cc: Crossroads Ventures

Will Nixon
43 Pine Grove
Woodstock, NY 12498
845-679-2773



April 23, 2004

Alexander Ciesluck, Jr.
NYS DEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

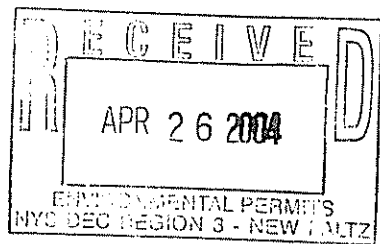
Dear Mr. Ciesluck,

I'm writing in opposition to the proposed Belleayre Resort as described in a draft environmental impact statement. This year marks the centennial anniversary of the Catskill Forest Preserve. It would be a travesty to approve the construction of a massive mountaintop complex of buildings and golf courses on currently undeveloped land surrounded by State wild lands. A resort city of this scale would effectively end the remarkable and successful century-long effort to restore and preserve wilderness areas in southern New York State. The clear cutting, blasting, road and building construction, and landscape alterations to this mountaintop ridge, coupled with the huge influx of more than half-a-million visitors a year to this complex, would launch a cascading series of changes to this wilderness park and rural community that would reverse the natural progress of the Catskill Park. This project would erode water quality, destroy natural habitat and invite exotic species, create significant light pollution in a region known for dark skies, and hugely increase the human impacts on the environment, from traffic to sewage to air pollution to garbage.

I've lived in the Catskills region since 1996, first in a log cabin on the lower slopes of Panther Mountain, then in Accord in the Rondout Valley, now in the village of Woodstock. For me, the most devastating impact of this proposed mountain resort would be the visual transformation of the Catskills. The visual impact study in the DEIS hardly begins to convey the changes in the wild character of these mountains that would be wrought by allowing such major building in such a prominent spot. The bland snapshots in the DEIS no more convey the feeling of these mountains than does a cheap photo booth snapshot reveal the character of a person's face. A true landscape photographer would have told an entirely different story.

In early April I stood on the Overlook Mountain fire tower and looked west at the white ski slopes on Belleayre Mountain, the last snow of the season. It was an impressive sight, impossible to miss. To add a city to this mountain scene would be the biggest blow to the natural character of the Catskills in generations.

Sincerely,
Will Nixon
Will Nixon



April 22, 2004

DEAR MR. CIESLUK,

I'm writing in opposition to the Belleayre Crossroads project and the impact it will have on the Catskill Park.

I've lived in the town of Olive for my entire life of 47 years. I've watched our little town change + grow incrementally. A project of this scale will greatly stress the demands of services on our communities, such as schools, road maintenance (heavy trucks + traffic), fire and ambulances (increase in traffic accidents) all of which will increase our taxes which are already at peak levels.

The Catskill Park attracts people from all over the country because of its pristine quality. Lots of state land for hiking, clean water for fishing + recreating and the general feeling of the wildness that's essential to my sense of well being. I need to ~~have~~ see beautiful wild open spaces. This is what makes the Catskill Park so desirable to so many people.

Growth in the Catskill Park should be done in existing developed areas not in undeveloped open spaces.

I have so many areas of concern about this project but I will focus on my biggest concern and that is water quality.

I travel often throughout the United States and I always notice water & water quality. I have seen so many places in the USA where the water has been contaminated by wrong use. Its so sad to me to see so many bodies of water unfit for human use any longer. Not even for swimming. I always wonder in my mind what these places must have been like 100 years ago.

In the case of the crossroads project, the amount of the chemicals that would be used on the golf courses along will be toxic to our beautiful streams + reservoir, not to mention all the chemicals that will leach into the water supply from massive laundry systems, chemicals used in cleaning everything from toilets to sanitized kitchens in restaurants. I don't understand why we would even risk the chance of this happening to our clean water. It is my hope we will want to be an example in the USA of how to preserve water quality. This is where our future lies. ^{clean} water will be more valuable than gold in the not to distant future.

On one last note about jobs. When my husband + I 'shop', we always choose to spend our money in locally owned businesses such as mom + pop stores, diners, chef owned restaurants, etc. We would not make the choice to spend our money in a corporate owned enterprise.

Spending locally creates sustainable growth for communities. Small locally owned businesses is the way of the future for the health of communities.

People that support the crossroads project want to put all their eggs in one basket thus becoming dependent on one large corporation for all their economic dreams. My questions are, who owns this corporate basket? And will the profits of this corporation stay in the community?

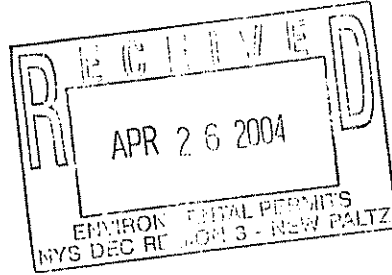
I thank you for your time and urge you to vote on the side of clean, sustainable growth for the Catskill Park.

Sincerely,

Jean Daffey
Olivebridge, NY.

Alexander Ciesluk, Jr.
NYSDEC
21 Putt Corners Road
New Paltz, NY 12561-1620

Christopher Kupec
Anique Morrison
PO Box 128
Big Indian, NY 12410
(845) 254- 9818
April 22, 2004



Dear Sir,

We are writing to voice our opposition to the Crossroads Ventures development in the town of Shandaken.

We are a contiguous neighbor, sharing a property line with the proposed resort. Our SBL is 12.7-1-42 100 and our street address is 22 Lasher road. Several years ago our mother, Regina Dasilva, was approached by Mr. Gitter and asked if she would sell him some of our land so he "could connect two adjacent parcels and log them." No mention was made of the impending resort until after the sale was long completed. On that basis we do not trust Mr. Gitter, his word, or his organization.

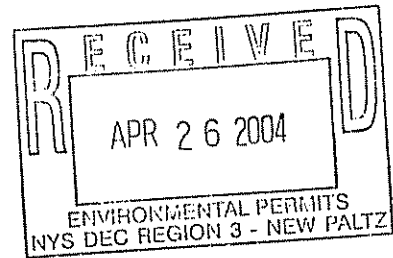
Currently (4/22/04) there is a Titan well driller installing a well on the property immediately adjacent to our house. It is within 200' ft of our backdoor and in full view from every room of the house on that side. Why and What the well is for we do not know? According to the plans put out by Crossroad Ventures that parcel is intended to be an employee parking lot with 170 spaces. Why the well? We would also like to voice our strongest opposition to the planned parking lot because; 1) It is within 100' of our house 2) it is within 200'- 250' of our well 3) it (the proposed lot) is surrounded by wetlands on two sides and by Birch Creek on another. 4) We don't want to look at 170 cars out our windows everyday, and watch their headlites in our livingroom every nite 5) We also question the impact this lot will have on our property values and our future ability to get mortgages or to sell should we be forced to do so because of diminished quality of life or 170 cars worth of pollution in our yard and in our well. Thank you for your time and consideration.

Anique Morrison & Christopher Kupec

Anique Morrison & Christopher Kupec

4/23/04

April 19, 2004



Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt
Corners Road
New Platz, NY 12561 - 1620

Dear Mr. Ciesluk,

As a resident of the Catskills, where I live, work, pay taxes, and vote, I am writing to voice my opposition to the Belleayre Resort Project. Following are several reasons why.

Mountain streams in undisturbed forests remain clear or quickly clear after a moderate rainfall. In areas that development has disturbed this does not happen. The red clay in the area of Birch Creek at the Pine Hill wastewater plant is a good example. Before the construction, after moderate to heavy rainfall Birch Creek would be running clear usually within a day. Now even after several years following that construction, Birch Creek now takes much longer, sometimes up to a week, to clear after a storm event.

Comparing the size of the Belleayre project and its proximity to not only Birch Creek but also Lost Clove and Emory Brook the potential for an increase in turbidity is obvious. Clearing the mountainside of vegetation, 50 acres at a time, for the excavation of soil for buildings, widening of roads as well as their construction will expose the clay and it will find its way into our precious streams.

Deposition of silt into the stream bottom will bury insect larvae as well as the eggs of spawning trout, thus destroying the food trout depend on as well as their spawn.

Further the turbidity will find its way into the Esopus and seriously impact this wonderful and valuable fishery that we all cherish. It is a treasure that needs to be preserved for future generations.

Sincerely,

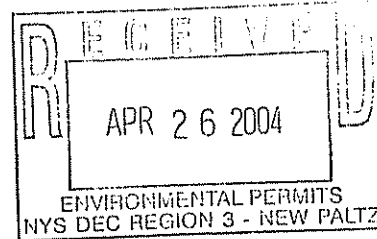
Anthony Cocozza
15 Brunell Drive
Boiceville, NY 12412

Diana Onoue

311 east 60th st. , NY, New York 10022

April 22, 2004 07:30 AM

Mr. Alexander Ciesluk, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Subject: Proposed Belleayre Resort at Catskill Park

Dear Mr. Ciesluk, Jr. :

I am writing to voice my opposition to the construction of the proposed Belleayre Resort atop Belleayre Mountain in the Catskill Park. I also believe that the environmental impact analysis does not fully reflect the impacts of this proposed project. This large development will destroy the pristine ecosystem of this region, currently protected as forever wild by New York's Constitution.

The environmental impact statement (EIS) does not adequately describe the affect this development will have on the natural and cultural resources of this region and it fails to completely address reasonable alternatives to this proposal. This large scale development would be wholly inconsistent with the character of the Catskill Park and its hamlets. I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and I oppose the loss of a pristine ecosystem and the damage to its plant life and animal habitat. This mega-resort will devastate the magnificent view and night sky of the State Forest Preserve and Catskill Park. I oppose the loss of a unique environment, a prized asset for all the people of New York, in order to provide financial gain for a few.

The EIS minimizes expected secondary sprawl and development impacts, as well as traffic impacts. Further, it fails to adequately address the water pollution impacts from contaminated runoff into streams that are tributaries to New York City's drinking water reservoirs. I oppose the compromising of the water supply for New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses.

I urge you to require more information and analysis of this proposal, especially a more comprehensive analysis of alternatives, in the State Environmental Quality Review Act process, and to ultimately reject this proposal to build the Belleayre Resort on Catskill Park.

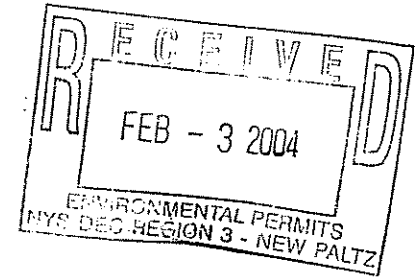
Sincerely,

Diana Onoue

Diana Onoue

*P.S.
This project would be an irrevocable error - Please don't allow it!*

James F. Davenport
19 Lounsbury Court
Kingston, NY 12401



January 29, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
New York State Department
of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am writing to voice my enthusiastic support for the Belleayre Resort at Catskill Park. I learned to ski in the early sixties at Highmount Ski Center, a family business started by my grandfather, one of his brothers and Lincoln Christensen, all from the Watershed Towns of Marletown and Hurley NY. Among my fond memories at Highmount was the interaction with the local workers who staffed the lifts, ticket booths and lodges. I remember hard working loyal employees who appreciated not having to drive to Kingston or Oneonta for employment during the winter months. Many of them worked at now closed resorts during the summer.

After your review of the Environmental Impact statement submitted by Crossroad Ventures, I urge you to approve this much needed aesthetically pleasing economic investment.

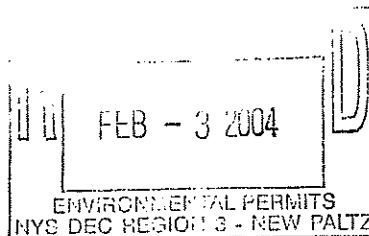
As an avid Catskill Mountain hiker, (and snowshoer), active Boy Scout Volunteer/Parent and Board Member of the Ulster County Development Corporation, I believe this project properly balances environmental sensitivity with economic opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "James F. Davenport".

James F. Davenport

Alexander Ciesluk, Jr.
21 South Putt Corners Rd.
New Paltz, N.Y. 12561-1620



February 2, 2004

Dear Mr. Ciesluk,

In the old days the Catskill region was called 'hardscrabble' country. Poor and independent types wound up here by various quirks of fate. The 'slickers' farmed the fertile flatlands across the Hudson and gazed at the distant Catskill Mountains. They dreamed fantastical tales of mountain creatures. Myths were made. Rip Van Winkle was spawned.

Poor folk migrated to 'hard scrabble' because they couldn't afford anything else. The Patrons of the great Patents doled out parcels to ignorant farmers who had little chance but to eke out rent and subsistence.

Over the years, however, an ingrained and sinewy spirit evolved and became the hallmark of the region. Independence was highly valued. Through rent wars and various uprisings and acts of civil disobedience this spirit was reinforced. The topography of hills and hollows and winding roads bred new generations of citizens relishing their privacy and protective of their independence. The inevitable waves of 'slickers' were strenuously opposed.


Well – the 'slickers' are here again. Mouthing ecological slogans much like the 'enlightened' developers who filled in the Everglades, Gitter and Co. (Glitter and Co.?) are out to Disnify our homeplace.

Really – all you need do is look at what they've already constructed. What had been a 50's log-style motel complex became "the worlds' largest kaleidoscope" and other such Thruway Stop nonsense. Across Rte. 28 a semi-defunct turn-of-the-century hotel became the \$500 a nite Emerson – replete with grotesque décor having absolutely nothing to do with a Catskills motif.

These 'slickers' are the enemy of our homeplace! They are vulgar and venal developers with nary an ecological scruple. They will rape and build and lease and develop –and then they will move on to another virgin region. The bucks will go to imported construction corporations and absent brokers and bankers.

We must stop them now! We must oppose this 'destination' development with all of our resources. Our independence is at stake.

Sincerely,


Michael Heinrich
160 Spencer Rd
Glenford, NY 12433

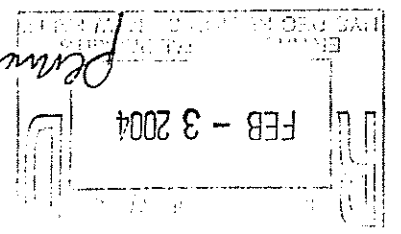
Cc: Editor, Woodstock Times

Jan 13 2004

Dear Mr. Ciesluk,

The current proposal for the development of 2000 acres of wilderness, including 600 acres of high altitude, high erosion territory, is unacceptable. Not only is the Belleayre resort going to cause massive clearing that will lead to the destruction of many wildlife habitats, it also will lead to the eventual pollution of the NYC water supply. The cost of removing the pollutants that will end up in ~~our~~ water is ~~at~~ off the charts + it is not an expense worthy ~~of~~ our tax dollars.

The benefits of this development will not even affect the local population. Most likely, it will cause great harm to the local population as they will be forced to move to new areas as the taxes + rents are driven up. ~~Jobs~~ ^{New Jobs} won't be provided b/c the resorts want to hire people from Estancia area w/ a cheaper expected wage. I don't approve of the current decisions that have been made by your office.



Return address

Ben Brown
134 Broadway Ave.
New Rochelle, NY
10804

An angry voter,

Att: Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620

January 15, 2004

Re: Opposition to Belleayre Project

Dear Mr. Ciesluk,

As an extremely concerned resident/s of Ulster County who would be directly affected by the what I/we see as negative changes/effects that would take place if the Belleayre project, or any other very large scale development, i.e. casino, etc.. was allowed to be built in this precious area of small villages, wild mountains and clean streams, I/we wish to register my/our strong opposition to this proposal.

Having witnessed the irreparable damage that takes place when the interests of a tiny few who stand to profit from this type of enterprise is deemed more important than the quality of life for local residents and existing wildlife and natural resources, I/we cannot stand by and allow this commercial tourist destination to set a precedent that would allow for the development of the Catskills that would inevitably spoil the environment we love forever.

Please stop the Belleayre project, before it starts.

Sincerely,

Teresa Kastanis

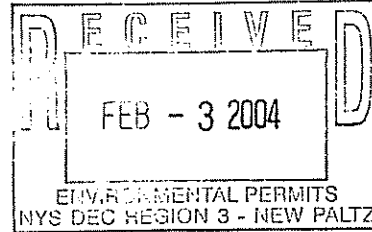
print name

Teresa Kastanis

signature

address:

PO Box 843
Stone Ridge
New York
12484



Att: Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620

January 15, 2004

Re: Opposition to Belleayre Project

Dear Mr. Ciesluk,

As an extremely concerned resident/s of Ulster County who would be directly affected by the what I/we see as negative changes/effects that would take place if the Belleayre project, or any other very large scale development, i.e. casino, etc., was allowed to be built in this precious area of small villages, wild mountains and clean streams, I/we wish to register my/our strong opposition to this proposal.

Having witnessed the irreparable damage that takes place when the interests of a tiny few who stand to profit from this type of enterprise is deemed more important than the quality of life for local residents and existing wildlife and natural resources, I/we cannot stand by and allow this commercial tourist destination to set a precedent that would allow for the development of the Catskills that would inevitably spoil the environment we love forever.

Please stop the Belleayre project. before it starts.

Sincerely,

Danielle Liotta

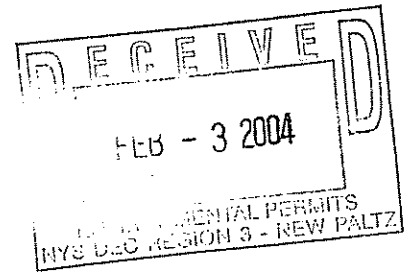
print name

signature

address:

PO Box 843
Stone Ridge, N.Y.
12484

21 Halcott Ridge Rd.
Pine Hill, N.Y. 12465



Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC Region 3
21 South Putt Corners Rd.
New Paltz, N.Y. 12561

Dear Mr. Ciesluk,

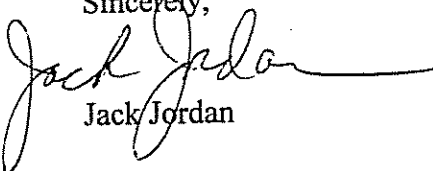
I am writing to you to express my support for Crossroads Ventures proposed resort in our town and urging you to do the same. I have read as much as I have been able regarding whether or not this project should be permitted to proceed. Although it is certainly a contentious issue among many factions I believe the benefits far outweigh the potential concerns. The people proposing this project have a proven record of benefiting the local economy and community while protecting the esthetics and environment. This is clearly evident by the success of the Catskill Corners.

Our local economy is highly dependent on tourism and this project seems likely to enhance those offerings to our visitors. The scope of the project would likely have little negative effect on the local environment. The chemicals used to day to maintain a golf course have been regulated to assure they are safe thanks to organizations such as DEC and DEP. There are also far less chemicals used on a golf course than a vegetable farm of similar size.

One of the reasons we have chosen to recently relocate to Pine Hill is the hope that this project becomes reality. It also seems that many of the opponents of the plan are not even from the local area. In addition, unless there is substantial evidence that how someone chooses to utilize their own property infringes on the rights of their neighbors, shouldn't they be able to do what they want with their own property?

Thank you for your attention to this letter and please know that although there are many vocal opponents to this plan there are many in the "silent majority" who feel otherwise.

Sincerely,



Jack Jordan

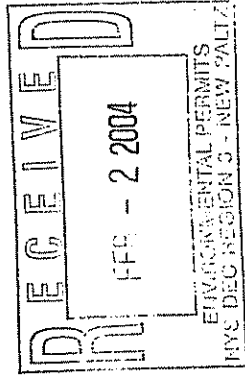
Dear Sir

I find it ironic to read these articles in a local paper that publicity is opposed to the project at Big Indian, As a property owner in Sandaken for 30 years. I need the tax revenue and development this project will

Bring

Thank you

Blake A. McDermott
Highmoor NP



said Commissioner Ward. "To date, over 680 willing sellers have agreed to accept the City's fair-market-value purchase offers, either selling land outright or granting conservation easements. We will continue to identify strategic properties through this successful program through at least 2007."

Lands under conservation easement remain in private ownership and will not be opened to the public, while the easements are monitored by the City to prevent adverse impacts to water quality and to assist landowners wherever possible in protecting their natural resource base.

Over 52,000 acres of land and easements in Catskill/Delaware have been secured since 1997, including over 6,500 acres placed under farm easements by the Watershed Agricultural Council using City funds. The City now owns 7.9% of the 1.05-million-acre (1,640-square-mile) Catskill/Delaware watershed, up from 3.7% in 1997.

The Land Acquisition Program acquires land or conservation easements at fair market value from willing sellers only, and pays property taxes in proportion to the property rights acquired. Landowners are therefore paid upfront for development rights and are relieved of significant property tax burdens in perpetuity. Landowners can generally continue to harvest timber and bluestone from the land under good management plans approved by the DEP. Under this arrangement, the DEP is effectively paying good land stewards to continue to care for their land, protect their views from development and enjoy passive recreational opportunities. For more information, landowners can contact the

Easy Does It

The New York City Department of Environmental Protection recently announced that as part of its continuing watershed protection program it has acquired a conservation easement on a 463-acre parcel in the Town of Shandaken.

The announcement comes less than one month after New York Mayor Michael R. Bloomberg and U. S. EPA Administrator Michael Leavitt announced that the City was committing an additional \$25 million for land acquisition in the Croton watershed. The City has secured over 53,000 acres in its watersheds since 1997.

"Land acquisition allows the City to forever protect valuable watershed property from development and pollution,"

More Water?

The Phoenicia water district has had its troubles lately. Major leaks, hard to find and repair, were depleting the supply.

This month work crews building the new infiltration plant broke a main and stopped the water flowing to half the taps in the hamlet, including those at Phoenicia School. Now, one of the system's three water sources has clogged up.

It is against this backdrop that Shandaken officials are considering building another water source, but it remains unclear how the job would be paid for, or whether it is something that ratepayers even want.

The system has found itself with minimal resources recently, sparking interest by the Shandaken Supervisor in the idea of adding what is called an infiltration gallery, a system that takes water from the Esopus creek and stores it in an underground cistern. The gallery was originally part of the filter plant's design but was removed when it became clear there was not enough grant money to fund it.

Last year the Shandaken Town Board awarded the project to three out of seven contractors at a cost of \$808,580. Because of funding limitations, last minute design changes to the plant were made to knock \$80,000 off the job. Besides the infiltration gallery being deleted, several parts like water pumps, spare filters and other items were cast aside. But most significantly the plant does not have automatic control valves. Instead the flow con-

rol valves will be manual, requiring personnel to change the flows.

The gallery could solve the problem of low reserves and therefore not put the district in jeopardy of not having enough water for users in the event of large system leaks. But more importantly, for some anyway, it would put an end to the frequent summer water use restrictions placed on Phoenicians due to drought.

Aside from last summer, when there was an abundance of water, Phoenicia usually has drought restrictions with residents not allowed to wash cars or sidewalks, water gardens or lawns, or refill swimming pools. When the water filtration project was developed it was agreed that the district needed the gallery to solve that problem but when funding would not stretch to cover it, the gallery was dropped from the plan.

But new Supervisor Robert Cross Jr. wants to see the gallery put back into the system.

Dennis Larios of Brinnier and Larios PC, the engineering firm that designed the filter plant, has had talks with Cross about adding the gallery.

Larios said it would cost more than the \$31,582, originally estimated for the job, but Larios said there might be enough money left over from the filtration project to pay for it. As the project winds up - it is expected to be operational within two months - it is possible that extra money could be available.

"We have not dipped into the contingency fund for the project yet," said Larios, who added that he did not know what Shandaken will do if there is not enough money. The gallery is not a requirement under current public health laws, but is simply an improvement to the system. Unclear is whether the ratepayers in this small district would agree to pay for it.

Larios would not guess how much it would cost for the gallery, but noted that an extra five thousand dollars would be needed for electric work, and some additional excavating would be required. He also said that an existing infiltration gallery

Underemployed

Ulster County Economic Development officials have decided to start promoting the presence of more than 100,000 underemployed workers with skills, education and experience suited to better jobs. According to Chester Straub, president of the Ulster County Development Corp., a number of the larger companies that have moved into the area in recent years have done so based on the quality of the available work force.

"As we deal with prospects," Straub said in a recently published interview, "The three things they look for are property either to build on or move into, what kind of financial incentives are available, and the availability of a workforce."

The county's underemployed population was identified in a study commissioned by Straub last summer. Compiled and produced by Dallas-based consulting firm The Pathfinders, the Area Workforce Report identified a workforce of about 560,700 workers in the 13 counties that comprise the "labor shed" for Ulster County.

The labor shed is the area from which people might commute to jobs located in Ulster County, and extends as far east as Connecticut and as far west as Pennsylvania.

Approximately 21,500 people in the mentioned area are unemployed, and 15,400 people are neither employed nor looking for work but might re-enter the workforce for the right job. The largest group, approximately 102,000 workers, are interested in changing jobs and appear to be qualified for work and pay above what they've attained.

The study found that more than 15,000 people in the ranks of the underemployed would change jobs for \$10.99 per hour or less and 51,000 would change jobs for \$17.79 per or less. Approximately 25 percent of the underemployed seek

jobs paying \$25 or more per hour.

Underemployed workers that might take jobs in Ulster County have the most experience in office and customer service jobs, according to the study, which covered an 18-month period ending in June 2003. They have more experience in call center environments, government and in education, but less in sales, manufacturing, industrial, warehouse, distribution and transportation than the median levels of the other survey areas.

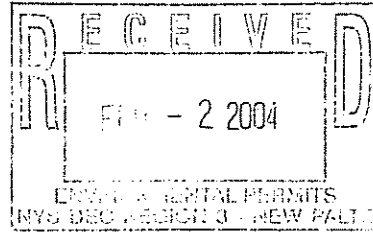
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January 29, 2004



Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS Department of Environmental Conservation
21 South Putt Corners Rd.
New Paltz, NY 12561

RE: Gitter's Resort

Dear Mr. Ciesluk:

I am contacting you to confirm my deep opposition to the proposed Belleayre Resort for a multitude of reasons, including:

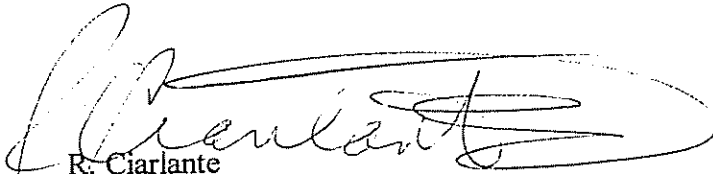
The effects of the development on:

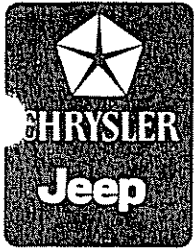
- Water quality
- Traffic
- Low and minimum wage employment, mostly to non-residents
- Competition with local businesses
- Environmental effects of cutting over 500 acres
- Destruction of wildlife and their habitats
- Pesticides, herbicides and fungicides used on golf courses

The list of concerns is endless Mr. Ciesluk. Our natural wilderness, our unique heritage, and our peaceful lifestyle is threatened into extinction.

Please do the right thing, and stop Mr. Gitter from turning our mountains into his personal financial gain.

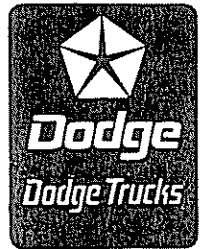
Thank you.


R. Ciarlante
559 Acorn Hill Rd.
Olive Bridge, NY 12461



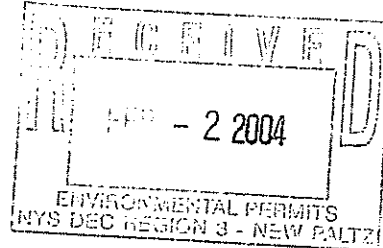
Delhi Motor Company, Inc.

4 Meredith Street, Delhi, NY 13753
607-746-2181



*Since 1936 -
Your Quality Service Dealer*

**Peter J. Hamilton,
President**



January 29, 2004

Mr. Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York 12561-1620

Dear Mr. Ciesluk:

I am writing in support of the Belleayre Resort project. Although I have no vested interest in this venture, I do have a very strong interest in this area. As a third generation of the Catskills, I know how important it is to encourage development in our area. This project will not only provide a beautiful resort facility to up state New York but most importantly it will provide additional employment to our area.

Thank you in anticipation of your support.

Sincerely,

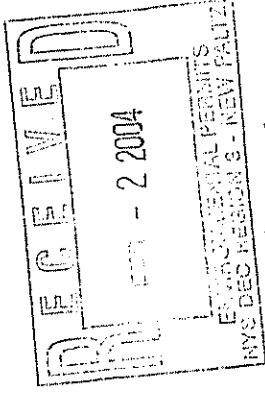
Peter J. Hamilton
President

PJH/rms



KENNETH & JANICE VIZINO
Rt. 42 SR. 602
STANFORD AKENY, N.Y.
12480

Near Mr. Ciuchak,



We are very concerned with all of the proposed Dean Gutter projects. Our area is quiet and peaceful, and we do not want hotels, golf courses, etc. to be built on neighboring mountains. It is hard enough to drive on route 42 and try to get onto Rt 28. The weekend Friday and then Sunday - traffic is so bad; and if his projects go through, we will need a stop light to get off and onto Route 28.

IDENTIFICATION NUMBER:

200400423

GOVERNOR'S NUMBER:

CORRESPONDENT:

ROELL EMILIE

TO LOC 311

FINE HILL, NY 12165

FEB - 2 2004

ENVIRONMENTAL PERMITS
NYS DEC REGION 3 - NEW PALTZ

ADDRESSED TO:

COMMISSIONER

DATE:

1/21/04

SUBJECT:

OPPOSITION TO PROPOSED
BELLEAYRE RESORT/CROSSROADS
VENTURE

Alec - FR

Marc

ROUTE TO:

MORAN THRU TUFFEY

DATE:

01/27/2004

2/2/04

/ /

/ /

/ /

CC:

REPLY FOR COMMISSIONER'S SIGNATURE

REPLY DIRECT

DRAFT FOR GOVERNOR'S SIGNATURE

OTHER:

AA

107709

DUE DATE:

/ /

DEPARTMENT NEW YORK STATE
ENVIRONMENTAL CONSERVATION

100425



Jan 21, 2004
Mam Thur
Tuffy
AA

Dear Commissioner Costly,

What is the purpose of the Dept of Environmental Conservation? I can't believe we are even considering

development the magnitude of the Bellefonte Resort in the Catskill Park - Watershed.

New York City is buying up land so it can't be developed to save the Watershed and you

might approve something like this? Why should a developer be allowed to

ruin the quality of our environment as

characterized by the Almighty Dollar? 75% of the people who live here don't

want to see the Catskill Park raped. Please do your job - & conserve our environment.

Respectfully
Harold Reed Jr.
Katherine Reed
Michael Reed
Tuesdays, 9-23.

Mailing Address:
P.O. Box 343
Pine Hill, N.Y.
12465

Dear Mr. Cissick

I appreciate the report

regarding the

environmental

impact of the

proposed project

and the

potential

consequences

111 Springfield
Westport NY

Dear Mr Ciesluk

I oppose the proposed Belleayre
resort at Catskill Park on environmental
and economic grounds.

I ask that the D.E.C. grant a 180 day
extension for the public comment period,
so that the D.E.I.S. can be more thoroughly
reviewed. Thank you for your consideration.

Sincerely
Mary Bergman

Dear Mr. Cicoluck,

It is not too late to oppose the
Bellays resort project

Too many good people residing in or near
the Catskills will be negatively impacted by
this project. Too many fish, animals, trees and
streams will be negatively impacted. Can
anyone truthfully deny that essentially the
Bellays resort project is about money and
power politics, low wages and the degrading
of the environment. Sincerely,

Sally Drummond



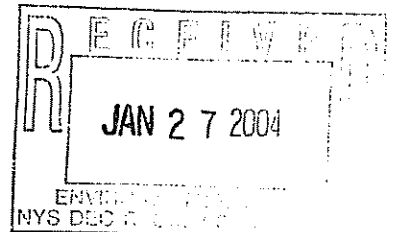
Associates for International Management Services

John R. Mathiason, Managing Director

Maria Cristina Sará-Serrano Mathiason, President

January 24, 2004

Alexander F. Ciesluk, Jr.,
NYS Department of Environmental Conservation (DEC) Region 3,
21 South Putt Corners Road,
New Paltz, NY 12561



Dear Sir:

I wish to make a comment on the Proposed Belleayre Resort at the Catskill Park. I have reviewed the sections of the Draft Environmental Impact Statement relating to socio-economic conditions in the communities affected by the project. I find that the analysis is misleading and based on outdated information. Specifically, it does not use the 2000 census data sufficiently and draws erroneous conclusions from its analysis by using incorrect statistics and by not taking into account the population structure of Shandaken.

I draw this conclusion because, as the Chair of the Comprehensive Planning Committee for the Town of Shandaken from April 2002- June 2003, I prepared a comparative analysis of the 1990 and 2000 census data for the Town that was adopted by the Committee. I attach this analysis for the record and for your use in completing the review. I should also note that the developer attacked this analysis, and me personally, in his *CrossTalk* periodical, which was distributed to the entire town. This would suggest that he found the analysis so threatening to his argument that the project is necessary for the economic development of the region that he felt it necessary to engage in an ad hominum attack. A copy of *CrossTalk* is attached.

I also attach a copy of an analysis of the current economic development patterns of the Town of Shandaken, also prepared for the Comprehensive Planning Committee, that shows the economic effect of economic sectors other than tourism including, especially, the contribution of second homes to the growth of the tax base of the Town.

Based on this analysis, from the point of view of economic development the DEIS is significantly flawed and as such should not be considered as supporting the application. If you would like further information on these issues, please feel free to contact me.

Sincerely yours,

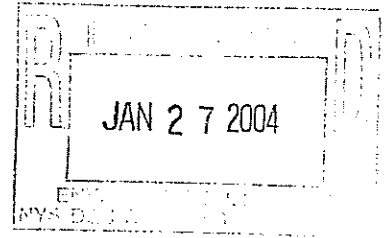
John R. Mathiason

Attachments:

1. Who Are We? Shandaken data from the 2000 Census
2. *CrossTalk*, 20, July 15, 2002
3. The Economy (analysis prepared for the Shandaken Comprehensive Planning Committee)

P.O. Box 255
Mt. Tremper, NY 12457-0255

Tel/Fax: (845) 688-7879
Fax: (845) 688-7512
E-mail: aims@netstep.net



Who are we?

Shandaken data from the 2000 Census

An analysis prepared by
John R. Mathiason
Chair
Comprehensive Planning Committee
Town of Shandaken

June 30, 2002

The results of the 2000 census of population and housing provide a quantitative picture of Shandaken today and how it has changed since 1990. The information provides a number of considerations that need to be taken into account in completing the Comprehensive Plan.

Our demographics

In 2000, the full time resident population of Shandaken was 3,235. This represents an increase of 222 persons from 1990. They lived in 1,463 households.¹ Of these, 830 (57 percent) were what the census terms "family households."² Both represent an increase from 1990. Who are the 633 non-family households? About 80 percent consisted of persons living alone. The remaining 20 percent were unrelated individuals living together. In comparative terms, this was lower than the county average, but similar to neighboring towns like Woodstock, Lexington, Hunter and Middletown.

One of the reasons for the proportion of persons living alone is that the residents of Shandaken are older than the county average. The median age in Shandaken is 45, compared with 38 for the county as a whole. However, the median age is similar to that found in neighboring towns like Woodstock, Middletown and Lexington. There has been relatively little change in this over the ten years. As Table 1 shows, the proportion of older persons has remained relatively steady, although there has been a decrease in the number of young children.

¹ A household includes all the persons who occupy a housing unit. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

²

A family consists of a householder and one or more other persons living in the same household who are related to the householder by birth, marriage, or adoption. All persons in a household who are related to the householder are regarded as members of his or her family. A household can contain only one family for purposes of census tabulations. Not all households contain families since a household may comprise a group of unrelated persons or one person living alone.

**Table 1. Shandaken population by age group,
1990-2000**

<i>Age</i>	<i>1990</i>	<i>2000</i>
Under 5	7.1%	4.9
5-19 Years	17.3%	17.4
20-59 Years	52.7%	55.7
60 and older	22.9%	22.0
65 and older	16.5%	17.4

Although the figures suggest that Shandaken's population remained much the same over the ten year period, other census figures suggest that there has been a significant change in the composition of the population. To place this change in context, it is necessary to note that the full-time population of Shandaken is only half the story: almost half of the houses in Shandaken are occupied by part-time residents. These part-time residents do not show up in the census figures because they were counted in the place that was considered their primary residence.

In 2000, there were 2,666 housing units in Shandaken. Of these, 55 percent were occupied, which means by full-time residents. This is well below the county average (87 percent). Most of the remaining 45 percent of housing units were used by part-time residents (weekenders and summer residents). This is not a new phenomenon and is similar to the situation in neighboring towns of Middletown, Lexington and Hunter, although not Woodstock and Olive, which have a higher proportion of full-time residents.

What is significant is that the percentage of part-timers has decreased since 1990. Table 2 shows the number and proportion of full-time and part-time residents in houses in the two periods. This suggests that, like Olive and Woodstock, part-timers are beginning to become full-timers.

Table 2. Shandaken full- and part-time residents, 1990-2000

<i>Occupancy Status in Census</i>	<i>1990</i>		<i>2000</i>	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Occupied housing units (full-time residents)	1280	49.8%	1,463	54.9
Vacant housing units (part time residents)	1290	50.2%	1,203	45.1

What does this change mean? One indicator is the educational attainment level of full-time residents. As can be seen from Table 3, there has been a significant change over the decade. Educational attainment of the residents is significantly higher than in 1990, with most of the change accounted for by the high percentage of persons with college education.

Table 3. Educational Attainment of Shandaken Full-time residents, 1990-2000

	1990		2000	
	<i>Number</i>	<i>Percent</i>	<i>Number</i>	<i>Percent</i>
Population 25 years and over	2140		2,420	100.0
Less than 9th grade	172	8.0%	65	2.7
9th to 12th grade, no diploma	450	21.0%	318	13.1
High school graduate (includes equivalency)	682	31.9%	752	31.1
Some college, no degree	384	17.9%	513	21.2
Associate degree	110	5.1%	128	5.3
Bachelor's degree	201	9.4%	402	16.6
Graduate or professional degree	141	6.6%	242	10.0
Percent high school graduate or higher		70.9%		84.2
Percent bachelor's degree or higher		16.0%		26.6

This is higher than the average for Ulster County and higher than any of the neighboring towns, except Woodstock (Table 4).

Table 4. Educational Attainment Comparisons, 2000

Subject	Ulster County Percent	Shandaken Percent	Middletown Percent	Olive Percent	Woodstock Percent	Lexington Percent	Hunter Percent
EDUCATIONAL ATTAINMENT							
Population 25 years and over	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Less than 9th grade	5.5	2.7	6.5	7.2	1.1	6.6	8.6
9th to 12th grade, no diploma	12.9	13.1	15.8	13.0	4.1	11.9	12.2
High school graduate (includes equivalency)	30.0	31.1	35.7	27.3	17.1	36.4	34.6
Some college, no degree	18.4	21.2	17.9	16.4	21.7	18.1	20.5
Associate degree	8.3	5.3	8.6	8.0	7.2	4.8	5.2
Bachelor's degree	13.8	16.6	7.5	15.5	26.4	9.3	10.1
Graduate or professional degree	11.2	10.0	7.9	12.6	22.3	12.8	8.8

Percent high school graduate or higher	81.7	84.2	77.7	79.8	94.8	81.5	79.2
Percent bachelor's degree or higher	25	26.6	15.4	28.1	48.7	22.2	18.9

When did these persons arrive? The census data tells us indirectly. The figures showing the year the householder moved into her or his house indicates that a high percentage of Shandaken full-time residents are new. Table 5 shows the year householders moved into their current houses. Fully 53 percent of the full-time resident householders in Shandaken moved into their houses in the last ten years. Two thirds of these moved in the last five years. The population of Shandaken has essentially been renewed over the decade.

Table 5. Time of movement into Shandaken

<i>Year Householder moved into unit</i>	<i>Number</i>	<i>Percentage</i>
1999 to March 2000	196	13.4
1995 to 1998	301	20.6
1990 to 1994	276	18.9
1980 to 1989	406	27.8
1970 to 1979	141	9.7
1969 or earlier	140	9.6

Our economy

The changes in the composition of Shandaken's population have their greatest effects on the town's economy. Analyses of the economic prospects of the town have almost always emphasized that Shandaken is the poorest town in Ulster County. In 1990, that was certainly the case. The town ranked 21st in both household and family median income.³

³ The definitions of household and family income are as follows: Income of Households--Includes the income of the householder and all other persons 15 years old and over in the household, whether related to the householder or not. Because many households consist of only one person, average household income is usually less than average family income.

Income of Families and Persons--In compiling statistics on family income, the incomes of all members 15 years old and over in each family are summed and treated as a single amount. However, for persons 15 years old and over, the total amounts of their own incomes are used. Although the income statistics covered the calendar year 1989, the characteristics of persons and the composition of families refer to the time of enumeration (April 1990). Thus, the income of the family does not include amounts received by persons who were members of the family during all or part of the calendar year 1989 if these persons no longer resided with the family

In 1990, poverty was clear. The median household income was only \$28,903, median family income was only \$32,898. In 2000, the town still ranked 21st on both measures, but this figure disguised something more important: the increase in income (15 percent) was the greatest of all of the towns in the county, most of whom showed no growth or negative growth. Still, it is important to examine these figures in depth in order to understand what they mean.

First, households in Shandaken are smaller than the average for the county. If the median household income is divided by average household size, the differences with the county average is less (the median household member income for the county would be \$17,065 while for Shandaken it would be \$14,513). However, a third of the households in Shandaken have only one member, which means that a lower household income does not necessarily translate into poverty. This is shown by the fact that the average per capita income in Shandaken is \$21,121, which is above the county average and higher than all of the neighboring towns except Woodstock and Olive.

Second, the population of Shandaken is somewhat older than the county average, with 22 percent of the full time population 60 years of age or more, compared with the county average of 17 percent. This is similar to neighboring towns (only Middletown and Lexington have higher proportion). There are several implications here. Older persons are less likely to be part of the labor force, since they will have retired. This would reduce their income. However, they are more likely to own their homes outright and have less expenditures than younger residents. As a result, lower income does not necessarily mean a reduced standard of living.

Third, the growth in income over the decade has essentially occurred because persons moving to the town during the period have brought higher incomes with them. This can be seen using family income, which is more reliable, as the indicator. Over the decade, the percentage in the lowest income groups has declined markedly, while the proportion earning over \$75,000 per year has increased from 5.1 percent to 20.8 percent.

at the time of enumeration. Yet, family income amounts reported by related persons who did not reside with the family during 1989 but who were members of the family at the time of enumeration are included. However, the composition of most families was the same during 1989 as in April 1990.

Table 6. Family income by amount, 1990-2000

	<i>1990</i>	<i>2000</i>
Number of Families	805	815
<i>Income group</i>	<i>Percent</i>	<i>Percent</i>
Less than \$10,000	7.6%	3.7
\$10,000 to \$14,999	16.0%	6.9
\$15,000 to \$24,999	24.1%	14.6
\$25,000 to \$34,999	20.4%	20.0
\$35,000 to \$49,999	19.7%	16.6
\$50,000 to \$74,999	9.2%	17.5
\$75,000 to \$99,999	2.0%	5.1
\$100,000 to \$149,999	1.1%	11.0
\$150,000 to \$199,999		2.2
\$200,000 or more		2.5
Median family income (dollars)	\$25,216	\$40,927

Finally, in terms of what the census defines as poverty levels, Shandaken does not figure as one of the poorest towns. In fact, the proportion of families below the poverty level (7.4 percent) is near the county average (7.2 percent). While higher than the neighboring towns of Woodstock and Olive, it is far below the other neighboring towns of Middletown, Lexington and Hunter. More importantly, the proportion (as well as the absolute number) of families below the poverty line has declined from the 11.8 percent in the 1990 census.

In short, and in reality, Shandaken does not have the greatest poverty in the county, is relatively better-off than neighboring towns to the west and north and shows a rate of change that could well make it one of the better-off towns by the 2010 census.

This change can partly be explained by new people moving to the town, but is also related to the employment pattern. In 1990, the unemployment rate was 14 percent and only about half of the residents were employed. By 2000, the unemployment rate was 3.7 percent and 62 percent were employed. The change was largely accounted for by women, whose employment increased by 10 percent over the decade.

The largest occupational groups in 2000 were professional and managerial, and sales and office workers, as can be seen from Table 7. This means that well over half of the employed residents are found in clearly middle-class jobs. While this is below the county average (61 percent) it is about the same as the neighboring towns of Middletown, Lexington and Hunter.

Table 7. Occupation of employed full-time residents of Shandaken, 2000

	<i>Number</i>	<i>Percent</i>
Employed civilian population 16 years and over	1,581	100.0
OCCUPATION		
Management, professional, and related occupations	443	28.0
Service occupations	289	18.3
Sales and office occupations	378	23.9
Farming, fishing, and forestry occupations	20	1.3
Construction, extraction, and maintenance occupations	244	15.4
Production, transportation, and material moving occupations	207	13.1

Considering that it has often been assumed that recreation and tourism is the major source of economic development in the town, it is not surprising that the largest industry group, employing 18 percent of the full-time employed residents is arts, entertainment, recreation, accommodation and food services (see Table 8). This is higher than the county average (8.2 percent) and is higher than any of the neighboring towns. Of these, only Hunter approaches the Shandaken figure with 15.7 percent employed in that industry.

Table 8. Employment of Shandaken Full-time residents, by industry group 2000

<i>Industry</i>	<i>Number</i>	<i>Percent</i>
Agriculture, forestry, fishing and hunting, and mining	51	2.0
Construction	226	14.3
Manufacturing	106	6.7
Wholesale trade	40	2.5
Retail trade	160	10.1
Transportation and warehousing, and utilities	93	5.9
Information	40	2.5
Finance, insurance, real estate, and rental and leasing	79	5.0
Professional, scientific, management, administrative, and waste management services	118	7.5
Educational, health and social services	261	16.5
Arts, entertainment, recreation, accommodation and food services	289	18.3
Other services (except public administration)	85	5.4
Public administration	53	3.4

Whether this represents a trend or not cannot be determined, since the census used different categories in 1990. What can be observed, however, is that in 1990 the combined "retail trade" and "Entertainment and recreation services" categories involved about the same proportion (32%) as in 2000 (33 percent), indicating that this did not represent a real change.

One fact, however, does stand out. The earnings gap between women workers and men workers is greater in Shandaken than the county average or any of the neighboring towns. Full time male employees from Shandaken earned an average of \$38,854 a year, while full time female employees earned only \$23,062. This may reflect the lower wages paid in the retail trade and service industries that tend to employ more women. The situation in some neighboring towns is different. In Middletown, male and female full-time workers earn approximately the same (\$25,000) while in Lexington, female workers earn substantially more (\$31,000) than male workers (\$26,000).

Another fact that may have some significance is the proportion of self-employed persons in Shandaken. The proportion (18.7 percent) is high relative to the county average (9.2 percent) and higher by at least six percent than all of the neighboring towns except Lexington (18.8 percent). This proportion did not change significantly from that found in 1990.

Taken together, the census figures show a much more diverse economic picture than would have been found in 1990. They seem to indicate that the economic base of the town is increasingly diverse, while still having a reliance on the existing tourism industry, and with an increasingly educated labor force that is, to a larger extent than elsewhere, self-employed.

Our housing

The census figures tell us much about the houses we live in. It is well-known that one of the facts of life in Shandaken is that the housing stock is largely fixed. The combination of little available land because of the Catskill Forest Preserve, the limitations on construction occasioned by DEP and FEMA regulations means that, in terms of housing, "what you see, is what you get."

As Table 9 shows, there have been almost no new houses built over the past few years. Most of the houses are old.

Table 9. Age of Houses in Shandaken, 2000

<i>YEAR STRUCTURE BUILT</i>	<i>Number</i>	<i>Percent</i>
1999 to March 2000	-	-
1995 to 1998	50	1.9
1990 to 1994	105	3.9
1980 to 1989	331	12.4
1970 to 1979	270	10.1
1960 to 1969	273	10.2
1940 to 1959	642	24.1
1939 or earlier	997	37.4

Over 61 percent of the houses in Shandaken are over forty years old and only 5.6 percent were built in the past decade.

The median "self-declared value" of these houses is \$91,500, but not significantly different from 1990 when it was \$89,900. The interpretation of this figure is difficult, since the basis for making it is not known. Presumably it is most related to the most recent sale price. The 2000 figure is far below the median for the county (\$113,100) and all of the neighboring towns except Middletown and Lexington. Whether this will remain over the next period is very doubtful given the current real estate "boom" in the town.

One positive fact is that 45 percent of the houses do not have mortgages. This has implications for income figures since, if a mortgage does not have to be paid, a smaller income will provide the same standard of living as a larger one.

There is a down-side also, however. This is in the indicator "selected monthly owner costs as a percentage of household income in 1999." New York State defines "affordable housing" as that costing less than 30 percent of monthly household income. On this measure, 24.4 percent of the households in Shandaken are not in affordable housing. However, this is slightly below the county average, as well as such neighboring towns as Middletown, Olive and Lexington, and approximately the same as Woodstock and Hunter.

The census picture: a summary

Several conclusions can be drawn from the data in the 2000 and 1990 censuses. The first is that Shandaken has been changing, and changing rapidly. It has had a significant influx of new residents who have begun to influence other figures in the town especially income and employment. Many of these appear to be persons who were part-time residents in 1990 who have now become full-time. The town is no longer poor, but its economic base has remained stable. The economic preferences of the new residents may not be the same as those who came before. There are still areas of concern, however, especially in terms of the housing stock and the need to ensure affordable housing. As the population ages, this may become more important, although the effect of aging on

income may be much less significant than might have been thought. We still have a significant proportion of the community that lacks affordable housing and the gender gap in earnings is troublesome. The comprehensive plan will have to take these changes into account.

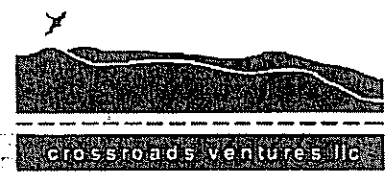
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CrossTalk

A Newsletter of Crossroads Ventures

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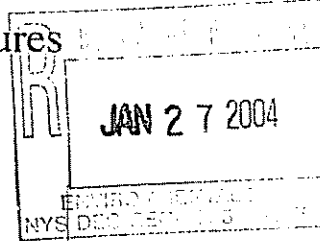
July 15, 2002



crossroads ventures, llc

P.O. Box 267
Mt. Tremper, NY 12457

No. 20



Full Disclosure

The document you hold in your hand is the twentieth in a series of newsletters paid for by Crossroads Ventures and mailed out at Crossroads' expense to every postal patron in Shandaken and Middletown. We are not a newspaper. We don't pretend to be a newspaper. CrossTalk is an effort to get out the true facts about our proposed Belleayre Resort project in the face of a lot of very biased and misleading nonsense that has been published elsewhere.

Much of that stuff has appeared in *The Phoenicia Times*, a private political pamphlet masquerading as a newspaper. It represents the personal views of its publisher who subsidizes this giveaway. His name is Brian Powers.

Many of you may never have heard of him. He has never run for public office, or served the town in any capacity.

He rarely speaks at a public meeting - except for an appearance before the grievance committee of the Board of Assessors to complain about his taxes.

But he has worked diligently to distort and cover up the potential benefits of the proposed Belleayre Resort. Among the most important of these benefits are the creation of new jobs and the expansion of the town's tax base. These matters are particularly important to a town whose economy is in trouble.

Ain't Life Grand?

For most folks, reading the 2000 census is about as exciting as watching grass grow. But for some reason, key opponents of the Crossroads Project seem ecstatic over it.

In its June 20th issue, *The Phoenicia Times*, crowed, on both page one and in an editorial, over the new prosperity of Shandaken.

Also elated was John Mathiason. You may remember him as the head of the family suing the town to prevent little kids from playing soccer near their compound. Every taxpayer in town had to pay to defend that suit. In a document he has widely circulated, Mathiason undertakes to educate us as to the essential meaning of the 2000 census: we're going to be "one of the better off towns (in the county) by the 2010 census".

Before we start basking in this rosy future, answer one question for yourself:

Are you better off now than you were ten years ago?

Both Powers and Mathiason cheer the average *per capita* income figure which jumped from \$11,239 in 1990 to \$21,121 in 2000 - as though that was of any benefit to most people of the town.

If 100 people in Shandaken who were earning \$11,239 each in 1990, still earned only \$11,239 each in 2000, and ten newcomers rode into town with incomes of \$120,000 each, the *per capita average* would indeed be about \$21,120.

That doesn't help the one hundred who would still be trying to get along on \$11,239 a year!

So average *per capita* income is totally misleading. What usually is taken as the most important economic indicator is median household income. In our case, 50% of all the households in Shandaken are trying to make ends meet at \$31,566 per year or less. The comparable county figure is \$42,551! In this category we are dead last in the county, 21st out of 21 towns! Shandaken's number is fully one-third (actually almost 35%) below the county median, 37.5% below the New York State median.

Another indicator, median family income is not much better: it's the worst in Ulster, fully 26% below the county figure. We're 21st out of 21 again.

Full Disclosure: the projected average annual individual salary at Crossroads' Belleayre Project will be \$28,500 - that's 35% higher than the current Shandaken per capita income. And, if a husband and wife team decided to join us, their household income could be \$57,000 a year - 80% higher than the current Shandaken median household income.

Powers is excited about our level of education. According to figures he published, 53% of all our people have some college education and half of those either a bachelor's degree or better. If we're so smart, how come we can't find jobs that bring us up to the county median income?

Maybe it's because few such jobs exist here.

Two out of every three workers in Shandaken have to travel out of town to earn their living and they are in their cars for over an hour a day. At an average of 60 miles they're probably using 2.5 gallons of gas daily which, at \$1.45 a gallon, amounts to an annual expenditure of about \$1,000, if you throw in a few oil changes. Deduct that from our average per capita income.

They make 1,286 round trips a day - the overwhelming majority of them on Route 28. Crossroads has always said that, while it will slightly increase weekend visitor traffic on 28, it will considerably reduce daily traffic as some number of local workers will elect to accept good jobs at good pay right in their own back yards.

The average value of the houses our people live in is \$91,200. In the rest of the Onteora school district, the houses are worth considerably more: 21% more in Olive, 26% more in Hurley, almost 68% higher in Woodstock

Fully 12.5% of all the individuals in Shandaken live below the poverty line.

That's one out of every 8 people in town.

To be sure, some folks are more prosperous now: 151 families reported incomes in excess of \$100,000, 16.5% of them in excess of \$200,000!

Presumably, the Brian Powers household is one of them, and that explains how he can go on sending out his private newspaper free to everyone in town every two weeks on the very sensible expectation that no one would ever pay for it.

It's very clear why *The Phoenicia Times* and its allies try so hard to make us sound like we in Shandaken are one step down from Greenwich, Connecticut while we are, in fact, at the bottom of the heap in Ulster County, New York. Presumably, if everything is so hunky-dory, we don't need any new investment, any new development, any new taxpayers.

Our take on the 2000 census is this: Shandaken had the worst economy in Ulster County in 1990; it has the worst economy in Ulster County today. If present trends continue, the next census in 2010 will show that Shandaken's poor will have become poorer,

that many will have been forced to leave, and that their places will have been taken by folks who are richer and better educated and can buy out their homes at lower prices.

"We need", says Powers, "to protect our quality of life". Check that. He needs to protect *his* quality of life. He seems to be doing all right. A whole lot of folks in Town would settle for what *The Phoenicia Times* spends a week on postage.

Mathiason, on the other hand, wants to build low-cost housing in Shandaken, a move sure to attract indigent outsiders. Go figure!

NEWSLETTER

Crossroads Ventures, LLC
P.O. Box 267
Mt. Tremper, NY 12457

POSTAL PATRON

Presumably, these facilities won't be built anywhere near him.

Final Disclosure

We don't pretend that the Belleayre Resort is going to solve all of Shandaken's problems. But we passionately believe it will go a long way toward solving many of them. Most particularly, we believe the project will offer jobs and career paths for many of our children so that they need not feel that emigration out of the town is their only option.

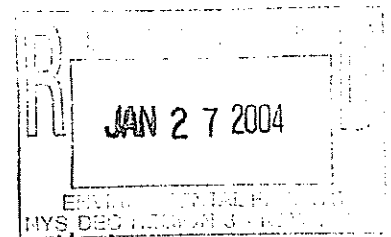
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POSTAL PATRÓN

2. THE ECONOMY

Goals

- a. Promote four season tourism, recognizing that both residents and tourists come to this region because of its unique environmental setting.
- b. Promote and develop heritage tourism based on the Town's extensive historic and cultural resources.
- c. Promote business activities which do not use extensive natural resources or create substantial negative impacts on the environment.



Current Situation: The Three Pillars

The economy of Shandaken is built on three pillars: the economic activities that derive from visitors to the town, the activities of enterprises in the town themselves and the economic contribution to the town of persons who are full- and part-time residents but work outside the town. Each has its own characteristics.

The economic activities deriving from visitors center on tourism and destination activities such as skiing, including shopping, eating and accommodations targeted to visitors. These include such large developments as the Belleayre Mountain Ski Center and Catskill Corners, recreational opportunities like Town Tinker Tubing as well as restaurants, lodging houses, bed and breakfasts and antique shops. The economic activities of enterprises in the town include building, construction and renovation; retail, eating and services primarily targeted to town residents; and enterprises located in the town whose clients are elsewhere. Added to this is the economic contribution of persons who live in the town but work elsewhere, while shopping, using locally provided services and paying taxes.

A factor to each type of economic activity is that the "look" of the town as a rural, natural environment is essential to success. Tourism is based on attraction to the town's natural wonders; people live in the town and set up their businesses there because of its rural character and natural surroundings. This is consistent with the community workshop results (2000) in that the second and third most important goals as identified by participating residents include placing a cap on the scale of development to preserve the rural character of the town and to encourage businesses that will be compatible with preserving the environment.

The town currently has a balance of all three types. This can be seen in terms of both the businesses operating in the Town and in employment patterns.

The membership directory of the Chamber of Commerce for Ulster County shows 35 Shandaken businesses as members. Because of the membership fees, most Shandaken businesses are not members, but those that are can be considered among the most "established". They range from large enterprises like Catskill Corners through small businesses like Alyse and Roger's Fruit Stand. By far the largest general category is tourism related, followed by building, construction and rehabilitation mostly of houses and businesses based on artistic endeavors. The tourism-related category is dominated by resorts, hotels and motels (5) followed by antique dealers who primarily sell to visitors (3). It also includes the Belleayre Mountain Ski Center, the Belleayre Conservancy, Catskill Corners and Town Tinker Tube Rental, four of the town's most public attractions. The category of artistic businesses includes publishing, recording, production management and artisanry.

Table 1. Shandaken Members of the Chamber of Commerce of Ulster County by type of business, 2002

Type of business	Number	Percentage
Tourism-related	13	37.1%
Building, Construction and Rehabilitation	7	20.0%
Artistic	7	20.0%
Business-related	3	8.6%
Professional	2	5.7%
Other	3	8.6%

A survey of businesses conducted in 2000 by Crossroads Ventures LLC as part of the preparation of its draft environmental impact statement identified 321 known businesses in Shandaken and Middletown. Of the 153 who replied to the survey, 52 were confirmed to be in Shandaken and broke down by type of business as shown in Table 2.

Table 2. Shandaken businesses responding to the 2001 Business Survey, by type		
Type of business	Number	Percentage
Restaurant	12	23%
Hotel	14	27%
Food Store/Auto/Drink	3	5.7%
Automotive	3	5.7%
General Merchandise	5	9.6%
Antiques	2	3.8%
Personal services	5	9.6%
Misc. Retail	4	7.7%
Construction	2	3.8%
Real Estate	1	1.9%
Recreation	1	1.9%
Source: Business Community Survey/2000/(Shandaken Only)		

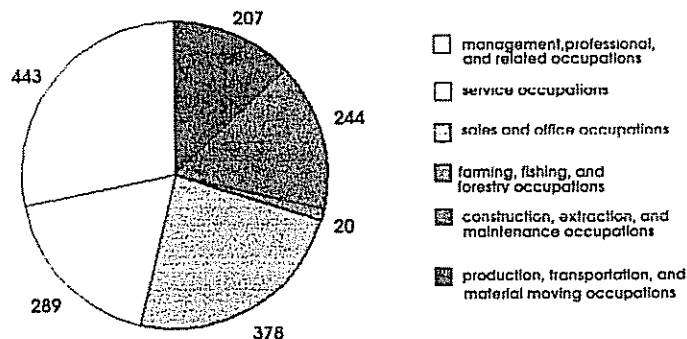
Employment

The balance is also shown by employment figures. The largest occupational groups in 2000 were professional and managerial, and sales and office workers, as can be seen from Table 3. This means that well over half of the employed residents are found in clearly middle-class jobs. While this is below the county average (61 percent) it is about the same as the neighboring towns of Middletown, Lexington and Hunter. The percentage of persons employed in construction, extraction and maintenance occupations, is consistent with the role of that sector in the town's economy.

Table 3. Occupation of employed full-time residents of Shandaken, 2000

	<i>Number</i>	<i>Percent</i>
Employed civilian population 16 years and over	1,581	100.0
OCCUPATION		
Management, professional, and related occupations	443	28.0
Service occupations	289	18.3
Sales and office occupations	378	23.9
Farming, fishing, and forestry occupations	20	1.3
Construction, extraction, and maintenance occupations	244	15.4
Production, transportation, and material moving occupations	207	13.1

Figure 7. Occupation of Employed Full-Time Residents of Shandaken 2000
1,581 Employed civilian population 16 years and over



Recreation and tourism is the largest industry group, employing 18 percent of the full-time employed residents in arts, entertainment, recreation, accommodation and food services (see Table 4). This is higher than the county average (8.2 percent) and is higher than any of the neighboring towns. Of these, only Hunter approaches the Shandaken figure with 15.7 percent employed in that industry.

**Table 4. Employment of Shandaken Full-time residents, by industry group
2000**

<i>Industry</i>	<i>Number</i>	<i>Percent</i>
Agriculture, forestry, fishing and hunting, and mining	31	2.0
Construction	226	14.3
Manufacturing	106	6.7
Wholesale trade	40	2.5
Retail trade	160	10.1
Transportation and warehousing, and utilities	93	5.9
Information	40	2.5
Finance, insurance, real estate, and rental and leasing	79	5.0
Professional, scientific, management, administrative, and waste management services	118	7.5
Educational, health and social services	261	16.5
Arts, entertainment, recreation, accommodation and food services	289	18.3
Other services (except public administration)	85	5.4
Public administration	53	3.4

Whether this represents a trend or not cannot be determined, since the census used different categories in 1990. What can be observed, however, is that in 1990 the combined "retail trade" and "Entertainment and recreation services" categories involved about the same proportion (32%) as in 2000 (33 percent), indicating that this did not represent a real change. The figures suggest that the economic role of tourism and recreation has neither grown nor declined.

Another fact that may have some significance is the proportion of self-employed persons in Shandaken. The proportion (18.7 percent) is high relative to the county average (9.2 percent) and higher by at least six percent than all of the neighboring towns except Lexington (18.8 percent). This proportion did not change significantly from that found in 1990. This also suggests that, in employment terms, the sector has not grown.

There is strong evidence that a significant part of the Town's employed population works outside the town (Table 5). The 2000 census shows that over 90 percent of those employed commuted to work. The published 2000 figures do not indicate whether they commute outside the town or not.

Table 5. Commuting to work, by means, 1990 and 2000

COMMUTING TO WORK	1990		2000	
	Workers 16 years and over	1220		1,524
Car, truck, or van - - drove alone	809	66.3%	1,032	67.7
Car, truck, or van - - carpooled	181	14.8%	254	16.7
Public transportation (including taxicab)	15	1.2%	57	3.7
Walked	68	5.6%	32	2.1
Other means	10	0.8%	15	1.0
Worked at home	137	11.2%	134	8.8
Mean travel time to work (minutes)	27.8		31.9	

While census data on where persons commute to work have not yet been issued, in 1990 60 percent of employed persons worked outside of Shandaken . A much higher percentage commuted (including within Shandaken) and the percentage who worked at home showed a relative decrease (although the absolute number stayed about the same). This means that most of the newly employed had to commute to work.

The average commute time has also increased slightly over the two census periods, although the means are generally the same. If the 1990 pattern on location of work continues, this means that a sizeable part of the working population earns its living in Kingston, Middletown, Hunter, Olive or Woodstock. The figures, of course, do not indicate the proportion of employed persons who commute *to* Shandaken from other towns.

The size of the Town (where the distance from one end to another via Rt. 28 is 18 miles) means that commuting distances depend on where one lives. For persons in the eastern end of the Town, Highmount is further away than Woodstock and slightly further than Kingston.

It will be important to consider whether, as a goal, the Plan should aim for employment opportunities that would enable residents to work nearer to their homes. In any case, the fact of commuting has to be considered when transportation patterns are considered.

It is difficult to determine the contribution of residents to the Town economy. One indicator of its importance, however, can be seen in the assessed taxable value of all land in the town (excluding state land, land owned by utilities and exempt land). There were, in 2002, some 3040 parcels of taxable land. Of these, 64 percent were residential, 6 percent were commercial and 29 percent were vacant (without any buildings). Table 6 shows the changes in assessed value over a ten year period. While there has been only a slight change in the value of land, the value of buildings has increased by almost \$5 million. Most of this is accounted for by the increase in value of houses that have been renovated (since only 65 houses were build during the period), although some is accounted for by developments such as Catskill Corners and the Emerson. This suggests

JAN 30 2004
Phawolath - 1-25-004

To Mr - Alexander (Lester) JR

My husband and I have been
strong supporters of the Crossroad
venture since the beginning

my husband is a native of
Hartshorn center and remembers the

years that tourism and farming
were to be the most prominent and

promising source of living for the
people in the area

the beautiful hotels, boarding houses,
8 Rooms, markets, lawns, stations,

crowded with tourists on a holiday week
in July 1947 we had

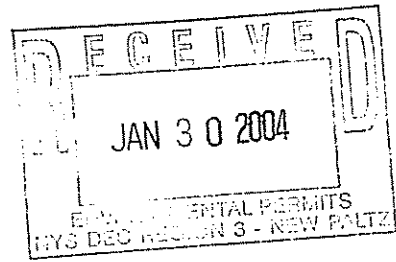
was one of the few men who started
cutting a trail in the mountain with

is now Bettayne Ski center.

at that time some people here
opposed to it and complained about

to such haste - during the country side
city

DOLores A. SCOFIELD
P.O. BOX 56
WEST SHOKAN NY 12494



ALEXANDER CIESLUK JR.
21 So. PUTT CORNERS
NEW PALTZ NY 12561-1620

JAN. 28 2004

DEAR MR. CIESLUK,

IN REGARD TO THE PROPOSED BELLEAYRE GOLF RESORT,
I WOULD LIKE TO EXPRESS MY FEELINGS ON THE SUBJECT.

"IN WILDERNESS IS THE PRESERVATION OF THE WORLD." THIS IS
A QUOTE OF HENRY DAVID THOREAU - A WRITER AND NATURALIST.
TO MYSELF - THE CATSKILLS HAVE ALWAYS REPRESENTED THE WILDER-
NESS. AS IT IS NOW, THERE ARE FAR TOO MANY LIGHTS
SHINING ON THE MOUNTAIN SIDES. THESE BEAUTIFUL HILLS
THAT I HAVE CALLED "HOME" FOR THE PAST 49 YEARS ARE OUR
HERITAGE, REGARDLESS OF WHO "OWNS" THE PROPERTY. IF
ONE MAN WANTS TO DEVELOP A MOUNTAIN TO SATISFY HIS OWN
PERSONAL GREED, WHAT IS TO PREVENT OTHERS FROM DOING THE
SAME? WHAT WILL BE LEFT FOR OUR FUTURE GENERATIONS?

SOMEDAY, WE WILL ASK, "WHERE HAS THE WILDERNESS GONE?"
THE ANSWER -- INTO THE POCKET OF SOME TYCOON WHO CARES
ONLY ABOUT HIS OWN WEALTH AND NOT FOR THE WELL-BEING
OF OTHERS. AS HE IS TRYING TO LEAD US INTO BELIEVING, NOT
FOR THE PRESERVATION OF THE HUNDREDS OR THOUSANDS OF
BIRDS AND OTHER CREATURES, WHO WILL BE DISPLACED IF
THE DEVELOPMENT IS PERMITTED TO TAKE PLACE. ALSO, THINK OF
THE PLANT LIFE THAT WILL BE DESTROYED. MANY RARE AND
PROTECTED SPECIES OF WOODLAND PLANTS WILL BE GONE.
ONE MAN'S GREED WILL DESTROY THEM, AND HE WILL ALSO

PAGE TWO

DESTROY BELLEAIRE AS BEING A HAVEN FOR THE
CROWD WEARY PEOPLE WHO COME HERE TO RELAX AND
TAKE IN THE BEAUTY OF THIS PLACE (AS THEY HAVE
BEEN COMING FOR CENTURIES) AND TO BE CLOSE TO
NATURE AND THE WILDERNESS.

EVEN IF I WERE A GOLF ENTHUSIAST, (WHICH
I AM NOT) I WOULD NOT SUPPORT THIS PROJECT
BECAUSE I WOULD PUT THE ENVIRONMENT AHEAD OF
MY OWN PERSONAL GAINS.

PLEASE REJECT THE PROPOSED BELLEAIRE
RESORT AND KEEP THE CATSKILLS WILD!

THANK YOU FOR TAKING THE TIME TO
READ THIS LETTER.

SINCERELY,

Olivia A. Seafeld



Organized 1901
Incorporated 1902

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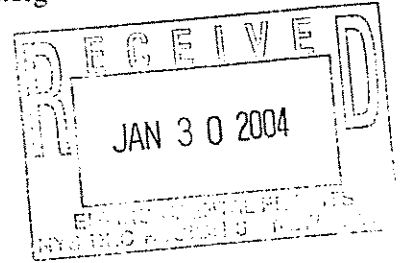
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January 28, 2004

Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC Region 3
21 South Putt Road
New Paltz, NY 12561

Re. Belleayre Resort, Catskill Park

Dear Mr. Ciesluk:

The core mission of **The Association for the Protection of the Adirondacks** is the protection and enhancement of the New York State Forest Preserve in the Catskill and Adirondack Parks, and constitutional safeguards under Article 14 of the State Constitution. It is with this in mind that the Association offers comment on the proposed Belleayre Resort.

Developer's Vision is out of date and out of scale

The developer's vision statement speaks about a "public-private partnership... to assist the State of New York in realizing its original dream of the Belleayre Mountain Ski Center as a major contributor to the economy of the region and the State." It goes on to say that the resort will "marry the physical assets of the Belleayre Mountain Ski Center and the Catskill Forest Preserve with new facilities and programs that will enhance the experience of both visitors to the resort and the general public."

How do two resort hotels of 400 rooms, two golf courses, over 100 attached buildings for some 250 lodging units, a conference center, wastewater treatment plant and a 21-lot subdivision "marry" themselves with the "forever wild" principles and management objectives of the New York State Forest Preserve, the project's immediate neighbor?

It seems to us that a vision statement should be truly visionary, and not based on "original dreams" that may prove considerably out of date. If New York State ever had a dream that the Ski Center would drive the local and regional economy, the evidence suggests that it no longer does. Over the past 7 years, it seems clear to us that the State Department of Environmental Conservation, owner and operator of the



A quietly effective conservation organization for over a century.

Thank you for considering the Association in your Estate Planning

With respect to large developments, this Town Supervisor said: **“as a result of adherence to high water quality standards in the NYC-Watershed Agreement, certain options for us are foreclosed, so we are forced to take a hard look at other options we have. Integrating the Forest Preserve and nature-based tourism into local economic development planning is one of those options.”** He foresaw: “a new era for local governments dealing with the DEC.”

Our Position:

We share this local government leader’s vision and practical objectives for a Catskill-Forest Preserve partnership at many levels on a scale and, just as importantly, of a depth appropriate to the magnificent natural wonder and beauty of the Catskill region.

The Association does not share the vision of the developer of Belleayre Resort because it appears so out of step and so out of scale with the desires of Catskill organizations and residents, desires that appear to be well shared in statements emanating from the Department of Environmental Conservation since 1997.

We do not believe the developer when he states that: “the project will have few, if any, impacts or increased demand on community resources.” Hidden, or so-called “external” costs may be significant. Apparently, the developer has failed to account for them. Further, as the *Catskill Center for Conservation and Development* has pointed out, the developer’s own “study area” has a very limited geographic scope (Boiceville to Margaretville), which should be much larger to satisfy proper environmental and economic analysis. Secondary growth, solid waste, traffic, financing and employment issues are all serious issues that may not be satisfactorily addressed at present.

We believe that the **water quality issues** deriving from stormwater runoff from construction and operation of the 573 developed acres are vastly understated in the current analysis. This is especially so given a dramatic increase in the amount of impervious surfaces when compared with the present condition of the land. We believe the City of New York would be unwise to permit this kind of development under the rules established by the Catskill Watershed Agreement. The risk that this development and others it may spawn to the City water supply is considerable and the threat of the US EPA to impose the cost of treatment facilities on the City in the future is ever-present.

Finally, the geography of this development proposal, one part east of the Ski Center and one part west, places intensive new construction and development and all the attendant impacts directly adjacent to two designated **Wilderness areas of the Catskill Forest Preserve**. The Department of Environmental Conservation has a responsibility to the Catskill Region and to all state residents to avoid this result.

As stated at the outset of this letter, we also remind the Department of its prior commitments to the Catskill Watershed Agreement and to its vision of compatible community and tourism development adjacent to and in partnership with lands of the Forest Preserve **that are in direct conflict with the proposed Belleayre Resort.**

Ski Center and public steward for the Forest Preserve, has moved toward a decentralized, nature and community-based view of the Catskill Park's regional tourism economy and potential, and away from any vision that places large resorts at the epicenter of the Park's community development.

Forest Preserve Public Access Plan conflicts with Developer's Vision

One has to look no further than the DEC's Catskill Forest Preserve Public Access Plan, issued in 2000, to find this decentralized, nature and community-based blueprint for the region's future. The plan was widely praised in and out of the Catskill region as a useful, strategic and practical roadmap on creative integration of Forest Preserve management with local and regional objectives for tourism and economic revitalization. It was developed after an extensive four year process of public involvement from Catskill regional residents.

Catskill Forest Preserve: Our Heritage, our Future

The Association's 1997 Conference "The Catskill Forest Preserve: Our Heritage, Our Future" in Frost Valley proved entirely prescient about and consistent with the DEC's 2000 plan. Attended and co-sponsored by fourteen Catskill organizations ranging from tourism operators to sportsmens clubs, the conference stressed the economic benefits of nature-based tourism, packaging and marketing this key "product" for the benefit of a wide variety of small local and regional businesses. Preserving the Catskill environment as a central part of the Catskill regional economic strategy was clearly favored by the 125 people in attendance.

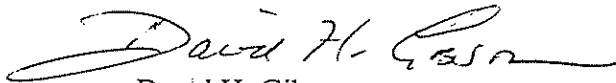
Public-Private partnerships were very much desired by the conference, but not to invest in large resorts. Rather, investment was principally sought in nature-based festivals and products for sale, new trail heads to forests and streams that originate in Catskill towns and villages and that link to local restaurants, B&Bs, inns and visitor centers; new maps and marketing materials geared toward specific outdoor interests. DEC representatives at the conference stated: "if the DEC could better link the Forest Preserve with communities and businesses, perhaps we could form a partnership that would be advantageous to all, give the Forest Preserve a higher profile and give it the valuable status it deserves for the State and beyond, but especially for the Catskill Region."

A Catskill Town Supervisor was one of our conference's keynote speakers. He stressed the following needs:

- year-round use of the Catskill Forest Preserve, including road infrastructure for access for winter uses such as ice fishing and cross-country skiing;
- streambank restoration for the area's fishery;
- deer management;
- rail-trail bike paths;
- historic museums.

For all these reasons, we oppose this development proposal as presented and urge both the NYS DEC and the City of New York to work with the developer and diverse Catskill organizations to bring the development to scale and to truly marry it with ongoing, community-driven Catskill initiatives.

Sincerely,

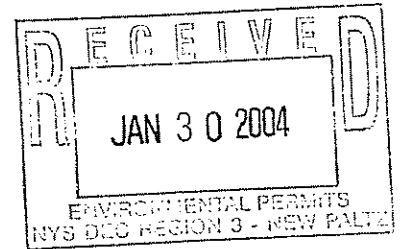
A handwritten signature in black ink, appearing to read "David H. Gibson". The signature is fluid and cursive, with a long horizontal stroke at the end.

David H. Gibson
Executive Director

Cc: NYC DEP

NYS DEC Commissioner Erin Crotty
Board of Trustees
Catskill Center
Members of the NYS Assembly and Senate
Hon. Maurice D. Hinchey, Member of Congress

Wray Rominger



January 25, 2004

Alexander Ciesluk, Jr.
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561-1620

Dear Sir:

I was unable to attend your public hearings on the proposed Belleayre Resort but would like to comment. Certainly others have spoken with eloquence about the negative impact of the proposed development on the environment, water resources, local services and taxes, traffic, social structure, etc. I would like to add my voice to theirs but address another issue: the future of a large destination resort in the Central Catskills and those in the business community who support it.

My wife and I have operated Purple Mountain Press in the village of Fleischmanns for thirty-one years. We have published more than 150 books about the Catskills and New York State in the fields of history, natural history, folklore, outdoor recreation, and the arts. In addition, for sixteen years we operated a job printing business, which brought us in close contact with business owners here. I was one of the founders of the Fleischmanns Chamber of Commerce and served for ten years on the board of the Delaware County Chamber (eight years as chairman of the promotions committee and two years as president of the chamber). I was appointed by the Fleischmanns village board to represent the interests of our community in Albany when the state proposed closing Belleayre Ski Center.

In the early 1970s, we published a newsletter, *The Fleischmanns Flyer*, as a community service. Following the burning of the Funcrest Hotel in Pine Hill in 1974, I editorialized: "The Catskills have a strange way of covering every grand scheme with second growth timber. The tanneries, the mountainside farms, the bluestone quarries, the wood-turning industry, the grand hotels. Each in its turn has blossomed. . . and vanished under new deciduous growth." This was later quoted in *The New York Times* and in *The Catskills: Land in the Sky* (Viking Press, 1977). It still holds true.

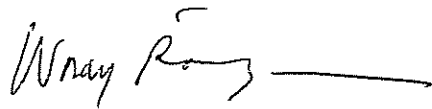
It is clear from the history of our area that the hospitality industry has enjoyed a few highs, but these have been followed in every case by devastating lows. With very few exceptions, nothing viable remains of earlier periods of tourism here. Great investments have been lost due to the changing tastes of the traveling public, and the *Times* has reported that nationally the golf resort business is down. Also, our best seasons are too short to sustain the profits necessary to carry an enterprise of today through the off-peak periods. So why do people keep trying? It is the key to local business support for Crossroads Ventures.

Most business owners in the Central Catskills come from out of the area. Many who buy or start hospitality-related businesses here do so for two reasons: they badly desire to

leave the metropolitan area and are naïve about the business climate, or they entertain the notion that they will succeed where others have failed. It does not matter, when they discover they cannot make what they wished, they start looking for someone, anyone, with a magic formula to bring tourists in to turn their marginal businesses around. Support for any scheme, no matter what, can be expected.

Should this mega-resort be constructed, I rate the chance for failure *very high*, the adverse impact on the environment and life in the Central Catskills *very high*, the prospect of the whole development eventually returning to forest *very high*. It is simply not worth it.

Sincerely,

A handwritten signature in cursive script that reads "Wray Rominger". The signature is followed by a horizontal line.

Wray Rominger, Co-publisher
Purple Mountain Press, Ltd.
800-325-2665, 845-254-4476 (fax)
purple@catskill.net
www.catskill.net/purple

TOWN OF WOODSTOCK • 45 COMEAU DRIVE, WOODSTOCK NY 12498

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Ext. 4: Town Clerk; Fax: (845) 679-8743
Ext. 1: Assessor
Ext. 3: Building Dept, Code Enforcement
Ext. 6: Planning Board
Ext. 8: Zoning Board of Appeals
Ext. 8: Environmental Commission
Ext. 8: Commission for Civic Design

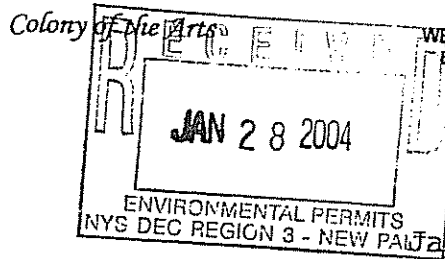
FAX: (845) 679-8743:
Assessor, Bldg. Dept., Planning Board
Zoning Board of Appeals, CCD, WEC

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Fax: (845) 679-0317
Youth Center: (845) 679-2015
Fax: (845) 679-8032

WEBSITE: www.woodstockny.org
E-MAIL: info@woodstockny.org



January 19, 2004

NYS Dept. of Environmental Conservation
Mr. Alexander Ciesluk, Depty. Admin.
Environmental Permits
21 South Putt Corner Road
New Paltz NY 12561

Re: Crossroads Venture Project at Bellayre Mountain

Dear Mr. Ciesluk,

The Town of Woodstock currently comprises approximately 22% of the Onteora School District student enrollment, and pays each year through property taxes approximately 36% of the Onteora School District budget. It is my understanding that if the Cross Roads project is built that there will be property tax abatements for the first ten years after completion. I cannot see how this project will result in less enrollment in the Onteora School District or otherwise cause its budget to decrease. I have yet to see any documentation to this effect. Certainly the proponents of the proposed project are not arguing that the proposed resort will make young people more scarce. Are they?

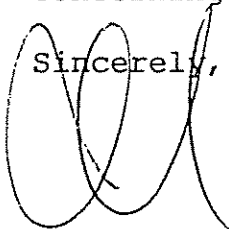
On behalf of all Woodstock property owners who are paying 36% of an annual budget while receiving 22% of its service I urge you to most closely examine this aspect of the proposed project. Even if one were to argue that ten years from the proposed resort's completion that Shandaken's increased assessed value would increase its share of the revenue of the Onteora School District, they would be attempting to argue away the fact that an existing burden in the mean time should be made worse than it is.

NYS Dept.of Environmental Conservation
Mr. Alexander Ciesluk, Depty. Admin.
January 19, 2004
Page 2

Other environmental considerations concerning this project that should be factored into a final decision are being raised by others far more competent than myself in environmental matters. Failure of this letter to address those particular concerns should not be construed as indifference. I urge you to examine each environmental issue with the same level of care and consideration that I am sure you will take to examine the issue raised in this letter.

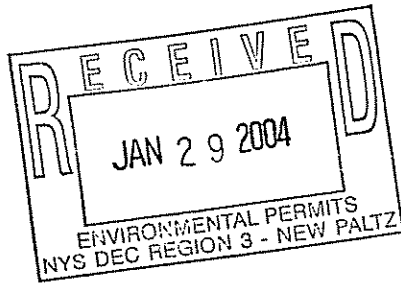
Thank you for your time and consideration. If I can be of any assistance, or if you have any additional questions concerning this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, positioned to the left of the typed name.

Jeremy Wilber, Supervisor

JW:as



**Dorothy and Paul Jennings
123 Maben Hollow Road
Oliverea, New York 12410**

January 26, 2004

Mr. Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

As a part-time resident of the Catskills for over 12 years, we are seriously committed to maintaining its beauty as well as the purity of the environment, primary motivations for purchasing a home in this pristine region.

We have carefully observed the development of both the *Catskill Corner* complex and *The Emerson Inn and Spa* by Dean Gitter and have been extremely pleased with the positive impact they have had on our community. From an economic standpoint, these aesthetically pleasing projects have brought numerous opportunities for employment to an area desperately in need of jobs. Additionally, we can be proud of these offerings when entertaining friends and business colleagues at our home. There is no reason to believe that the proposed Belleayre Resort will not follow the lead of these tastefully done, environmentally responsible properties.

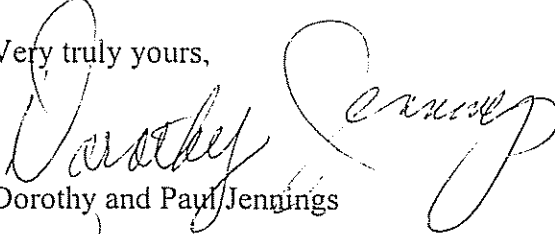
Essentially, the proposed hotels, restaurants and golf courses would greatly enhance our way of life and attract thousands of guests who would patronize the local restaurants, shops and ski resort, all of which need a "shot in the arm" in order to succeed and prosper. If a survey were conducted, results would determine that on many nights there are only one or two occupied tables at some of the restaurants and their owners face an ongoing struggle to earn a living. The new resort will also open the door for lucrative construction contracts as well as permanent positions offering a meaningful career path in the hotel industry for local residents.

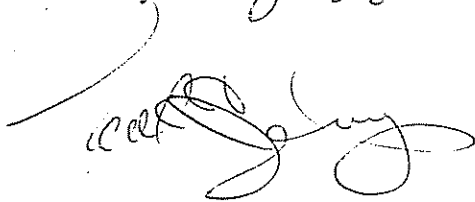
Developers are risk takers and Gitter is to be admired for his vision and dedication to the community in which he resides. He has exhibited perseverance to this dream that we find truly amazing based on the personal attacks he has had to endure and the obstacles put in his path. His every contribution is questioned and demonized.

We recognize that there are two schools of thought regarding this development and we respect the honest concerns of some opponents – but there is surely room for compromise.

Any student of the ongoing debate can identify several of the vehement opponents as constant agitators who have never contributed anything positive to the town -- and seem to have a great deal of time available to them devoted to blocking progress on any initiative. We heartily endorse the Belleayre Resort project and look forward to enjoying the hotels, restaurants and golf courses once the development comes to fruition.

Very truly yours,


Dorothy and Paul Jennings

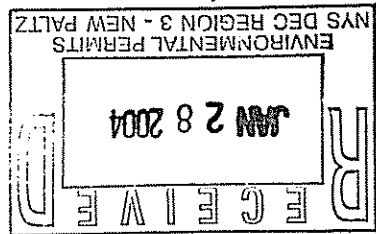


RECEIVED
JAN 28 2004
ENVIRONMENTAL PERMITS
MRS. DAVID J. NEW PATZ

Mr. William H. May (C-2)
To: Begin - Let
my house and shed be
the "Project" - (Subtract
them both in its entirety.)

We used its economic
impact will be major
home build to both of them
and what about quantities of
attended the mortgage-lender
meeting.

My observations -
The leading specs were
given to not fairly in procuring
themselves - but attached
themselves to their
checkmate - in fact they



Dear Mr. Condit

I am opposed to the development of

the Central Venetian project by the Delaware

to destroy what was put there by Nature

What Right Deer Man have to destroy

What God has created. It took many years

for King David to harvest and in return

it will be destroyed by Norway Spruce

Developers they would take that one

Nature as the area will be destroyed along

with their habitat. This type of development

is not needed. Forget about it's going to be more

than them good. By the way ~~the~~ ~~the~~ ~~the~~

looking out for the Central Mountain as

asking the federal Government the Catalina

need protection too because there is only

one Catalina Mt. in the State we need to

be proud of making Deer and that their Deer

because there will never be another

Catalina Mt. Range again. Nature by

itself works hard on the mountains

alone without Man Destroying them.

PS. I am over

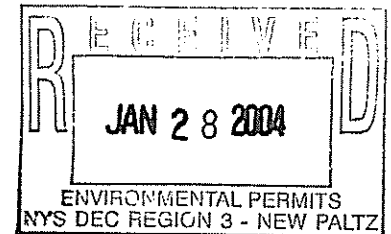
Look what happens to all the golf courses in the
South in California They were supposed to
bring jobs and prosperity to the people in the
area well its all depressed because of the
failure of the area nobody wants to go there
its like when its new but it wears them
quickly.

Believe Me This Place is not needed

Yours Truly
Lamar Robinson

P.O. Box 93
Tomball, TX.
12553

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

TURBIDITY AND THE EFFECT IT HAS ON THE LIFE OF A TROUT .

Mountain streams in undisturbed areas remain clear or quickly clear after moderate rainfall events. In areas that have been disturbed by development that is not the case. The red clay in the area of Birch Creek at the Pine Hill wastewater treatment plant is a prime example. Prior to the construction of the plant by New York City after moderate to heavy rainfall Birch Creek would be running clear in a day. The construction of the treatment plant on the bank of Birch Creek is directly responsible for the increased turbidity which now takes up to as long as a week to clear after a storm event.

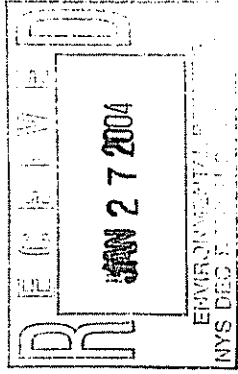
Comparing the size of the Belleayre project and its proximity to not only Birch Creek but also Lost Clove and Emory Brook the potential for an increase in turbidity is obvious. Clearing the mountainside of vegetation, the excavation of soil for buildings, widening of roads as well as their construction will expose the clay and it will find its way into the streams.

Deposition of silt into a stream bottom will bury insect larvae as well as the eggs of spawning trout, thus destroying the food trout depend on as well as their spawn.

Sincerely,

Vince DeBevoise

*Po Box 93
Trotti N.Y.
12583*



Alexander Ciesluch, Jr.

21 South Patt Corners Road
New Paltz, NY 12561-1620

Saturday, January 24, 2004
David Bendler
P.O. Box 131
New Kingston, NY 12459-0131

in re: Crossroad Ventures' Belleayre
Resort Development Proposal

Dear Mr. Ciesluch,

I lived in New York City from 1963-1977 during which period I frequented the Catskills as a hiker, backpacker, rock climber, and part-time, summer resident. I lived in Mount Tremper from 1997-2002, and here since then, because it afforded me access to the unspoiled wilderness. I feel that the proposed development will mark the end of this area as a place where one can enjoy the beauty and serenity of nature. I believe that the influx of workers during the period of construction will resemble the chaotic development of the Town of Ulster during ~~the~~

2. the construction of the Hudson Valley Mall and the many nearby mega-stores along Route 9W. As in that instance, I believe taxes will increase to support greatly enlarged police, fire, and social services. I do not believe the present highway, one lane in each direction from Route 375 to Margaretville, will be sufficient to carry the increased traffic during construction, much less after completion of the proposed project. What would be the effect on water quality if Route 28 were widened, fast-food franchises and the like built along now-empty stretches of wooded road?

How does one remediate the effects - on water, animal and plant life - from developing (relatively)

high-altitude forests? Will there not be a permanent ^{do}degradation to the streams leading to the Ashokan and Pepacton reservoirs?

And what about the prior history of Mr. Gitter, Ms. Fisher (and other backers of the Belkayre development) whose Catskill Corners project continues to be underutilized and, presumably unprofitable? I personally know a number of administrators who resigned their jobs there after close observation of the owners' insensitive, uncaring attitude to the employees, even those "highly paid outsiders". The only happy employees I know there are Mexicans who work in housekeeping jobs at The Emerson. Their alternative should not be ours i.e., to leave the area.

Naturally many of Delaware County's elected officials and business people favor this development, or any other for that matter, because they feel it will bring in a net increase of good jobs and taxpayers. (Ask the people of The Town of Ulster how it worked out for them.) Yet, if one looks closer, one sees that this would not be the eventuality. Eric Wedemeyer of Caldwell Banker in Margaretville has often said recently that the boom in real estate prices here has peaked. A man from whom I rent 100 acres in the Town of Andes is selling everything he owns here (and buying land in the Adirondacks) because he thinks the Belkayre development will radically diminish the appeal of owning a

5.
place in the area; New York City residents won't choose to drive up to three hours only to arrive at another facsimile of the New Jersey suburbs. (Not to mention the added travel time along Route

28.)

Oh, and the trend seen in southern Ulster County, Woodstock, and sections of Olive and Shandaken to build contemporary houses on small plots of formerly abandoned pastureland will continue endlessly. Eighty-seven acres of the land I now rent is scheduled to be developed for eight or ten, single-family homes — in Canada Hollow, opposite land recently acquired

by the D.E.P. (This is poetic justice for Mr. Kolar, president of The National Bank of Delaware County, and the other members of the Canada Hollow Homeowners Association, whose sanctuary atop the pristine valley will come to resemble many another suburbanized byway in the area.)

Sadly, like the shortsighted officials of Delaware County, especially those from well outside the Catskill Park, e.g., Harpersfield, many of the local, working-class people say they approve of the Belleayre project. They don't understand that the net result for them will be an increase in the cost

%
of living without a commitment
improvement of income. Most are
avid hunters, trappers, and fishermen.

They seem to believe that development
will not affect the availability
of wildlife in the area. Yet, from
most of them was heard the complaint
that there weren't many deer to be
seen this season; that pelts from
mink, bobcats, muskrats were of poorer
quality; that fish in streams feeding
the Repacton and Ashokan reservoirs
were scarcer and of smaller size.
How will this improve if development
continues so largely (Bellevue) and
rapidly?

I believe that the proposed
development of Bellevue and nearby

8.
areas will so diminish the area's appeal as a natural environment for recreation that people like myself will leave the area permanently, city dwellers will look elsewhere for a wilderness experience, and New York City will finally be forced to install filtration plants to ensure a clean water supply.

I also feel that the political tide is turning in favor of more enlightened, environmentally conscious lawmakers on the (Ulster) county level as well as statewide, if not nationally. Were the Belleaire development to be forestalled beyond the next county and municipal elections, a governmental response against such a development is likely to emerge. Maurice Hinchey may get in his datus decide to make a forceful

9.
effort to stop it.

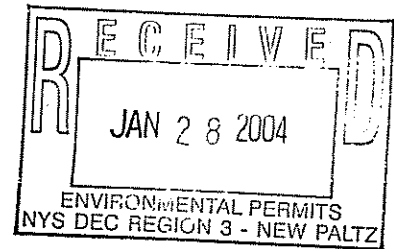
The man-in-the-street "wisdom" that anyone with enough money can do anything he wants is impoverished in its surrender to anti-democratic cant. Gitter can't have his way at the expense of literally millions of affected people unless their shortsighted greed and political gopathy permit it.

Agencies supposedly dedicated to the preservation of ever-scarcer, natural resources must rise above limited, pecuniary interests and tell such developers to look elsewhere, not in the Catskill Park.

I hope that tentative objections by agents of the D.E.P. will blossom into strong objections by the City of New York and be echoed by the Department of Environmental Conservation.

Sincerely
David Behrler
C.N.S.P. 12/20/70

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

TURBIDITY AND THE EFFECT IT HAS ON THE LIFE OF A TROUT .

Mountain streams in undisturbed areas remain clear or quickly clear after moderate rainfall events. In areas that have been disturbed by development that is not the case. The red clay in the area of Birch Creek at the Pine Hill wastewater treatment plant is a prime example. Prior to the construction of the plant by New York City after moderate to heavy rainfall Birch Creek would be running clear in a day. The construction of the treatment plant on the bank of Birch Creek is directly responsible for the increased turbidity which now takes up to as long as a week to clear after a storm event.

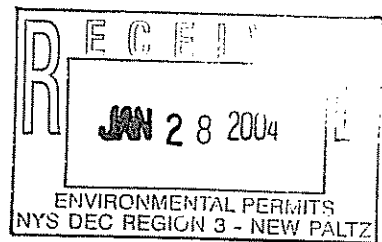
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Deposition of silt into a stream bottom will bury insect larvae as well as the eggs of spawning trout, thus destroying the food trout depend on as well as their spawn.

Sincerely,

A handwritten signature in black ink, appearing to be "A. Ciesluk", with a long horizontal line extending to the right.

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

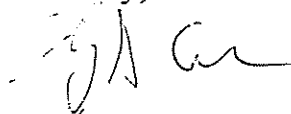
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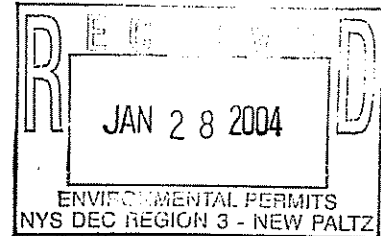
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Sincerely,


1/26/2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

I am deeply concerned with the inevitable increase in water temperature from the Resort. Clearing the mountain of its natural covering and replacing it with impervious surfaces will increase stream water temperature and endanger the trout. Intermittent streams that flow only during snowmelt or after large rainfalls offer habitat for critical stages in a fish's lifecycle such as spawning and rearing. Waste water disposed in Lost Clove and Birch Creeks will affect both the spawning and rearing of trout.

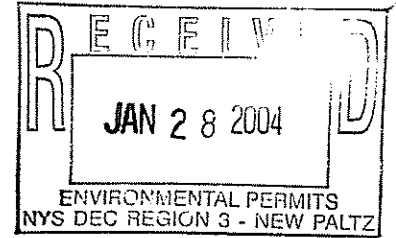
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The SPDES permit fact sheet submitted by the resort at Belleayre permit # NY 0270679 indicate water discharge temperatures as high as 70 degrees will be discharged into the Creeks. This is unacceptable for the rearing of trout.

Sincerely,

Bethany Salton

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

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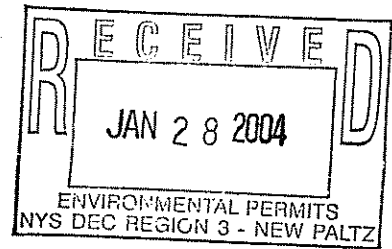
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Sincerely,

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a series of loops and a long horizontal stroke extending to the right.

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

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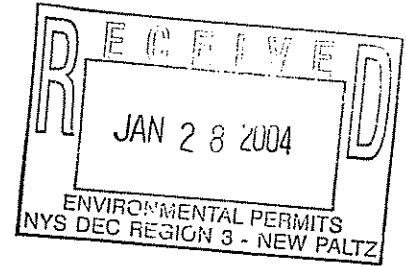
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Sincerely,

David Meyers

*53 Black alder rd
S/HOKAN, NY 12481*

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



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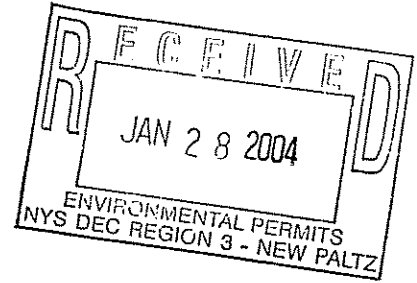
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Sincerely,

Stephanie Blackman
P.O. Box 240
Chester, NY 12416

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

Naturally occurring metals in surface water as a result of chemical weathering and soil leaching are usually of little or no consequence to aquatic organisms. Elevated levels of heavy metal are however toxic to both invertebrate and trout. Toxins are indicative of industrial pollution, wastewater discharge, and stormwater runoff in developed areas,.

Use of heavy equipment, increased automobile, and truck traffic will substantially increase the absorption of copper, lead, and zinc into the soil. Wear of brake linings, as well as wearing of tires on vehicles on site will raise levels of zinc substantially. Fuel emissions from both gasoline and diesel engines will add concentrations of copper into the soil.

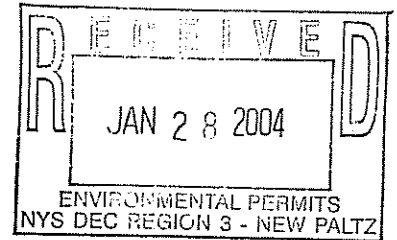
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Ichthyologists believe the Brook Trout has inhabited Catskill streams over 100 million years. They were virtually undisturbed until the mid 1800's, when tanneries in the area came close to extinguishing them forever. The Brook Trout were able to take refuge in the small creeks and brooks at higher elevations. Ancestors of the Brook Trout born 100 million years ago now inhabit the very Creeks threatened by The Resort at Belleayre. Please do not let man extinguish this Catskill native.

Sincerely,

Stephan Blackum
And Mark Loeth
P.O. Box 240
Chichester, NY 12416

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



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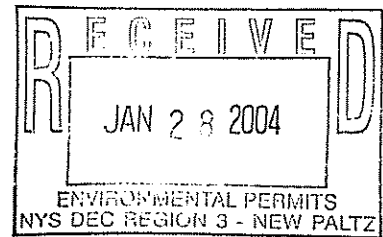
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Deposition of silt into a stream bottom will bury insect larvae as well as the eggs of spawning trout, thus destroying the food trout depend on as well as their spawn.

Sincerely,

A handwritten signature in cursive script that reads "Vanessa Goddard". The signature is written in black ink and has a long, sweeping underline.

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



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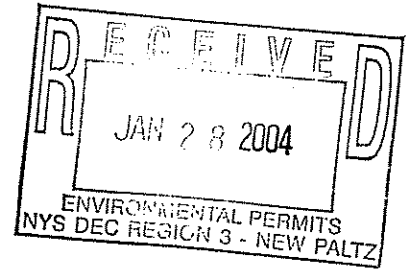
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Sincerely,

Bethy Saltman

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

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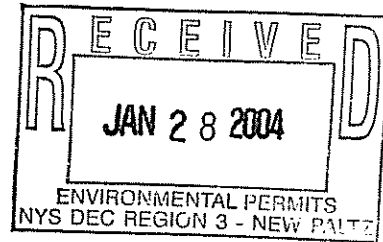
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Sincerely,

Roy Meyershoff
53 Black Alder Rd
Shelton N.Y. 12481

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



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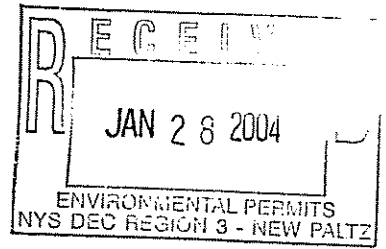
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Sincerely,

Stephan Blackman
P.O. Box 240
Chichester, NY 12416

Alexander Ciesluk, Jr
21 South Platt Corners Rd
New Paltz, NY 12561-1620



I am writing to express my opposition to the proposal to build a huge Belleaire resort in the heart of the Catskill Park. This would destroy the character of Ulster county's small towns and hamlets, as well as the pristine ecosystem contained in the NYS forest preserve and other undeveloped land in the county. In addition, I believe it would have an extremely negative effect on Ulster County's tourist economy, which has grown substantially in the last 15 years and continues to grow. The threat posed by the golf courses (and the chemicals required to maintain these courses) will cause serious harm to the environmental quality of the watershed & should be avoided at all costs.

Sincerely,
Corinne Militello
1 Eastman Terrace, Poughkeepsie, 12600

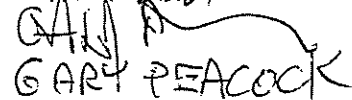
DEAR MR CIESLUK, JR

I AM OPPOSED TO THE BELLEAYRE RESORT PROJECT
PUTTING A MEGA GOLF RESORT, WITH ALL ITS ASSOCIATED
POLLUTANTS ON TOP OF A WATERSHED THAT SUPPLIES
21 MILLION PEOPLE WITH UNFILTERED DRINKING WATER
IS EXTREMELY IRRESPONSIBLE.

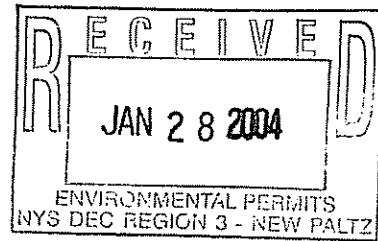
ARE THE DEVELOPERS OF THE PROPOSED PROJECT WILLING
AND ABLE TO PAY 6 BILLION DOLLARS FOR THE NECESSARY
FILTRATION SYSTEM? OR WILL THE BURDEN FALL ON
N.Y. CITY?, N.Y. STATE?

THESE QUESTIONS MERIT AN EXTENSION IN THE REVIEW
PERIOD OF THE DEIS.

SINCERELY


GARY PEACOCK

Belleayre Resort



Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

January 24, 2004

Dear Mr. Ciesluk,

As a resident, home and property owner in the Town of Shandaken, New York, I am in favor of any responsible development project that would help my Town prosper in the near future. I believe the Belleayre Resort project proposed by Crossroads Ventures LLC in the Towns of Shandaken and Middleton will do just that. After perusing the Draft Environmental Impact Statement (DEIS), I also feel that this proposal is a very responsible and environmentally sensitive to this area and can only be a benefit the local residents for many years to come.

If developed in accordance to all Federal, State, County and local laws and codes, I believe the DEC could use the Belleayre Resort as a "benchmark" for all other proposed development projects similiar in nature within New York and possibly in other States.

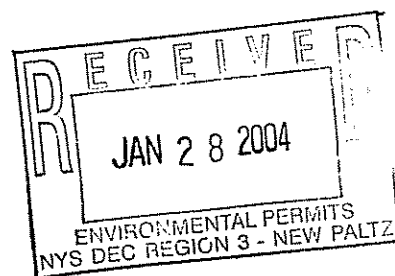
In addition, I strongly object like many other Town residents, the intrusion of outside environmental groups imposing their zealous ideals on us and the Project review process. I can only hope that the DEC Administrative Law Judge, Mr. Richard Wissler and other DEC officials can see through all of these environmental group gibberish and focus on issues or concerns not already identified and addressed, in any, that may have an impact our communities. Thank You.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gerald P. Setchko".

Gerald P. Setchko
PO Box 0487
Phoenicia, NY 12464

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

Please consider my comments on the proposed Belleayre Resort at Catskill Park:

Naturally occurring metals in surface water as a result of chemical weathering and soil leaching are usually of little or no consequence to aquatic organisms. Elevated levels of heavy metal are however toxic to both invertebrate and trout. Toxins are indicative of industrial pollution, wastewater discharge, and stormwater runoff in developed areas.

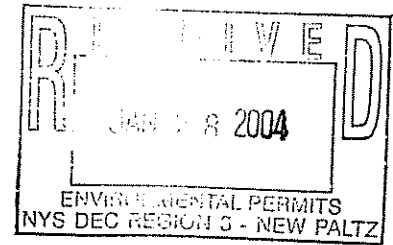
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Sincerely,

A handwritten signature in black ink, appearing to be "Cheryl", written in a cursive style.



January 25, 2004

Alexander Ciesluk Jr.
NYS DEC,
21 South Putt Corners Road,
New Palz, NY 12561-1620

Dear Mr. Ciesluk:

I'm strongly opposed to Crossroads Ventures' plan to build a mega-resort on Bellayre Mountain. This will totally change the character of the region, damage the environment, and inconvenience local residents, including part timers like myself. I hope you will do everything in your power to stop this plan.

Thank you.

Yours,

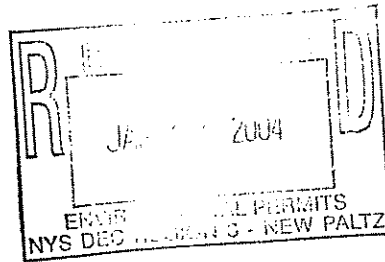
Mark Roberti

Dear Mr. Cicisluk,

I oppose the proposed
Billeyre resort at Catskill Park
on environmental and economic
grounds!

Please extend the ~~the~~ public
commentary period so we can
more thoroughly give voice to
these important issues.

Thank you



Att: Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620

January 15, 2004

Re: Opposition to Belleayre Project

Dear Mr. Ciesluk,

As an extremely concerned resident/s of Ulster County who would be directly affected by the what I/we see as negative changes/effects that would take place if the Belleayre project, or any other very large scale development, i.e. casino, etc., was allowed to be built in this precious area of small villages, wild mountains and clean streams, I/we wish to register my/our strong opposition to this proposal.

Having witnessed the irreparable damage that takes place when the interests of a tiny few who stand to profit from this type of enterprise is deemed more important than the quality of life for local residents and existing wildlife and natural resources, I/we cannot stand by and allow this commercial tourist destination to set a precedent that would allow for the development of the Catskills that would inevitably spoil the environment we love forever.

Please stop the Belleayre project, before it starts.

Sincerely,

Gaela Pearson

print name

Gaela Pearson

signature

address:

140 Kenozig Lake Rd
Shokan NY 12481

P.O. Box 28
Mt. Tremper, New York 12457
27 January 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York 12516-1620

Dear Deputy Ciesluk,

I am opposed to the Belleayre resort project.

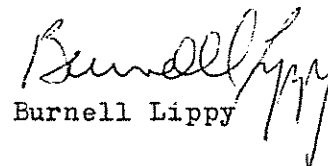
Its 2000 acre mountain-top site (that would include nearly a square mile of clear-cut) sits on top a watershed supplying 21 million people with unfiltered drinking water.

Even if the project brought in the jobs to local communities it promises it would not be worth the 6 billion dollar filtration system it will necessitate (who will pay for it?).

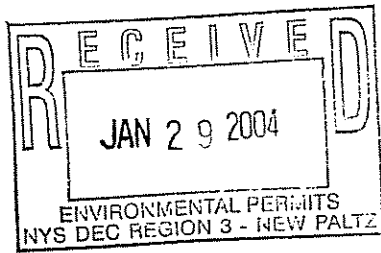
But the project is not likely to bring jobs and prosperity to the local communities. Most of the people with the skills needed for the highest paying jobs will have to be brought in from outside the area. And there are not enough unemployed local people to fill the many minimum wage jobs. Hundreds of people will have to be brought in from outside the area, overtaxing school systems, sewage systems and water systems, as well as the local community services -- fire, police, social services, etc..

The resort would also absorb many of the clientele that now support local businesses.

Sincerely,


Burnell Lippy

cc: Senator Hillary Rodham Clinton
780 Third Avenue Suite #2601
New York New York 10017



64 Beaver Lake Road
Olivebridge, NY 12461

January 19, 2004

Alexander Ciesiuk, Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

RE: Proposed Belleayre Resort

Dear Sir:

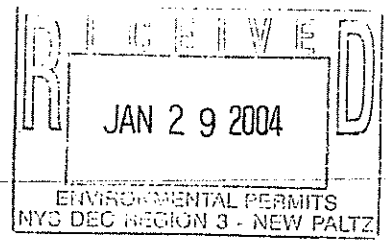
I am writing to express our opposition to the construction of the resort being proposed for development in the Catskill Park (Shandaken/Middletown). As long-time residents of the Catskills, we are aware of the need to grow our local economy and to provide good jobs to residents of the area. However, the resort that is being proposed will damage rather than positively impact our community. The scale of the proposed development, beyond anything ever proposed for the central Catskills, will create a huge demand for infrastructure and further tax our communities. It will also reduce the long-term viability of the Catskills as a tourist destination. There needs to be a balanced approach to development.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer L. Costley".

Jennifer L. Costley, Ph.D.

Dear Alexander



Thank you in Advance for Help
out the Belkayre Resort.

I moved to Hudson & opened
my first place & rest in 1981.

I have always enjoyed the
CATSKILLS. IF THIS PROJECT IS DONE
RIGHT IT WILL BE A GOOD THING
FOR THAT AREA.

WE NEED MORE THINGS THAT
WILL HELP THE AREA GROW.

Please continue to help them
out.

CALL ME ED NY 911 AT
518-965-0751 IF YOU
WANT.

Thank you
Ed J. Schell

Dear DEC:

1/24/04

I am writing to express
strong opposition to the proposed
Bellevue Development Project.
It threatens NYC drinking water,
and the folk sources are sources of
a huge amount of pollution into
the environment.

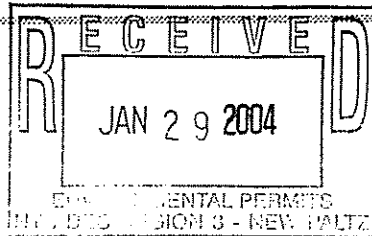
Joel Benton

P.O. Box 150

Mt. Kisco, NY
12457

Dear Mr. Ciesluk,
1-27-04
We are very opposed to the Bellamy Nest project, putting such a large nest in our problem area will cause major pollution to our watershed. As the developers prepared to the six billion dollars needed to put in the system, additionally, regeneration will occur animals will be displaced, they will be unbearable, erosion & flooding will occur and many toxic chemicals will be introduced into our ecosystem. These are only a few of the many problems that project will create. Please contact our Governor, Dean & Joe Millum Water County Residents

PAUL R SCHOENWEISS



611 RT 212
SAUGERTIES, NY 12477
PHONE: (845) 246-3954
EMAIL: ABO103@ULSTER.NET

January 27, 2004

Alexander Ciesluk, Jr.
NYSDEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561-1696

Re: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk,

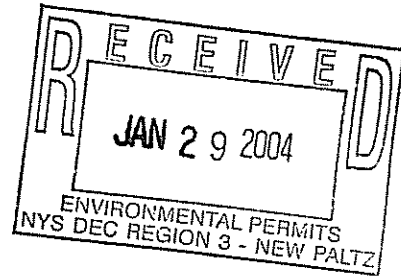
I am a resident of Saugerties, and a member of the Catskill Mountains Chapter of Trout Unlimited. I have the following comments and concerns about the Belleayre Resort at Catskill Park Project. I feel that the location of this project on top of the mountain, in close proximity to two tributary streams (one for the Esopus Creek and one for the Delaware River) which are two of the areas top trout waters and sources of drinking water for New York City, is a major concern. I'm concerned about the possibility of contaminants from the use of pesticides and fertilizers for the two golf courses, the increase in temperature of the streams caused by the runoff from the black top areas and the release of waste water. Also the fact that the waste water will contain Ammonia, Chlorine and Phosphorus. All of which could have disastrous effects on the aquatic insects, and trout which are very sensitive to changes in water temperature and quality.

I understand the need for jobs and the importance of tourism to the area, however one of the reasons people travel here is for the natural beauty and outdoor recreation this area offers. Maybe if the developers were to scale back the size and find a location that wasn't as environmentally sensitive they would have a better chance of selling their idea to the region.

Thank you for taking the time to read my letter.

Very truly yours,

Paul R. Schoenweiss



January 26,2003

To Whom It Concerns:

Can you imagine the effect of the fumes,dust and debris from construction equipment when Gitter starts to butcher our beautiful Belleayre???

We in this narrow valley of Pine Hill/Big Indian will get the full effect of the destruction. I can't believe that the DEC,with all of their many restrictions on the environment,could even think of allowing their OK on this project.

The money from this dream will only stay right on the mountain and in the pocket of the developer-it is not meant to benefit any of the locals. We will be the ones who will have to live with the consequences of this project.

Sincerely

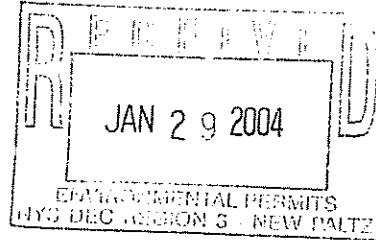
A Concerned Resident of Many Years.

Adirondack Trailways Pine Hill Trailways New York Trailways

499 Hurley Avenue
Hurley, New York 12443

Phone: (845) 339-4230
Fax: (845) 339-5222

January 27, 2004



Alexander Chesluik, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: Crossroads Project/Belleayre Resort

Dear Mr. Chesluik:

I am writing to you in support of the proposed resort that will straddle Ulster and Delaware counties. The scarcity of jobs in this area is a problem, and one of the only viable industries is tourism. Our companies provide the public with transportation throughout the Catskills, and we believe that this resort will create jobs and increase the use of our bus lines to a greater degree.

Many of our employees live in the rural Catskill Mountains and restoring the historical uses of the Route 28 corridor would be beneficial to them as well as travelers visiting this area. We stand ready to support greater use of the Catskill hamlets by providing alternative transportation to the employees, workers, tourists and visitors who will visit Ulster County if this project is permitted to proceed.

Very truly yours,

Eugene J. Berardi, Jr.
President

lcf

I oppose the Belleayre

Expansion.

We do not need to spend our
wilderness. The Catskills were
the original wilderness defined
in the east. They must be
protected.

Hattie Langford

Dear Mr. Ciesluk,

I oppose the proposed Belleurye
resort at Catskill Park on environmental
and economic grounds.

I ask that the D.F.C. grant a 180-day
extension for the public comment period, and
that the D.E.I.S. can be more thoroughly
reviewed.

Thank you for your consideration.

Sincerely,
Merrin Schopf

Dear Mr. Ciesluki:

THE UNTRAMMELED beauty of the Bellayre area must be preserved. for the sake of the environment and economy of the Catskill Park.

I urge you to grant a 180-extension for the public comment period in order that the D.E.I.S. can be reviewed thoroughly.

I thank you for your consideration.

Sincerely,

Donis Cloray

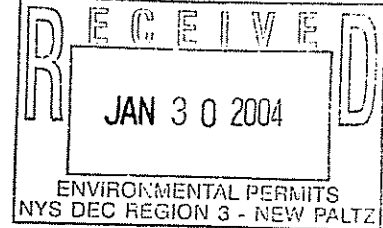
Dear Mr. Aeslut.

Having lived and sried in the Bellemeire
area, I am appalled at this threat to
the area.

Better learn from the public that such
inresponsi;ble development is not wanted by
the public. It is not for our benefit, but
sley for those who will profit from their
exploitation. Help stop them. Harold Clony

256 Bruce Scudder Rd.
Fleischmanns, N.Y. 12430
January 29, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, N.Y. 12561-1620



Dear Mr. Ciesluk;

My name is Herbert Blish, and I was born in March 1926 at Highmount, N.Y., adjacent to the Belleayre Ski Center. There seems to be no objection to the Ski Center. I have lived in or around Fleischmanns all my life, except for two years in the Navy.

I remember many hotels in the Village of Fleischmanns, and delivered fish to them from the market where I worked. There were also many stores in the Village—restaurants, barber shops and beauty salons.

I am very much in favor of the Crossroads Ventures. They may offer mostly service jobs, but this was true in years gone by. I see no justification for anyone saying it is bad for the environment, anymore than the Belleayre Ski Center is. I have listed some of the hotels in Fleischmanns and adjacent areas:

Edgewood Hotel	St. Regis Hotel
Lorraine Hotel	Mathes Hotel
Alpine Hotel	Roseland Hotel
Park Terrace Hotel	Palace Hotel
Takanassee Hotel	Fleischmanns Hotel

Just outside the Village limits:

Majestic Hotel	Arlington Hotel
DePitt's Mountain Lodge	Pinewood Hotel
Fleischmanns Park House	Breezy Hill Hotel

Let us not forget the Grand Hotel which hosted a nine-hole golf course, where I caddied in my youth. The Takanassee also had a nine hole golf course.

There were many business places in Fleischmanns:

4 gas stations—2 being garages	2 hardware stores
2 barber shops	1 fish market
2 seasonal camp and hotel supplies	1 insurance office
3 linen shops	2 meat markets
1 paint store	1 bakery
1 shoe store	1 liquor store
2 restaurants	2 beauty salons
4 grocery stores	

I don't see any adverse effects on the Village with this venture on the side of a mountain, as compared to what this Village has been in the past.

Yours truly,

Herbert Blish

Dear Mr. Ciesluk, Jr.

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

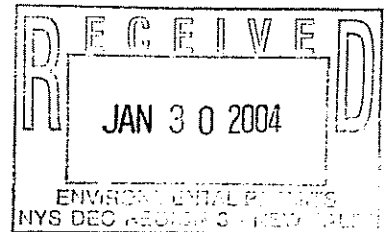
As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the Middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying Of the waters); destroy the unique attraction the area has always held for tourists-hikers, fishermen Hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by Local property-owners; constitute a city unto itself that is out of synch with traditional values, out Of step with the unique rhythm of the place, out of keeping with local communities and their way of Life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,
Elaine Schedivy
#16 Private Road #3
West Shokan, New York 12494

Elaine Schedivy



Dear Mr. Ciesllok,

I am opposed to the Belleayne resort project.

This mega resort would endanger the water supply of 21 million people, including New York City.

It would also ruin the rural character of the area.

Sincerely, Bear Bonebraker

1/26/04

Dear Mr. Ciesluk,

I am writing to oppose the Belleaire Resort Project. Putting a major golf resort, with all its associated pollutants on top of a watershed that supplies 21 million people with unfiltered drinking water is an unpermissible assault on public health. Not to mention the devastating impact massive deforestation will have on this beautiful area. As a resident of neighboring New Paltz, NY, I hope that the DEC will prevent this development.

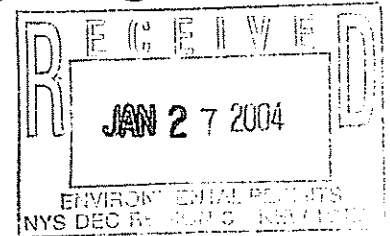
Annica Cusack

38 BELLEVUE ROAD
HIGHLAND, NEW YORK 12528

home 845-691-2089
Home Fax 845-691-3931
Cabin 845-254-6342
E-mail Jjwadlin@rwhm.com

January 24, 2004

Alexander Chesluik, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Re: CROSSROADS PROJECT / BELLEAYRE RESORT

Dear Mr. Chesluik:

I am a resident of southern Ulster County who maintains a year-round second home in the Town of Shandaken. I enjoy hiking, biking, golf and think Ulster County is a wonderful place. I write in favor of the proposed Crossroads Project and desire to make three points:

1. Golf - Eighty years ago golf courses existed at Highmount at the Grand Hotel, Arkville, and at Golf Course Road in nearby Shandaken. Tourism requires quality golf courses. Golf Digest has rated the top 75 golf resorts in the United States. The states of New York, Connecticut, and Massachusetts combined, have none. This project would bring a world class golf resort within three hours of driving to 20 million people. Conventions would not have to be in North Carolina, West Virginia, etc. they could be held here with the resulting tax revenues supporting our county.
2. Jobs - Within an hour's drive there exists three schools in the culinary arts and hospitality. SUNY Delhi, Sullivan County CC and the Culinary Institute of America train individuals who could remain in our community with excellent jobs. It is not surprising that the local chambers of commerce favor this project.
3. Conservation - The proposal includes the permanently setting aside in a conservation easement more than 1000 privately owned acres. Alternative development would likely use all lands for private homes. This is an opportunity to preserve open space and should not be missed.

Very truly yours,

A handwritten signature in cursive script that reads "John J. Wadlin".

John J. Wadlin

Note: My qualifications to write on these subjects.

1. Golf - Committeeman of the Metropolitan Golf Asso. assigned to rate all golf courses west of the Hudson.
2. Jobs - Chairman of the board of trustees of Ulster Co. Community College 3 of last 5 years.
3. Conservation - Vice President of the Walkkill Valley Land Trust.

From: Ruzow
To: Bakner; Rosenthal
Date: 2/2/2004 4:22:07 PM
Subject: Fwd: Crossroads Ventures email public comments

FYI

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 2/2/2004 4:27:56 PM >>>
Attached are the email comments received Jan 22 - Feb. 1, 2004.
I will be providing you with copies of written comment letters received
since my last transmittal through Feb. 3, 2004 at tomorrow's Hearing..

RCS

From: "Thomas Delehanty" <tdelehanty@catskill.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/22/2004 2:36:03 PM
Subject: [Maybe Spam] Written support for "Friends of Catskill Park"

Hello,

In response to your recent "It's not too late to save the Catskills!" mailing:

I was unable to attend the January 14th meeting at Margaretville Central School, but would like to state that I am in full agreement with the viewpoints expressed in your "We are at a turning point in the Central Catskills" text.

I am unable to add anything to your well-written statement, but stress my agreement, and opposition to the proposed Belleayre Resort.

If you prefer, I will also mail in a "hard copy" letter.

Thank you,

Thomas Delehanty
7155 Millbrook Road
Margaretville, NY 12455

From: <brodyhed@bway.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/23/2004 10:51:55 AM
Subject: Belleayre mega-resort

As a concerned New York resident and frequent user of the Catskill state Park, I want to register my emphatic opposition to the proposed Belleayre mega-resort project. It is a gross misuse of Park lands which will forever alter the unique nature of the area. New York does not need more environmentally irresponsible golf courses; we need to preserve the few natural areas remaining to our children.

David Brody
330 Wythe Ave. #4A
Brooklyn, NY 11211

From: Leslie Gerber / Parnassus Records <parnassus@ulster.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/23/2004 10:38:38 AM
Subject: [Maybe Spam] Crossroads Ventures

Dear Mr. Ciesluk:

I was frustrated in my attempt to attend Tuesday's hearing at Onteora Central School because I arrived for the evening session at 6:45 and couldn't find parking within half a mile of the school, which led me to conclude that the auditorium was probably filled. But I wanted to take advantage of this opportunity to write to you anyway, to express my reactions to Crossroads Ventures' proposal.

I have lived in Ulster County since 1970. During this entire time I have operated my own small mail-order business, Parnassus Records, out of my home. I am a member of the Ulster County Chamber of Commerce. Although I have lived in Saugerties for many years, I previously lived in Phoenicia and in Woodstock and I know this area well.

In my opinion Crossroads Ventures' proposal would be a disaster for our area. The Catskills cannot support the construction of a Disneyland sized facility without severe damage both to the environment and to the economic life of the area.

Our chief resource at this time seems to be our ability to attract tourists and second home owners from the New York City area. A huge development of this nature would destroy the serenity of our area which has recently been so beneficial to property owners in increasing our property values. I am counting on the value of my home as a major component in my retirement plan and frankly I am afraid that if Crossroads Ventures builds its golf courses and huge developments my property value will decline so greatly that it will jeopardize my plans.

I am not qualified to comment as an expert on the impact this development would have on the purity of New York City's water supply but I am sure you will be hearing plenty of that from the experts. It looks likely to be a disaster from my viewpoint.

Sincerely,

Leslie Gerber
(51 Goat Hill Road
Saugerties NY 12477-3008
845-246-3332)

From: <O_BRIEN.SHANE_G@MONTROSE.MED.VA.GOV>
To: <O_BRIEN.SHANE_G@MONTROSE.MED.VA.GOV>, <REDDER.KATHERINE@MONTROSE.MED.VA.GOV>, <afcieslu@GW.DEC.STATE.NY.US>
Date: 1/23/2004 4:39:06 PM
Subject: [Maybe Spam] DISPOSE THE PLAN

Although the mega resort would add tax revenue to the jurisdictions mentioed, who needs it? The Catskills already have resorts (active and defunct). Why is it so difficult for developers to leave well enough alone? It is bad enough that urban sprawl has made Westchester, Putnam and Dutchess almost unbearable, it would really be a shame if the natural beauty of these mountains were destroyed. Again, who needs it? The Catskills aren't the tourist attraction they once were in the early twentieth century, and the Catskill area is just as "free" if you will as any other part of the nation. If residents of the area feel they don't have enough recreation, let them move...

From: <gail@evenari.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/23/2004 7:44:26 PM

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk.

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,
Gail Evenari
2314 Higgins Canyon Road
Half Moon Bay, CA 94019

From: <Susanni13@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/23/2004 9:35:24 PM
Subject: belleayre resort

to whom it may concern:

please consider this are a no vote for the development of belleayre resort in the cats kills. even though i am not a n.y. resident i have spent time on the catskill range. my uncle , jack sencabaugh is a resident of the village of catskill and a retired forester/ conservationist who has spent his carrer trying to preserve the heritage and beauty of the area that has been his home for so many years. I believe that this developement can only contribute to the detriment of the water supply for the area and to the runination of the scenic and natural quality of the surrounding areas. the last thing i want to see from a vista of the hights of the catskill range is the eye sore and night sky light pollution of a sprawling golf course/resort. i believe that it is essential to preserve our lands for posterity in their natural state and not desicrate them for the purpose of causal developed recreation for the affluent.

Sincerely,
susan sencabaugh-stagg
9 brook street
new hartford,ct
06057-2061

From: "Carol O'Beirne" <obarts@catskill.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/24/2004 11:35:53 AM
Subject: Support for the Belleayre Resort Project

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

January 24, 2004

Dear Administrator Ciesluk,

We are in support of the proposed Belleayre Resort at Catskill Park Project. For more than 30 years we have been involved with efforts to develop responsible and sustainable economic initiatives which maintain the quality of our rural communities and keep that sense of place so important to all of us that have the good fortune to live, work and recreate in the Catskill region.

Dean Gitter has been a leader in making a positive difference to the Route 28 corridor. He was a valuable member of the team that created the landmark Memorandum of Agreement and was a visionary spirit on that effort. His Catskill Corners project has breathed new life into a location that looked like much of the rest of the Catskills - past its prime and forlorn. We have sat at far too many planning meetings with 'experts' who have listened to our plea for outside money to come in and rehabilitate the small towns and hamlets throughout the region. We participated in the HR&A study and continue to participate with as many of the initiatives as we can that seek to invest in the people's ideas and projects that reflect our own goals of seeing progress move forward, not at the expense of our rural communities but in support of the communities and the businesses and families that work so hard to remain in them.

We have followed this project since the beginning and have been glad to see the positive response from the developers in making those changes to their plan and design to better meet the requirements, regulations and concerns of all involved. The changes have been considerable. The commitment by the underwriters of this project has been enormous and I believe that they have the right goals in mind. To help change the economic landscape of this region.

No one should forget that the Catskills have long been a place for tourists to enjoy. The heyday of the major hotels and resorts in Greene County, along the Route 28 corridor in Ulster and Delaware Counties were major centers for vacationers. Hotels abounded and main streets were bustling centers of commerce. It seems that what the nay sayers want is to keep this region in its depressed state because then they can retain their quiet and secluded isolation. They are being far too selfish and carrying the old tune - I've got my little piece of heaven so now lets close that door for anyone else to come in.

It is our hope that the Belleayre Resort project will go forward. We will keep a watchful eye on the progress and be there to continue our support as needed. We will also be there to voice our concerns if we believe that is necessary as well.

We ask you to move this project forward and help us get to what is important - continued economic growth through appropriate and sustainable development.

Sincerely,

Carol and Phil O'Beirne
P.O. Box 397
Margaretville, NY 12455

From: Rayna Zembala <raynsz@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/25/2004 10:04:25 AM
Subject: Proposed Belleayre Resort

Dear Sir,

I am writing to voice my opposition to the proposed Belleayre resort in Catskill Park.

The Catskill Park, the NYS Forest Preserve, the NYC Watershed and the existing village communities in the Central Catskills currently co-exist harmoniously and serve a wide range of needs within the state. It is a gentle balance that can and must be preserved. In addition, the economy of the Central Catskills has grown substantially in the last 15 years and continues to grow. Future economic growth must be in scale and character with the area in order to protect a unique and precious resource for all New Yorkers far into the future.

Thanks,

Rayna Zembala

Do you Yahoo!?
Yahoo! SiteBuilder - Free web site building tool. Try it!

From: valerie <vliguori@optonline.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/25/2004 4:40:04 PM
Subject: [Maybe Spam] PLEASE

This will be short and sweet. PLEASE for the love of G-d DONT go through with this nightmare of a project. NO good will come out of it, EVERYTHING will be ruined. Lets leave SOMETHING as G-d intended, shall we? Thank you very much. As a new homeowner in the area, I purchased the home for the lack of traffic, and the peacefulness and fresh air. To ruin this would be a sin.

Sincerely,

Valerie Liguori

From: Michelle Spark <mbspark@netstep.net>
To: Alex Ciesluk <afcieslu@gw.dec.state.ny.us>
Date: 1/25/2004 10:21:30 PM
Subject: Thank you

Dear Mr. Ciesluk,

Please send along my gratitude to Judge Wissler, for providing a fair and open public hearing on the proposed Belleayre resort DEIS. I appreciate your efforts to understand the problem of getting out relevant information to the public in an accessible and timely way. I especially want to thank Judge Wissler for scheduling an additional time to continue to hear public comments, for February 3, 4:00-midnight. It's an important process, which helps people hear others view points as well as a place to convey actual information as well. I hope that you will be able to attend this last hearing, too.

Sincerely,

Michelle Spark

michelle@michellespark.com

From: <LKlwanski@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/26/2004 10:39:35 AM
Subject: Belleayre resort

Dear Zachary,

Please add our names to the list in opposition to the Belleayre resort.

For over 40 years my family has been coming to our weekend home in Woodland Valley. Although we support growth for the area we feel that this project is much overscaled. With Woodstock/Phoenicia already prominent in the newspapers and magazines as the place to go we already see enough traffic. My grandfather, brother and husband fish in the local streams. I can only imagine the condition of those streams after such a resort comes into play.

Please add us to your list.

Laura, Joe and Christina lwanski
20 Esmond Place
Tenafly NJ 07670

From: <Skirmm@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/26/2004 11:58:52 AM
Subject: Belleayre Resort at Catskill Park Project

Regarding the Belleayre Resort at Catskill Project:

It will definitely benefit the county of Delaware which is in serious economic need. Bringing in jobs, needs for service industry and bringing in tourists will definitely outweigh the negligible environmental impact. We just have to be sure that the proper attention is paid to the infrastructure to support this Resort - such as roads, water and sewage. Additionally, the new Route 28 of perhaps 40 to 45 years ago was built to get away from businesses springing up on old 28.

Now businesses are springing up along this 28. This also has to be addressed if we are to have smooth traffic patterns into the area.

Rosina M. Montana

From: <KwillcoxB@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/27/2004 1:29:14 PM
Subject: The Belleayre Project

To: Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC

Dear Mr. Ciesluk,

I currently live in Mt. Tremper, and in the summer live and work in Woodstock. I want to add my name to the many others who vehemently oppose Dean Gitter's proposed development of Belleayre. I think it will adversely and irreversibly impact water quality, the environment, local traffic, and the quality of life and the very soul of the Catskills, all for the sake of relatively few minimum wage, seasonal jobs and great profit for Mr. Gitter and his associates.

Thank you for this opportunity to speak out.

Sincerely,
Katherine Burger
Program Mangager of the Artists In Residence Program
At The Byrdcliffe Art Colony

From: "Kelly, Joe" <joe.kelly@agedwards.com>
To: "'afcieslu@gw.dec.state.ny.us'" <afcieslu@gw.dec.state.ny.us>
Date: 1/28/2004 11:07:07 AM
Subject: FW:

Please disregard statement made Monday January 26, 2004. I will send a revision via US mail on the Belleayre Resort.
Joe Kelly

> -----Original Message-----
> From: Kelly, Joe
> Sent: Monday, January 26, 2004 12:01 PM
> To: 'afcieslu@gw.dec'
> Subject:
>
> <<Belleayre Resort.doc>>

A.G. Edwards & Sons' outgoing and incoming e-mails are electronically archived and subject to review and/or disclosure to someone other than the recipient. We cannot accept orders for transactions or other similar instructions through e-mail. We cannot ensure the security of information e-mailed over the Internet, so you should be careful when transmitting confidential information such as account numbers and security holdings.

From: abby newton <abby@abbynewton.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/28/2004 1:39:11 PM
Subject: we OPPOSE the Belleayre Mega Resort

As a resident of the Town of Olive, I strongly oppose the Belleayre Mega Resort proposed by Dean Gidder.

The water for NYC city would be filled with pollutants from the golf courses.

This resort would bring much too much traffic along Route 28 which was not planned as a road for this big a resort.

This resort would ruin the landscape of Catskill Park for hiking.

I could go on with many many reasons why this resort should NOT happen.

Others have spoken more eloquently.

PLEASE PREVENT THIS MONSTROSITY IN OUR MIDST!!!

Thank you

Abby Newton

Shokan, New York

From: Dennis Metnick <lawdm@catskill.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/28/2004 11:35:54 AM
Subject: Re: Crossroads Ventures

AKERLY HOUSE, 835 MAIN STREET

MARGARETVILLE, NEW YORK 12455

TEL: (845) 586-2070; FACSIMILE (845)586-2815;

EMAIL: lawdm@catskill.net

January 27, 2004

By email: afcieslu@gw.dec.state.ny.us

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Sir:

I am in favor of the Crossroads Project and in looking over its plans, I see it as clean, non-polluting economic development that will not significantly add to the permanent population, will not put significant numbers of children in our schools, significantly add to the traffic in the area or put significant additional stress on our local services.

Tourism and second home ownership are our only major industries now. This area once had over 10,000 guest rooms for visitors, we now have less than 1000. We, also, once had "For Sale" signs peppering the country side. Now we have very few and our realtors are clear about the fact that there is little available inventory in the area. Growth through subdivisions is limited due to the paucity of available large parcels and stringent DEP regulation. The only way to continue the awareness of the area which we have enjoyed over the past several years is by logical and controlled growth along with the creation of environmentally friendly destination points.

I have watched and studied this project since its inception and have continuously been amazed by the vocal minority and its negativity against a project which will do little to our area except create jobs, potentially draw new business to the area, eventually lower the taxes we all pay and have a minimal impact on our services and environment. It has forced me to believe that the negativity is fueled more by a dislike of the developer than by the development. This rabid, vocal minority is willing to throw out the baby with the bath water.

We are now in a moment in time where we have finally been re-noticed as a destination point for the metropolitan areas. This has led to increased property values and has spawned the starting of new businesses for the first time in decades.

Like many of the small mountain communities in neighboring Vermont have experienced during the past two decades, we now have the opportunity for ongoing economic growth with minimal impact to our roads, communities and services with the potential for positive impact to our businesses, the potential for new businesses, the chance at re-birth for some of our less desirable villages and hamlets, as well as, an ultimately positive effect on our tax and unemployment bases.

Rosa This type of environmentally sensitive development and growth has worked in Vermont as can be seen in Stratton and Okemo and has increased their tourist base, property values and business climate significantly with little detrimental effect except to take tourism dollars from New York. It will work here as well.

Change is going to happen. No area can stagnate and survive. We can either embrace the change and assure that it will be done in a thoughtful and environmentally sound manner like this project or we can fester and die like so many communities around the country which refuse to learn that progress cannot be stopped, merely intelligently guided. Let this project go forward. It is the lives of the people who live here all the time that will be positively affected by this very necessary project.

Yours truly,
Dennis Metnick

DM/

AKERLY HOUSE, 835 MAIN STREET
MARGARETVILLE, NEW YORK 12455
TEL: (845) 586-2070; FACSIMILE (845)586-2815; EMAIL: lawdm@catskill.net

January 27, 2004

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Yours truly,

Dennis Metnick

DM/

From: <ArlMil@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/28/2004 2:17:44 PM
Subject: SAVE THE CATSKILLS

Dear Mr. Ciesluk, Jr.,

My family and I have been coming to the Catskills for the past 50 yrs. Sadly we have seen much development.

My mother lived in Stone Ridge for 25 yrs. We have friends in West Shokan. We love to ski at Bellayre! We love the mountains and the deer and the beautiful clear night sky with stars you can reach out and touch.

If this proposed mega resort is built all this will change for the worse! 2000 thousand acres of beautiful natural land will be destroyed! For greed. This would be a sacrilegious thing to do to God's country. One more small voice in the wilderness.

Arlene and Howard Miller
14 South Park Ave
Bay Shore, NY 11706
631-666-3645

From: "Mel Litoff" <melitoff@msn.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/30/2004 1:19:20 PM
Subject: Belleayre Resort Project

Dear Sirs,

This letter will support the Belleayre Resort project sponsored by Crossroads Inc.

I have been living on Belleayre Mountain for over 20 years and as a direct neighbor to the proposed project I support it without hesitation. When my wife and I bought our modest home (lets call it rundown cabin) in 1982 we taken by the magnificent views and concerned with the poverty so prevalent in the community.

Over the past 20 years we have invested several hundred thousand dollars in our home and acquired additional adjacent property. How often we said to each other, "we will never get this money out." Knowing full well that because of the depressed economic nature of the community home prices would never rise enough to make our investment secure. But lo and behold, the area began to improve. Belleayre Mountain Ski Center more that doubled its skier visits under the guidance of its new Superintendent, Tony Lanza. The Belleayre Music Festival grew dramatically to provide weekend cultural activities where there were none before.

It became abundantly clear to us that eco/cultural tourism would bring jobs and prosperity to this community. Home ownership and an increased tax base would certainly follow. All that was needed was a major investment in housing, tourist accommodations, and infrastructure. Along came Crossroads Ventures and their plan to invest half a billion dollars in a that dream. An unexpected miracle.

Change is uncomfortable for many people and the opposition was intense. Some good points were brought up by concerned citizens and to my mind they have been dealt with completely by the resort developers. As a direct neighbor to the project I have thought about the potential of increased traffic in front of my home and the issue light emissions that might disturb the night sky but I have decided that the benefits far outweigh any possible problems. The truth of the matter is that some of my new neighbors, who have recently bought houses and installed trailers along Todd Mountain Road, have already created problems (on and off the road) and disturbed the sky and how I wish they were restricted in the same way the that the Belleayre Resort properties will be.

In conclusion, let me say that if this project is defeated it be the death knell of much needed development in this community for generations to come.

Sincerely,

Mel Litoff
PO Box 595
Highmount, NY 12441

From: Peter Combs <petercombs1976@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/30/2004 8:58:09 PM
Subject: [Maybe Spam] Catskill Park

To whom it may concern,

I am writing in regards to the proposed development for Belleayre Resort. I am a resident of the Catskills and my family has been there for many years. Over the years we have grown to appreciate what has been handed down to us. From the beautiful forests to the sparkling streams we have obtained a life full of memories that will forever be in our hearts. On behalf of my family I would like to say that this pending project to raze 100's of acres of forest would not be in the best interest of the community nor the city of New York. One of the most appealing factors about the Catskills is the clean water supply that feeds the residents of the surrounding communities and the inhabitants of New York City.

Excessive herbicides and nitrogen treatments to the landscaping for the lodges, golf courses, and residential units will surely have a severe impact on the present unmolested water system. The reward that the 1,000's of visitors will receive from this establishment does not outweigh the financial suffering of the millions that will have to establish water filtration systems to cope with the new strain as well as the smothering of the existing communities in the area.

I urge you to rethink the plans of construction. Do not be lured in by the promise of riches that only seem to materialize in a plan room.

Thank you very much for your time.

Sincerely yours,
Peter and Vera Combs

Do you Yahoo!?

Yahoo! SiteBuilder - Free web site building tool. Try it!
<http://webhosting.yahoo.com/ps/sb/>

From: Jennifer Kabat <jen@kabat.demon.co.uk>
To: <afcieslu@gw.dec.state.ny.us>
Date: 2/1/2004 2:13:44 PM
Subject: crossroad resort proposal protest!

1 February 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr Ciesluk,

I am writing to you to register my anger and frustration at the Crossroads Resort proposal for two resorts of nearly 2000 acres in the "Forever Wild" Catskill Park. Not only does the resort make a mockery of the name forever wild, but the impact two eighteen hole golf courses as well as two hotels with 400 rooms (not to mention accompanying condos) will have on the water in the region is scandalous. Obviously I do not need to remind you that the area is a watershed, and or that there is no way that the runoff from the golf courses (with its accompanying fertilizers and other toxins) won't affect the water supply. Then there is also the small matter of erosion as well.

Thus, I am left with two questions, why is this project even being considered? How has it even gotten thus far in the planning stages?

As well I think it is shocking that the developers could write and script their own impact statement (and accordingly skew it to their wishes) rather than having an independent agency study the proposal.

I sincerely hope these proposals won't go forward. If they do, they will surely ruin both the beauty and tranquility of the Catskills—not to mention its water supply which is essential to many more than those who live in that region.

Thank you for your time and consideration in this matter.

Kindest regards,

1 February 2004

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21 South Putt Corners Road
New Paltz, NY 12561-1620

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Thank you for your time and consideration in this matter.

Kindest regards

Jennifer Kabat

Jennifer Kabat
253 Railton Road
London SE24 0LY
UK

Phone 011 44 207 274 3301
Cell 011 44 7967 560 859

From: <RayMur2128@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 2/1/2004 2:56:35 PM
Subject: Belleayre Resort at Catskill Park Project

Dear Sir,

We would like to express our support for the above named project. We have been homeowners in Highmount,N.Y. for 30 years and vacationed in the area for 20 years prior to that.

We strongly believe that this resort project would greatly enhance the area not only by the recreation facilities it would provide,but also by providing a much needed economic boost to the area.

The project developer has shown exquisite taste in the enterprises that he has engaged in within the past few years. We are of the opinion that this endeavor as well,will only enhance and not despoil our magnificent Catskills.

Respectfully,

Dr. and Mrs. Raymond Stone

P.O. Box 251

Highmount,N.Y.12441

From: Ann Loeding <aboatgrrl@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 2/1/2004 7:20:54 PM
Subject: Belleayre Comments

Alexander Ciesluk, Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

To Whom It May Concern:

Friends of Rondout is a citizen group comprising residents of the Rondout and Ponckhockie neighborhoods of Kingston, NY. We believe the proposed Belleayre Resort is an inappropriate and undesirable development for the Catskills.

Many residents of towns and cities in Ulster County were attracted to this area because of its proximity to the wilderness of the Catskill Park. We are hikers, cross-country skiers, fishermen, and take-a-Sunday-drive-in-the-country visitors; we enjoy the forest and communities of the Catskills precisely because of their rural character. We recognize how precious the Catskills are as a wilderness that is close to urban areas and therefore accessible to many who might not otherwise be able to get out into the woods. The construction of a development like Belleayre would ruin this experience for so many, and the potential benefits don't begin to justify this loss. It is imperative to our quality of life to keep the promise of "forever wild" Catskills.

Kingston is about 30 miles from Belleayre, but even we would suffer negative impacts from a development on a scale this preposterous.

The potential increase in traffic at the circle and on Route 28 is unacceptable - we are locals, we use roads in the area everyday to get to work, to shop, to get to friend's houses and these already heavily used roads, whatever their "engineered capacity" just aren't adequate to handle so many cars and congestion woes will result. And then, as further insult, while we aren't getting where we're going, we'd be sucking in the exhaust and dust generated by these additional trucks and automobiles.

With such a large influx of people who can afford high-end vacation homes, the character of the region will change. One of the qualities that defines the character of this region is the mixing of the population: the folks that live in the Catskills come down to the Hudson to boat, the folks that live on the Hudson journey up to the Esopus to fish, the folks on the Esopus head up to the Catskills to hike - each area has its specialty and the residents of each commingle in their enjoyment of the region. Developments like this create static neighborhoods without heart - the residents don't live here, they spend time here; amenities are all conveniently available onsite. Often residents of developments like this are not involved with the community as volunteers, voters, and coffee shop regulars; their interaction is monetary and transitory. They don't invest themselves in the community. We're here from Kingston because we live in the region, our hearts are here - would the folks taking their leisure in our mountains come to a public hearing in Kingston about development on the Hudson River? If we are to preserve the character of our region we should support organic paced growth not huge developments like this.

In the end there are numerous environmental, economic and emotional arguments against this development, and they all lead us to the same

conclusion: the Belleayre development will cause more harm than benefit
and for this reason Friends of Rondout opposes it.

Sincerely,
Ann Loeding
Friends of Rondout

SmartPlanning Committee

CC: Ann Loeding <aboatgrrl@yahoo.com>

R00s

From: "BarbaraSalzman" <barbarasalzman@prodigy.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 2/1/2004 10:12:20 PM
Subject: [Maybe Spam] Bellayre Development

Please include this email in comments regarding the development of Bellayre.

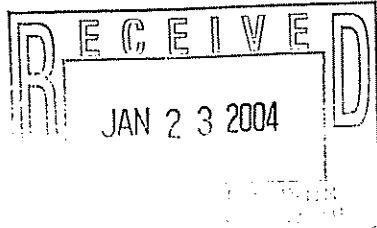
I emphatically oppose this project which would cause environmental problems and strain the resources of the local communities. In addition, tax revenues from this project do not compensate for the costs involved; and even if they did cover costs, the revenue is not worth the damage to our communities. We do not want this development in the beautiful Catskills. There are old hotels that abound in these mountains that are in need of revitalization. The proposed resort does not seem to be sustainable and would eventually revert to this very same status.

Barbara Salzman
41 Pond Road
Kerhonkson, NY 12446
845.626.2563

From: Alexander Ciesluk
To: Ruzow, Daniel; Wissler, Richard
Subject: Crossroads Ventures - written comments

I am mailing copies of all written letters received through Jan. 26, 2004 to each of you today.

CC: Krebs, Carol



January 17, 2004

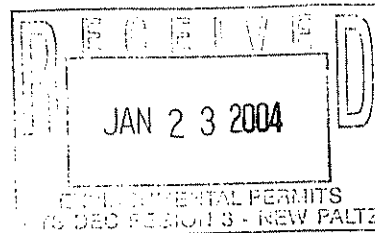
Dear Mr. Ciesluk,

Greetings. Concerning the Bellayre development, I wanted to let you know of my strong opposition to this development. It is a project that will destroy the pristine wilderness of these lovely Catskill Mountains and do nothing but create a playground for the rich. The harm that will come to the wild life, the forests, the water table, and the ecosystem as a whole is inexcusable and avoidable. Once destroyed, this wilderness will never be known by future generations. It is precious and needs your protection. Please use all of your intelligence and powers to block it.

Sincerely yours,

Michele Martin
Bearsville, NY

Alexander Ciesluk Jr
21 south Putt Corners road
New Paltz, NY 12561-1620
January 18 2004



Beatrice Blacksberg
113 Birch creek Road
Pine Hill . N.Y.12465
Blacks3@ix.netcom.com

Dear Mr Ciesluk Jr,

I feel very fortunate to be an American (especially a New Yorker) as I have the privilege to voice MY opinion to you. It is a gift that I inherited at Birth as an American. I appreciate the time you are giving me to hear me out regarding the proposed Belleayre Village Resort.

I, along with my husband and children, have been Pine Hill residents since 1972. We chose the area because:

- A) It was Pristine
- B) It had Natural Beauty
- C) It had a sense of quiet peace

The Proposed Belleayre resort will have a negative impact on the area as this small village is not suitable to support a project of such magnitude.

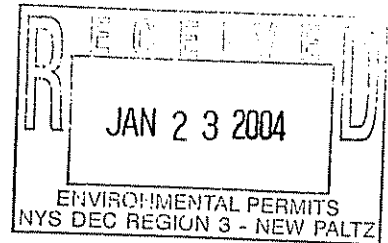
- A) It will jeopardize the adjacent reservoirs and Streams.
- B) Route 28 would have several hundred additional vehicles per hour.
- C) Quality of life would be compromised.
- D) "Our Purple Mountain 's Majesty" would be destroyed.
- E) Local business would suffer as the resort would take away business.

Please Alexander Ciesluk Jr, Stop the Belleaye Project and help us protect our Park, Forest Preserve, Watershed and People.

With so much appreciation for listening,
Sincerely, Beatrice Blacksberg

Victoria P. Szerko
1366 Main Street, Fleischmanns, NY 12430 (845)254-6997

Mr Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620



Ref. Crossroads Ventures

I have been asked both by Crossroads Ventures and The Friends of Catskill Park to make my feelings known, so here they are:

Unfortunately, as much as the environmentally-minded don't want this resort, they will get either it or the equivalent in a multitude of pint-sized polluters across the region. Witness the situation in Fleischmanns, where long-term local residents have largely squared off against newcomers and part-time residents to allow illegal junkyards to mushroom along streams feeding into the Pepacton.

The problem is that there is a lot of pressure felt by the local population for economic development, and if they don't get it from Crossroads, they will turn to less-conspicuous but equally-damaging alternatives. In a way this is worse, because it not only degrades the environment but compromises public officials who would allow activity to take place that is illegal under the Memorandum of Agreement. The DEP, which in the case of Fleischmanns has acquitted itself as the flaccid member of the NYC water bureaucracy, would be no threat to this type of development.

The clear-cutting of 550+ acres of forest sickens me, but so does the prospect of various local politicians who, with outstretched palms, will pollute and destroy the environment anyway, under the pretext of delivering more jobs to their constituents.

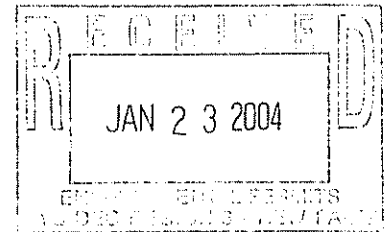
Put more simply, my feeling is that allowing the resort would be the lesser of two evils, provided that DEC/DEP can enforce environmental laws, and hold accountable all violators, both big and small. So far, though, I have seen scant evidence of your ability to do so.

Very truly yours,

cc. Crossroads Ventures
Friends of Catskill Park

**GLENN E. MILLER
P. O. BOX 215
PHOENICIA, NEW YORK 12464**

845-688-2265



January 14, 2004

**Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620**

CROSSROADS VENTURES PROJECT

I have been a resident of the Town of Shandaken for 50 years and I would like to put some of the fears of the Crossroads Ventures Project to rest. I do not know who or why such a fuss was originally made about this project but it seems that the only persons that are concerned are self proclaimed environmentalists and to the best of my knowledge they have been against this ever since it was mentioned. The people that make up this small group believe they are the only ones that know what is good for the Catskills.

The Catskill Mountains were a destination area for tourists since the mid 1800s and some of the finest hotels in the world were established in the area. The hotel business started to go down hill with the depression and the changing times after WW II with the automobile making it easier for the public to go elsewhere. The hotels that were left were summer resorts and they did not have the wherewithal to keep up with the times.

The Town of Shandaken had 2 golf courses at one time and one that was in existence until the mid 1980s. The Town of Middletown had at least 3 golf courses with 2 of them still in existence.

More than 75% of the land in Shandaken is owned by the state or the city. Not only do they pay far less than their fair share of the tax burden, but the property they own is considered for ever wild and will never be taxed at a higher rate. If you take out land that can not be developed, land owned by churches and other non profit institutions that do not pay taxes, this leaves the people that own 15% of the land to pay 85% of the property taxes in Shandaken.

According to the numbers I have seen from the environmental impact statement, if the resort is built it will pay more than \$ 2,000,000.00 in new property tax every year. Even the most incompetent administration would have trouble spending an extra \$ 2,000,000.00 each year so there is no doubt in my mind that my taxes will go down if this resort is built.

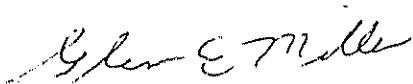
The tourist industry has a long history in Shandaken and Middletown and tourists do not put kids in schools. The few staff members who might move to the area with children are not going to tax our school districts as they are both under enrolled.

The argument I have heard about the cost of services, roads, police protection and ambulance services are out of line. The resort will maintain its own roads, police its own property and the ambulance service will bill for services rendered. The traffic that this will bring to the Route 28 corridor will be minimal and not be anything compared to Belleayre on a busy weekend.

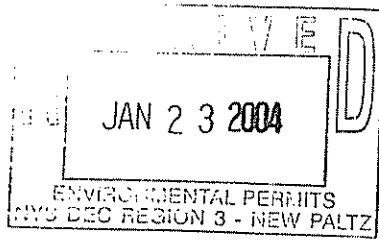
The additional financial gain in the communities from the people that will be living and shopping in the area will benefit grocery stores, gas stations and most service oriented businesses.

I do not know who, where, or why the protest groups that have been formed came from but I do know that the few that are Shandaken or Middletown residents do not own or work in an industry that depends on tourist dollars to keep them going. I do know that a number of environmental groups from outside the area are here protesting and would question why they are here.

Sincerely,

A handwritten signature in cursive script that reads "Glenn E. Miller".

Glenn E. Miller



Ulster County

Development Corporation

January 21, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561-1620

RE: The Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

On behalf of the Ulster County Development Corporation we would like to express strong and enthusiastic support for the proposed Belleayre Resort at Catskill Park (the "Project") and urge the prompt completion of the Department of Environmental Conservation's review of the Project.

We would first like to thank you for the opportunity to provide comments that we believe will be helpful to the Department of Environmental Conservation in its review of the Draft Environmental Impact Statement submitted by Crossroads Ventures LLC concerning the Project. In addition to describing the organization we represent and our reason for providing comments, we will address three areas:

- The importance of tourism to Ulster County.
- A collaborative approach to developing a stable local economy.
- The economic impact of the Project.

What is the Ulster County Development Corporation

The Ulster County Development Corporation or UCDC as we are most commonly known is a private, not-for-profit 501(c)(3) local development corporation and is the primary economic development entity for Ulster County.

A 31-member Board of Directors, that is comprised of county and local government officials, private sector business leaders and chamber of commerce officials, educators, and representatives of community and region-wide organizations, oversees the policies and programs of UCDC. The principal goal of the UCDC is to **act as a catalyst for**

Bringing **Business to Life**
in the Hudson Valley

creating wealth, improving the quality of life and fostering economic opportunity for Ulster County and its citizens.

To accomplish this goal UCDC:

- Acts as a **source of information** on the economy, social and business demographics, economic development and community revitalization best practices, funding resources and government programs. And we **provide technical assistance** to communities and business to most effectively utilize this information.
- Helps to maximize exposure for businesses and commercial and residential real estate development by **supporting unified regional and national marketing**.
- **Provides business financing** through a variety of countywide and municipal revolving loan funds and the Ulster County Industrial Development Agency. These funds support business start-ups and expansion, working capital, machinery and equipment purchases, and real estate acquisition.
- **Acts as a liaison** with state and federal agencies, foundations, national trade associations, public interest groups and other Hudson Valley development organizations.
- Acts as a **principal source of information and contact for the media** on issues of economic and real estate development, community revitalization and business development within Ulster County.

As was stated previously, one of our main goals is to foster economic opportunity in Ulster County. With this in mind, and because we believe the Project has the potential to revitalize the local economy of western Ulster County, we are offering our support for its development.

Importance of Tourism on Ulster County

We in Ulster County recognize our community as one of the most beautiful places on earth. With the historic Hudson River as our front door and the Catskill Mountains as our back yard, we enjoy a quality of life not shared by many.

Just as important, we understand the importance of developing the county's economy as a way to protect and preserve our way of life. This is the key to shaping Ulster County's future.

Our county has a long and proud heritage as a tourism destination. In fact, tourism is now the number two industry in the county and is anticipated to be number one within the next few years. In 2000 alone, it is estimated that tourist and visitor spending in the

county was approximately \$656 million.¹ Furthermore, the direct positive impact of tourism for county residents is quite evident in it's over \$100 million in annual wages to approximately 7,300 people.²

A significant part of Ulster County's and the Catskill Region's tourism heritage has been its resort hotels and multi-seasonal recreation. For many years the region was the destination of choice for outdoor-oriented individuals, but it now also is increasingly the choice of those seeking a retreat from the daily rigors of urban living.

Our viability as a tourism and recreational destination therefore must be maintained.

A Collaborative Approach to Developing a Stable Local Economy

We all recognize that economic vitality is crucial to the health of our community and that natural, scenic, cultural, and historic resources are important assets that contribute to that vitality. Thus the choices that we make about our future should be to accommodate economic development while preserving vital natural resources.

To meet this goal, our communities and businesses must work collaboratively and the process of arriving at the vision for our future should be open and inclusive. By working together we can and will maintain a dynamic process of economic growth and community revitalization.

We believe that the process undertaken in developing this project has been, and continues to be, thorough, open and interactive. While working to formulate an economically viable four-season resort experience, Crossroads Ventures LLC (the proponents of the project) has continually sought public participation and incorporated appropriate modifications to address issues raised by both private and public sector representatives.

As proposed, the project will build upon Ulster County's history of providing local residents as well as visitors from across the country, and in fact from around the world, with first-class recreation and hospitality. While we believe that it will do so while maintaining the scenic and environmental integrity of the Catskill Park and the surrounding communities, the main focus of our comments are upon the project's economic impact and we defer to the engineers, scientists, and professional analysts in the review and discussion on the environmental impacts.

The Economic Impact of the Project

The Ulster County Development Corporation believes that the economic impact is clear, significant and positive. Both during the anticipated eight-year developmental and construction period and in full operation, the Project will have significant direct and indirect economic impacts while having minimal impact upon existing public services.

¹ Office of Tax Policy Analysis, New York State Department of Taxation and Finance.

² As of 2001, New York Department of Labor

The Project proponents have estimated that during its eight-year development and construction phase the Project will generate direct annual average employment of 264 with wages and salaries of \$10.14 million. Indirect wages and salaries are estimated at \$8.05 million on average per year. The total economic output (both direct and indirect construction spending) is estimated to be \$451 million.³ This will make this project the single largest endeavor ever in Ulster County in terms of expenditures.

Upon completion, the Project will result in the creation of 542 full-time positions and 330 seasonal positions in the most rural and economically stagnant locations in Ulster County with a total direct annual payroll of \$20.5 million.⁴ The projected annual full-time salary of \$27,272 compares very favorably to the countywide per capita income of \$20,846⁵, annual average wages for workers in arts, entertainment and recreation (\$17,839⁶) and accommodation and food services (\$13,655⁷), and the total for all private sector employment (\$25,433⁸).

Equally important is the interconnected nature of the winter employment of the Belleayre Mountain ski facility and the Project. Every year, as the temperature begins to rise and the snow begins to melt as many as three hundred employees find themselves without a job. With the new opportunities being made available at the Project's facilities, year-round employment is now possible.

Furthermore, the project is anticipated to generate approximately \$11.81 million in annual off-site visitor spending in the region and increase local property tax revenues by close to \$1.5 million annually and state and county sales tax revenues by approximately \$2 million. At a time when county and municipal governments are facing increased financial burdens, new sources of revenues must be identified. Given that local municipal services will not be significantly burdened by the Project⁹, it will result in positive cash flow for the relevant jurisdictions.

Conclusion

In conclusion, let us note that we all look to the future with hope and optimism. But we must also look to the present with candor and evenness.

The prospects of the Project must, and should, be thoroughly reviewed by the Department of Environmental Conservation, and each and every one of us with a stake in the future of

³ These estimates are derived through the use of methodologies developed by the Bureau of Economic Analysis of the U.S. Department of Commerce.

⁴ Belleayre Resort at Catskill Park Draft Environmental Impact Statement.

⁵ U.S. Bureau of the Census, Census 2000.

⁶ NAICS Based Industry Employment and Wages -- 2002, New York State Department of Labor.

⁷ NAICS Based Industry Employment and Wages -- 2002, New York State Department of Labor.

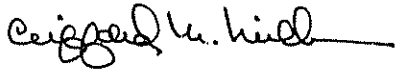
⁸ NAICS Based Industry Employment and Wages -- 2003, New York State Department of Labor.

⁹ It should be noted that municipal and county police representatives, as well as local emergency services (EMT and fire districts) have indicated that current force levels are sufficient to meet anticipated future demand, thus no added expenses will be incurred. Additionally, due to the seasonal and recreational nature of the project, no appreciable additional expenses will be incurred by the local school district.

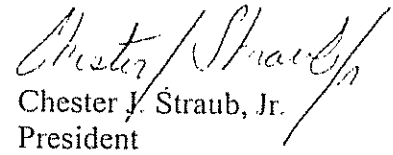
our community. But the Ulster County Development Corporation anticipates that after that review, you will arrive at the same conclusion as us, that the Project is the right project at the right time for Ulster County.

Thank you for this opportunity to provide input to the review of The Belleayre Resort at Catskill Park, and we look forward to your review and approval of this important project so that we may move forward in creating a future for our communities that will balance development and preservation and maintain the quality of life that we know and hold dear here in Ulster County.

Sincerely,



Clifford M. Miller
Chair



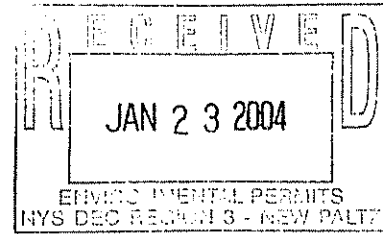
Chester J. Straub, Jr.
President

Ulster

Karen A. Miller
PO Box 215
Phoenicia, NY 12464

January 19, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



Dear Mr. Ciesluk,

I am feeling quite discouraged and naïve about the procedures and concerns with the way in which the Resort in the Town of Shandaken is being portrayed by the so called groups of "Environmentalist." I am a 50 year resident of the Town of Shandaken and have been very interested in the Crossroad Ventures Resort project. It brings a little ray of hope for the community, which has limited employment and little to bring tourist here.

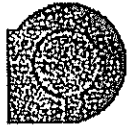
Basically 75% of the land is either owned by the City or State of New York and is marked forever wild. The economy has plummeted and many native or individuals that call this their home for many years are struggling to make ends meet. The decay of family homes is more of an eye sore to me than the little light in the distance, which has been addressed in the review, along with all their other concerns, such as traffic, schools, police/ambulance protection, pesticides and growth.

I see nothing but a positive for economic growth for this area. The Resort shows responsible growth on an individual's property, with all the environmentalist concerns addressed. I do not know why outside environmental groups are in the area protesting, as it should be up to the local communities voicing their concerns.

I could ramble on, however until the Townships, Counties and State moves forward and accepts responsible growth, promoting tourism, more progressive New York areas will leave us in the dark, as has happened in the past.

Sincerely,

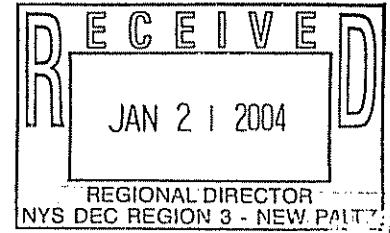
Karen A. Miller



Moran Thru Tuffey
AK

2004 JAN 18 11:11:07

Belleayre Mega- Development



[View Current Signatures](#) - [Sign the Petition](#)

JAN 21 2004

To: To Governor George Pataki, NYSDEC Commissioner Erin Crotty, Local, County, State, and Federal Permitting Agencies

We, the undersigned, citizens concerned about the far-reaching and irreparable damage the proposed Belleayre Resort would do to our environment to the quality of our drinking water to the Catskill Park, one of two major state parks in New York to the character and social stability of our rural communities to wildlife habitat... and to the wilderness recreational activities pursued by so many, do hereby strongly declare our opposition to the development of this mega-resort in the heart of the Catskill Mountains.

We oppose the creation of what would effectively be a new city in the middle of the Catskill Park hotels, time-share units, luxury homes, clubhouses, restaurants, stores, activity centers, conference facilities, maintenance buildings, parking lots, access roads, etc. that would be wholly inconsonant with the surrounding hamlets, with the character of our community, and with the intimate hospitality the region has traditionally offered to visitors;

We oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and we oppose the loss of a pristine eco-system and the damage to its plant life and animal habitat;

We oppose the devastation this mega-resort would wreak on the magnificent view shed and night sky of these mountains, on the State Forest Preserve, and on the Catskill Park;

We oppose the compromising of our water resources which also supply water to New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses;

We oppose the negative consequences we believe this development would bring to our economy and our way of life: a sudden and disproportionate population growth exacerbating the current crisis in affordable housing, the potential for uncontrollable secondary growth, a spike in property taxes that could displace many homeowners, pressures on our property values, traffic congestion that would adversely affect business and commerce, rapid and radical change that could imperil the core strength of local communities;

We oppose the loss of a unique environment a prized asset for all the people of New York in order to provide financial gain for a few.

We therefore petition Governor George E. Pataki, NYSDEC Commissioner Erin Crotty, and all local, county, state, and Federal permitting agencies to reject and deny all applications relating to the proposed Belleayre Resort.

Robert Giambalvo

BOB GIAMBALVO
1558 BELL HILL RD
NEW PALTZ NY 12561 1/8/2004

Monan Thru Tuffey
AA

2004 JAN 16 AM 11:06

Harry Saslow, Ph.D.
135 West 79th Street
New York, NY 10024
January 13, 2004

RECEIVED
JAN 21 2004
REGIONAL DIRECTOR
NYS DEC REGION 3 - NEW PALTZ

RECEIVED
JAN 22 2004
REGIONAL DIRECTOR
NYS DEC REGION 3 - NEW PALTZ

DEC Commissioner Erin M. Crotty
625 Broadway
Albany, NY 12233-1011

Dear Commissioner Crotty:

We are part-time residents in Halcott Center Green County and are deeply disturbed by the mega golf resort plan for Belleaire Mountain by Dean Gitter.

We have been enjoying the Catskills for the past 25 years hiking, fishing, skiing, and biking. We built our dream home here where we plan to retire. The Catskills have been a sanctuary for us and as you know a refuge for wildlife which we cherish and want to protect.

The construction of this development which will take about 8 years will destroy what has taken millions of years to form. The mountains will have to be cut, dynamited, and scarred destroying soil, conifers, plant life, and animal habitat. And for what? Greed and money.

The consequences to the water shed which serves New York City will be catastrophic necessitating the construction of a filtration plant costing millions of dollars to be passed on to the residents of the city in the form of more taxes. New York City and New York State residents can hardly afford more taxes at this time.

This development will require the construction of new highways, hiring of new fire and policemen and much more. Local businesses and citizens will not benefit from this venture. The cost of all this will be passed on to us in the form of taxes while wealthy developers benefit from tax breaks. If this golf course is not successful as so many golf courses have been the damage to our area will be irreversible.

We are urging you to intervene somehow. We hope that you will support our efforts.

Sincerely,

Barbara Saslow

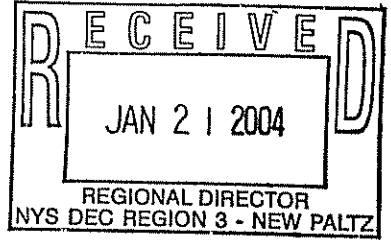
Harry and Barbara Saslow

Moan Thru Tuffey
AA

5 Old Mamaroneck Rd.
White Plains, N.Y. 10605

2004

Dear Erin M. Crotty:



I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

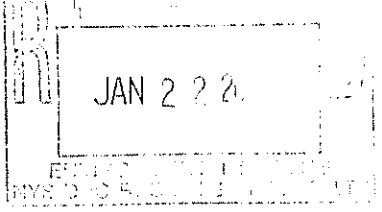
Madeleine Berati
1-8-04

Moran Thru Jeffrey
AA

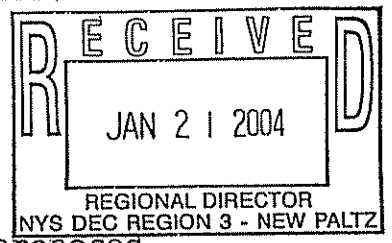
Richard Wolff 125 Gates Av - 14

Montclair NJ 07042
973 746 7415
Rwolffnj@aol.com

JAN 13 10 50



January 11 2004



Dear Commissioner Crotty

We are writing to register our opposition to the proposed mega resort development on Belleayre Mountain. This area is in the heart of outdoor recreation enjoyed by thousands and thousands of people every year.

It would completely change the pastoral nature of this part of the Catskills in addition to endangering the quality of the watershed that serves the millions of people in New York City. It would create soil erosion into the streams and destroy fish habitat. It would create nightmare traffic. The chemicals they would be using on their multiple golf courses would wreak havoc with the environment in innumerable ways.

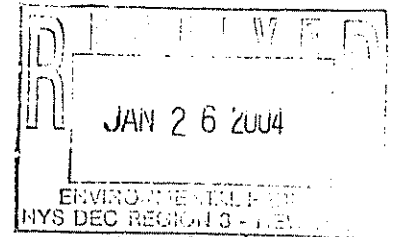
It would be an absolute and total disaster. Please use your influence to defeat this development.

Sincerely

Richard Wolff
Richard Wolff

Nancy Wolff
Nancy Wolff

January 23, 2004



Dear Mr. Ciesluk,

I am writing to express my strong opposition to the Belleayre golf resort. This project is totally out of character for this area. It will destroy the night sky with the enormous amount of lighting: interior and exterior housing lights, street lights, parking lot lights, seasonal holiday lights etc. One only need drive by the Emerson Hotel at night to get an idea of what the night sky will look like. But it will be even worse when looking up at a mountain with so many homes, hotels and other buildings with their lighting. Even worse are nights when there is any kind of moisture in the air. The lighting effect is greatly intensified.

In spite of what Dean Gitter says, Shandaken does not need to be saved! We are not on a treadmill to oblivion; we are not in a state of decay, the high school graduates are not leaving in droves. We have a nice little community here and we don't want it ruined by the visions of developers who see only the dollar. While Gitter and his investors appear to gauge wealth by their bank accounts, our wealth is in the mountains, streams, meadows and woodlands around us. We don't want them adding to their wealth at our expense. The majority of people in Shandaken are here by choice, free to leave if they want to pursue more money. The great majority of people do not want this resort destroying Belleayre Mountain. The location of the golf courses will be a constant threat to the Esopus Creek and the water supply of NYC, as well as the water supply for many homes currently in the area. What will these people do if their water supply becomes polluted? What will happen if the Esopus Creek becomes polluted? The pollution will kill many of the trout for which people come to fish. People won't eat fish from polluted water. Our fishing industry will be ruined. How many people will tube in polluted water? Both those industries will suffer or go out of business. Think about the ripple affect on other businesses: gas stations, antique and gift shops, grocery stores, restaurants and lodging. These will all suffer badly. And for what? So a few investors - most of whom don't even live in this area - can make money. About the only tourists we'll have will be golfers, and most will be staying at the resort.

How will government officials explain to the people of NYC that an \$8 billion dollar water filtration system is needed because a project was allowed to be built even though opposed by so many.

The risks are far too great not only to our area, but to NYC as well, to be allowing such an inappropriate, unwanted and needless project that will benefit a few greedy developers.

Sincerely,

Richard Baker

12 Andrew Lane

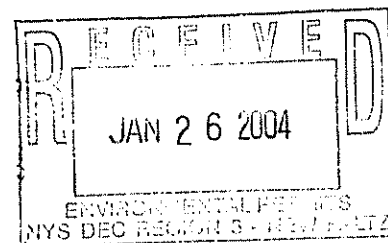
Mt. Tremper, NY 12457

Eugene R. Gruner

Real Estate Appraiser and Consultant
N Y STATE LICENSED GENERAL APPRAISER #46000003182
183 Pearl Street • Kingston, New York 12401 • Phone (845) 339-3896 • Fax (845)331-2597

January 22, 2004

Mr. Alexander Cieslick, Jr.
Deputy Regional Permit Administrator
N.Y.S. Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561



RE: The Crossroads project, T/O Shandaken, Ulster County

Dear Mr. Cieslick,

For the better part of forty-years I have hiked, bushwhacked, fished and skied in the Catskills.

I have performed sufficient due diligence on the above referenced project and have come to the conclusion that it will not adversely affect my enjoyment of the Catskills or unnecessarily threaten the environs.

As much as I enjoy the Catskills, I care more for the folks who inhabit them. I know and respect many long time residents of the mountains. These people speak of the heartache of watching generation after generation of young folk migrate out of the Catskills because of a chronic lack of jobs. This unfortunate trend is fostered in large part by lack of developable land in Shandaken.

What little land that remains available for development is prevented from being developed by even the lightest and cleanest of industrial uses by stringent watershed regulations. Thus the only remaining potential job-creating industry is tourism. Under current zoning the proposed project is allowed by right.

Many of the newcomers to the Catskills complain that the jobs will be “demeaning” and low paying. If you ask the “natives” of the Catskills their opinion of these jobs they would overwhelmingly welcome the opportunity to fill these positions. Unfortunately many of these “natives” were not able to attend the hearings and make this sentiment known because many work two jobs, out of the area.

In my twenty-five years of real estate practice I have worked on many projects with the DEC. The Department has always been a consistent advocate for the environment of the Catskills. I trust that it will continue along this path and that it will see fit to approve the Crossroads project.

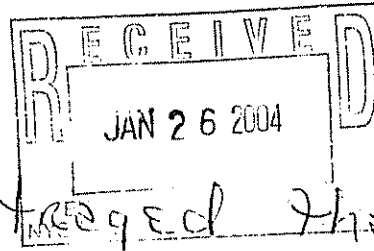
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eugene R. Gruner". The signature is written in black ink and is positioned above the printed name.

Eugene R. Gruner

ERG/yb

Alex Ciesluk,



1/16/04

I am greatly outraged that New York state would even consider a proposal in the Catskill Mountains, such as the proposed B which will irreversibly destroy the beauty and serenity of this area. There are more than enough developments and golf courses springing up all over New York.

Please don't permit the demise of the Catskills which is supposed to be protected for the people of New York state, just so a few developers can turn a big profit. Whether or not this proposed resort actually lies within the boundary lines of the state park is immaterial as far as the damage which will be done to this beautiful area.

Pollution, traffic, and wildlife doesn't recognize a dotted boundary line.

Furthermore, there are already several resorts in the Catskills, for many years. Several have struggled to stay in operation for lack of

business, or closed down completely. (ie=The Concord Resort Hotel)

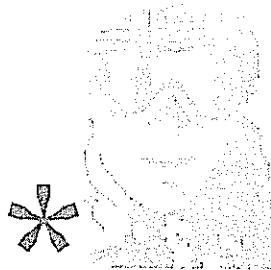
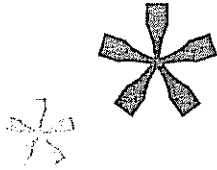
If people want to be around large resorts and golf courses, there are already plenty in existence. What is getting harder and harder to find is areas as beautiful as Belleayre Mountain. It is a crime to permit the destruction of what those who travel to, or live in the Catskills come to enjoy - that is the mountains, the streams, the hiking trails through the woods, and the overall beauty and peacefulness of the Catskill Mountain Region.

We currently live in the Hudson Valley. Unfortunately, we have seen massive development take its toll in the Hudson Valley. Route 9 in Dutchess County is now just one shopping complex, hotel, or service station after another with bumper to bumper traffic a good deal of the time. This too used to be a rural wooded area. Don't permit the same thing to happen in the Catskills.

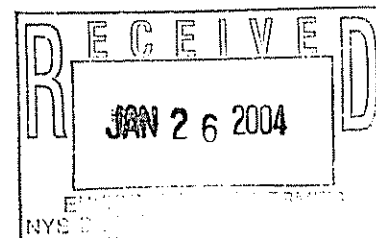
In the year 2001, we were married in the Catskill mountains. Although this took a little more travel time than someplace local, it was well worth it. The quiet and beauty, including the drive up route 28, made it well worth the trip. Please don't allow the construction of the proposed Belleayre Resort, which would forever change this beautiful area. Sincerely,

sty Redder 196 Willow Tree Rd
Milton, NY 12547

Katherine N. Redder



January 22, 2004



Mr. Alexander Ciesluk, Jr.
21 South Putt Corner
New Paltz, NY 12561-1629

Re: Crossroads Ventures

Dear Mr. Ciesluk:

My letter addressed to you is to give you an update on the hearings that have been ongoing over the DEIS, in reference to the Crossroads Ventures.

It is true that we live in a rural area, but that in itself doesn't mean that we shouldn't keep up with the times. It is the business-oriented people that have kept our great country alive, and continue to do so for the future. You can't just stand still, because when you stand still you fall behind. In order for communities to survive they have to keep their tax base up.

Unfortunately there are too many groups in our country that have taken a negative attitude to development. This is not the answer. More than four years have passed by since the Crossroads Ventures plans have been placed on the table and persevered through the SEQRA hearings. This in itself has been drawn out too long. There has to be a better way.

I have personally lived in the near by neighborhood all my life. I can remember how busy things were in the early 1920s. From the time of the first settlers that migrated here from other areas, many new businesses sprung up, flourished for a while and then dried up and faded away. Of all the industries that flourished during that time, only one was able to survive. That business is tourism. Without tourism, this area would have faded away. We must hold on to the tourism business and give the inhabitants a means to survive and move forward.

Today we have too many outside organizations that want to stop growth. They are a group of interlopers that would wish to see the area go back to its pristine days. As natives we cannot afford to join in on their way of judgment.

In our society today, and our needs to survive, we have to come up with new methods of survival. Once again tourism is and has been our savior.

In the early years of the 1900s, the City of New York came to the Catskills to take advantage of our most valuable resources. This is the source of their potable drinking water. Around 1905 the New York State Legislature gave them the authority to rob us of our most important natural resources. In time they created a monopoly that created grief in our area. Presently we are living in a Police State. This alone makes it difficult to survive. We have to be able to overcome this stumbling block. The Declaration of Independence gave us these rights. Our founders established these in the Declaration of Independence, when they set forth the fact that all men are created equally by their creator with certain unalienable rights that among these are life, liberty and the pursuit of happiness.

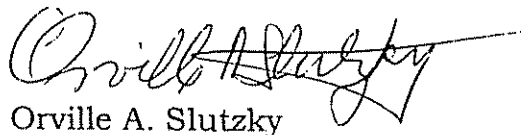
In New York State we have our own rules and regulations to pursue. There has been no necessity to drag these hearings out well over four years. This in itself makes it almost impossible to move forward. These mandates have the built in qualities to tie up any prospective developers for years. This methodology is outrageous. We have to be able to move forward in a more expeditious manner.

We have to take into consideration the fact that Crossroads Ventures will increase the tax base and bring more employment to a semi distressed area.

Both Belleayre and Hunter Mountain who have been in existence for 50 and 40 years respectively would probably be subjected to the same nonsense as Dean Gitter is going through presently. We cannot accept this system. This is a power grab by the D.E.P. and we have to come up with the means to permit progress to move forward more realistically for the good of the area and its inhabitants.

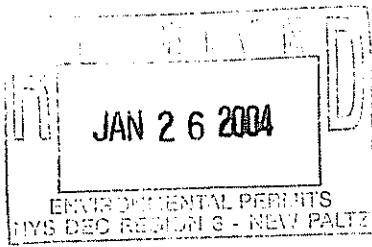
In retrospect where would we be today, if it weren't for the Robber Barons of the 1700s, 1800s and early 1900s. Now we have the fanatical organizations that are attempting to destroy the economy of our local area and the entire country as a whole, by passing themselves off as naturalists.

Sincerely yours,

A handwritten signature in cursive script that reads "Orville A. Slutzky". The signature is written in black ink and has a long, sweeping horizontal line extending to the right from the end of the name.

Orville A. Slutzky

OAS:kai



Joel Katz
78 Ratterman Rd.
Woodstock, NY 12498
Tel/fax (845) 679-7739
jkatz@igc.org

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

January 12, 2004

Dear Mr. Ciesluk,

As a concerned citizen of Ulster County who lives within the Catskill Park Preserve, I am writing to express my strong opposition to the proposed 2000-acre mega-development on Belleayre Mountain. This developer and his supporters want to carve apart Belleayre Mountain into a behemoth resort, which would include two golf courses, two (500) hotels, 71 condos and 100 other buildings. Essentially, the size would be double of the population of the nearest town and be two and a half times the physical size of Central Park in New York City.

Between guests and the working staff, overnight the population of this area will double. Roads will have to be expanded to the point that wildlife will be unable to cross safely from one section of the Catskill Park to other. The developer himself admits that traffic along Route 28, the main road through the area, which is already statistically the most dangerous road in New York State, will increase by hundreds of vehicles per hour during peak use.

I cannot express strongly enough my distress at these possible developments. I moved to this region after having lived in New York City for twenty years. One of the most important reasons I moved here was to get away from traffic, noise and congestion. I was under the impression that the statues protecting the Catskill Preserve would minimize the risk of these annoyances becoming a problem.

I will appreciate your doing everything possible to prevent this development from happening.

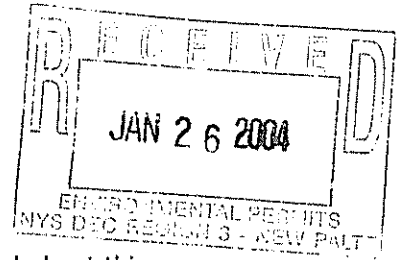
Thank you for your consideration of this matter.

Sincerely,

Joel Katz

January 19, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners RD
New Paltz, NY 12561-1620



Dear Alex:

As a resident of Mt. Tremper in the Town of Shandaken since 1995, I am concerned about this proposal to build the Belleayre Resort in the heart the Catskill Park. I have grown to love the natural beauty and quiet of this area. I hike regularly on the trails you maintain, and am aspiring to membership in the Catskill 3500 Club, because I love to climb the big peaks and see the views.

The Catskill Forest Preserve and Catskill Park were formed out of a concern to preserve wilderness areas, while still allowing people to live in them. I feel that a \$300 million development many times the size of the Walmart Shopping Center in Kingston is overwhelming in scope and does not belong here. My sense is that it will permanently disrupt our community with the politics of big money.

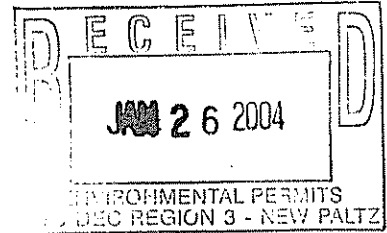
In order to oppose this project I am asked to read a 3000-page Environmental Impact Statement and present factual counterarguments to the claims of the developer and his highly-paid consultants. What private citizen can read and digest this encyclopedia? How can we stand before you in a hearing and intelligently question the scientific and financial data presented in it?

Yet you have granted only 75 days to evaluate one of the most complex proposed developments on record for this area. I believe an extension is called for so that experts hired by the town and by New York City's Department of Environmental Protection have a chance to evaluate, test and intelligently reply to the claims in this document.

We who live here and those millions of citizens whose water supply comes from this area must have a voice in these hearings that reaches beyond the vested interests of a handful of private investors. A public trust like the Catskill Park should not be exploited on this scale for the economic benefit of the few. I hope DEC will not grant approval or permits for this resort, and will instead redirect development within the Catskill Park boundary to smaller projects.

Sincerely,

Frank Fallon



JANUARY 19, 2004

P O BOX 251
ELLENVILLE NY 12428

ALEXANDER CIESLUK JR
21S PUTT CORNERS ROAD
NEW PALTZ NY 12561-1620

DEAR MR CIESLUK,

RECENTLY I READ 3/4 OF THE WORLDS FORESTS HAVE BEEN CUT, MOST OF THEM IN THE LAST CENTURY. NINETY-FIVE PERCENT OF THE ORIGINAL FORESTS IN THE UNITED STATES ARE GONE. THE CONSTRUCTION OF THE MEGA BELLEAYRE RESORT WITH ITS DESTRUCTION OF 500 ACRES WILL ADD TO THIS ALARMING LOSS.

ALONG WITH THE TREES, THE PRECIOUS LIVES OF PLANTS AND ANIMALS WHICH MAKE UP THE FOREST ARE DESTROYED.

ANOTHER PROBLEM WILL BE THE NECESSARY ROADS. ROAD BUILDING ALTERS WATER RUNOFF AND PERMANENTLY DISRUPTS SUBSURFACE WATER FLOW. THE RESULTS ARE FLOODING, EROSION, DESTABILIZED STREAMBEDS AND FISH KILLS. THIS DISRUPTION WILL ALSO GENERATE POLLUTION RUN OFF ENDING UP IN THE REGIONS TWO LARGEST RESERVOIRS. DON'T ALLOW THE CONSTRUCTION OF THIS MEGA RESORT, COSTING BILLIONS OF DOLLARS, TO POLLUTE OUR WATER SHED.

THE CATSKILLS ARE AN IMPORTANT RECREATIONAL RESOURCE FOR THE AVERAGE PERSON TO ENJOY. AS A HIKER, I'M AMONG THAT GROUP.

PLEASE DO YOUR PART TO KEEP THIS PART OF THE CATSKILLS FOREVER WILD.

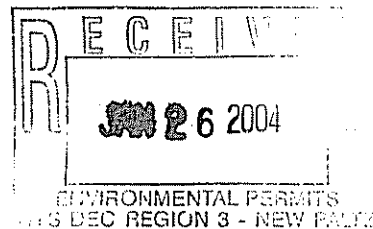
RESPECTFULLY,

A handwritten signature in cursive script that reads "Phyllis Lennert".

PHYLLIS LENNERT

Chris White and Laurie Siegel
3 Huguenot Street #4
New Paltz, NY 12561

January 20, 2004



Mr. Alexander Ciesluk, Jr.
NYS Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

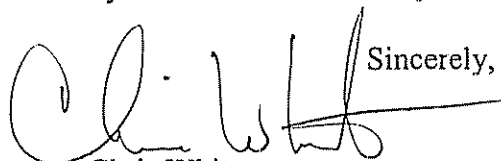
Dear Mr. Ciesluk:

We are writing to convey our unequivocal opposition to the Belleayre Mountain Resort proposed by Crossroads Ventures for the Catskill Mountains. As avid hikers and frequent visitors to the Catskill Park, we believe that the scale and impacts of this development proposal would greatly degrade one of New York State's most precious natural areas. As residents of the Village of New Paltz, we also draw some of our drinking water from the Catskill Watershed, which will be negatively effected by this massive development project.

The Catskill Park and the Catskill Watershed are some of the greatest natural resources that the people of New York State share and steward. The protection of the watershed in order to avoid building of an expensive filtration plants marks one of the most forward-thinking and sustainable initiatives ever developed to protect drinking water and provide for sustainable economic development within an area's watershed. The proposal by Crossroads Ventures strikes us as totally incompatible with the enormous investment made to protect the Watershed and contrary to the interests of the small businesses and communities that attract so many of us to the Catskills.

The proposed golf courses, hotels, centers, parking spaces, roads, restaurants, etc. on both sides of the mountain owned by Mr. Dean Gitter will permanently alter and degrade the Catskills. From the additional traffic and increased night lighting to the significant loss of tree cover on the mountain sides and chemical residue from the golf courses, this development will harm the local environment, irreparably change the character of the Catskills and threaten water quality in the NY City Watershed. The risks and impacts of this development far outweigh the low-pay, service jobs that this initiative will create. And once the Watershed is impacted, water users in New York City and the communities that also depend on this water source may face billions of dollars in costs to build filtration plants. The whole idea of the Watershed was to avoid despoiling our water resources and look to the long term. This project is another example of thinking only in the short term, risking natural assets that are invaluable.

As you move forward in the environmental review of this project, we hope that you will use every means to stop this misguided development and protect the views, waters and character of the Catskills that so many of us treasure. Thank you for your consideration of this matter.


Chris White

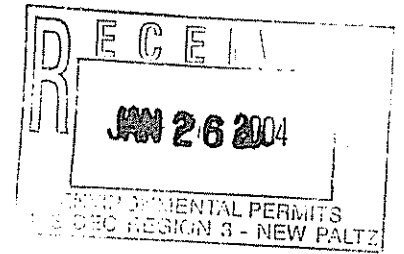
Sincerely,


Laurie Siegel

Printed on Recycled Paper



Nathan & Elaine Mostow
P.O. Box 126
Phoenicia NY 12464



01/21/2004

Alexander F. Ciesluk, Jr.,
Deputy Regional Permit Administrator
NYS Department of Environmental Conservation (DEC) Region 3
21 South Putt Corners Road
New Paltz , NY 12561-1696

Crossroads Venture-Belleayre Mountain Proposal

Dear Mr. Ciesluk:

As you are well aware the Crossroads Venture proposal represents a significant change of the landscape of Belleayre Mountain and the surrounding area.

The environmental impact from this proposal , in our opinion, will be major however we do not wish to comment on this as we expect you and your organization are well capable of analyzing all of the data and correctly concluding on the environmental impact.

What we do wish to comment on is our feelings regarding the proposal.

We moved to Catskill Park to enjoy a pristine, underdeveloped community, which is void of the kind of development that Crossroads Venture represents.

Crossroads Ventures project is far too large and cumbersome and seems to us too much of an environmental, social and economic gamble for a seasonal activity like golf.

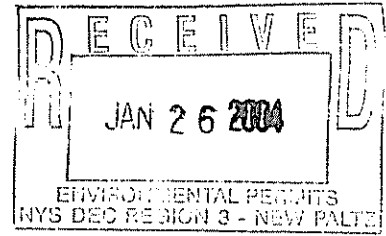
Catskill Park has improved over the last 20 years and we feel that the DEC's presence in the park has been a major reason for this improvement.

We hope that the DEC will continue to apply good judgment with respect to the Cross Venture proposal and find that the project lacks merit and will adversely impact the environmental, social and economic life of Belleayre Mountain and the surrounding area.

Sincerely yours,

Nathan & Elaine Mostow

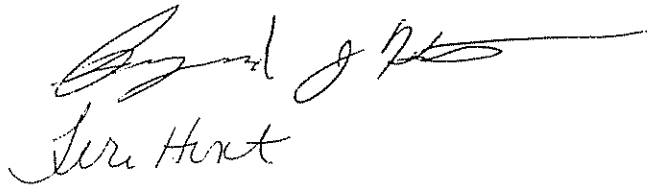
Thursday, January 22, 2004



I would like to respond to the letter I received in the mail regarding the proposed Belleayre Resort. My husband and I reside in Margaretville, and we feel that the resort would be a huge mistake the for the Catskill region. Not only do we feel that the taxes would be devastating for the people of the area, but the low paying jobs would be of no help.

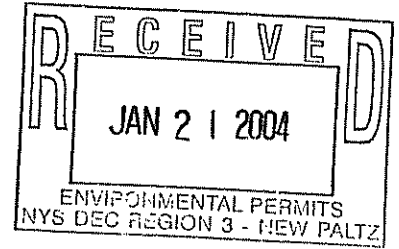
The Catskill Mountains are a beautiful place to visit and also to live in, and the idea of a resort would be most damaging to the beauty and nature of the entire area. So, to conclude, we oppose the idea of ruining the Catskills by building a resort.

Sincerley,
Mr. and Mrs. Raymond J Hunt



Raymond J. Hunt

Mr. Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, New York, 12561-1620



Dear Mr. Ciesluk:

We would like to express our concern of the proposed Belleayre Resort Plan. As retired people, we have a deep concern if this plan comes to fruition. We are on a fixed income and would find additional taxes a great hardship. How would added police protection, fire protection and garbage disposal be paid for except by raising taxes.

As for providing jobs for local people, there would be so many jobs to fill, workers would probably come from other areas causing an influx of people to this area needing housing, schooling and all that goes along with that situation causing taxes to increase too.

As for the proposed specialty shops, on a fixed income we would find them too expensive to shop in. We cannot afford the prices at the Catskill Corners or Emmerson Hotel now.

We retired to this area for the peace, quiet, and beauty we desired. We left the hustle and bustle behind us and do not want it now.

Thank you for letting us share our views. We hope and pray they help to make a difference.

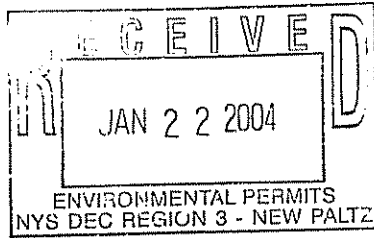
Yours truly,

A handwritten signature in cursive script that reads "Robert J. Wilk".

Robert J. Wilk

A handwritten signature in cursive script that reads "Barbara Wilk".

Barbara Wilk
161 Deerfield Road
Denver, New York 12421



Joseph R. Stemke
Christine A. Rackley
2410 Hurley Mountain Rd.
Kingston, NY 12401
Jan. 19, 2004

Alexander Ciesluk, Jr.
NYS Department of Environmental Conservation
Region 3 Headquarters
21 South Putt Corners Rd.
New Paltz, NY 12561

Re: Application for proposed development "The Bellayre Resort at Catskill Park", by
Crossroads Ventures, LLC.

Dear Mr. Ciesluk:

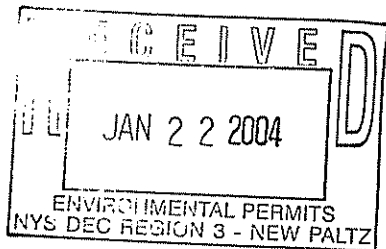
We are writing this letter to register our opposition to the granting of an application submitted by Crossroads Ventures, LLC, for the construction of a development called "The Bellayre Resort at Catskill Park". This development, if allowed to be constructed, would cause very serious and irreparable damage to headwater streams of the Esopus Creek, a trout stream which supports a healthy and viable population of wild brown and rainbow trout. Specifically, it would result in increased water temperatures in Birch Creek and Lost Clove Creeks, headwater tributaries of the Esopus and nursery habitat for many of the resident trout in the Esopus. The development would also cause increased amounts of chemical pollutants from fertilizers, pesticides and wastewater treatment facilities. These pollutants would contain heavy metals which are toxic to living organisms, phosphorous, which would reduce dissolved oxygen levels in the water as a result of algal decay, and particulate matter which would have a detrimental effect on aquatic invertebrates, the food source of trout, as well as the breathing apparatus of the trout themselves. Increased amounts of Chlorine and ammonia, both toxic in nature, would also be present. These facts are born out by the SPEDES permit fact sheet submitted by Crossroads Ventures.

Native trout streams, once lost, are extremely difficult if not impossible to replace. They also supply high quality recreation for many local residents as well as tourists. The benefits of such a development would be limited to the relatively small number of people who could afford to buy into it, as well as, of course, Crossroads Ventures itself. This hardly seems worth it. Please register our strong opposition to the construction of this development, and do all that is in your power to insure that the application for its construction is denied. Thank you.

Very truly yours,



Joseph R. Stemke
Christine A. Rackley



Richard B. Lawton
412 Morris Ave., Apt. 1
Summit, NJ 07901

January 14, 2004

Mr. Alex Ciesluk
NYS DEC
21 South Putt Corners Road
New Paltz, NY 12561

Dear Mr. Ciesluk:

I am writing to express my opposition to the large resort complex that has been proposed in Belleayre.

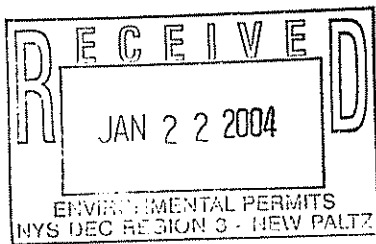
I own a home in Willow, and feel that the overall impact of the proposed resort will decidedly be negative. Due to its large scale, the project will have an adverse effect on the quality of life (not just for humans) and ecosystem in the region, and is fundamentally at odds with why the Catskills Park was established in the first place. Nearly all of the financial benefits will accrue to people who do not live in the region, while the collateral damage will be solely born by those who do live in the area.

My hope and plan has been to move full-time into my home in Willow in the not-to-distant future to enjoy a better quality of life. My kids and I enjoy skiing at Belleayre, and prefer it to Hunter Mountain because of its family atmosphere and low-key character. During the warmer months, we enjoy taking day hikes on the numerous trails, and viewing more stars than we've ever seen through a telescope that my daughter got for Christmas. The mountains and our mountain home have become a refuge of sorts for us: a place that we go to be renewed and refreshed, not entertained and stimulated (we're saturated with that in New Jersey, and are happy/relieved to leave it behind for a while). With fewer man-made distractions, we slow down and spend more time talking together and just being together. We've grown to love these mountains, to respect and cherish their wildness, and know that others come to them for similar reasons.

All of that would be in jeopardy, however, with such large-scale development projects. The amenities that are being proposed as part of the development are not in short supply; instead, everything that makes this part of the Catskills so special and increasingly rare will be diminished through exploitation for financial gain for a few. Unfortunately, we'll all be the poorer for it in ways that we cannot measure.

I urge you to do whatever you can to prevent this resort from being built.

Sincerely,



19 January 2004

14 Pine Lane
Mt. Tremper,
NY 12457

Alexander Ciesluk, Jr
21 South Putt Corners Rd
New Paltz, NY 12561 - 1620

Dear Mr Ciesluk,

We moved to the Catskills to live in a beautiful area that is not congested and where homes are scattered a good distance apart, except for in the small towns. We came to a place where we wouldn't have to deal with a lot of traffic. We've lived here a long time and seen the population grow and Rte 28 become much busier, especially on weekends with tourist traffic. We know tourism helps our community thrive so we have to accept these changes. After saying this, we can't imagine the Crossroads Venture being beneficial to our community.

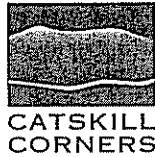
Such a large development will not only change the character of the immediate area drastically and to its detriment, but it will impact all of the Catskills, especially to the south and east of the development. Rte 28 is the main thoroughfare to this area and traffic will no doubt increase immensely. The erosion and added impurities to the water from such a huge facility, along with two golf courses will affect our water. Also the amount of water such a facility will need will affect our water table. Having a facility that is all inclusive will not necessarily help local businesses. Most of the jobs that will become available will be low paying jobs. The reasons not to allow this development to become a reality are endless.

We live in a state park that should be protected from such developments. We hope you think long and hard about the consequences of such a development and try to prevent the development from occurring.

Yours sincerely,

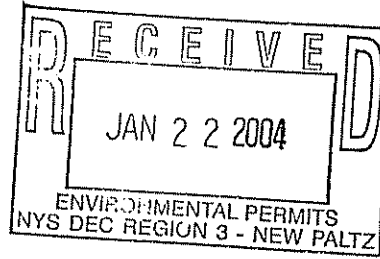
A handwritten signature in cursive script that reads "Julia + Steve Motti".

Julia and Steve Motti



Upstate New York's Premier Destination:
Extraordinary Shopping, Dining, Lodging & Spa!

Office of the Chief Executive Officer



January 20, 2004

Mr. Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1696

Dear Mr. Ciesluk,

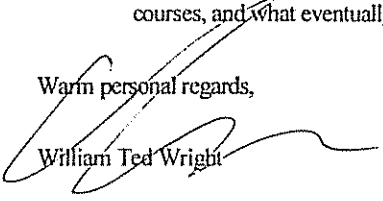
The following are my reasons in support of the Crossroad Ventures, Belleayre Project. My background is that I am Chief Executive Officer of Catskill Corners and the Emerson Inn & Spa. I have lived in 9 countries as an international hotelier. I am one of the founders of Regent International Hotels. I have been involved with development in environmentally sensitive areas and have held community leadership rolls in education; in both academic and vocational.

1. The Catskills as a whole, particularly the Shandaken area, must be considered a rust belt. There is high unemployment, limited job opportunities and no specific quality points of differentiation.
2. Youths are extremely limited with job opportunities for a career of dignity and challenge. They are forced to leave the area.
3. Travel and tourism if responsibility developed is the only social economic and cultural industry that can revitalize the area.
4. It is critically important that a low density high quality resort be approved.
 - A. To protect the environment responsibly a high end visitor is more inclined to be sensitive to the natural environs. This community is by and large better educated, is environmentally sensitive, and travels as individuals as opposed to groups. Therefore, cigarette butts, coke-cans, candy bar wrappers etc. are rarely left behind.

- B. This market is eager to appreciate its natural beauty and yet requires facilities of excellence
 - C. The developers are now of the view that to make this totally unique, indigenous and appropriate to the Catskills, the Big Indian Resort will be operated and managed by a non-chain entity, i.e. Hilton, Marriott. The market being catered to influences what to have and avoid the cliques of brand, and its predictable experience.
5. The environment needs to be managed and protected through organizations such as the Forest Preserve. Low density tourism is one of the best forms of protecting the environment. Eco-tourism is prospering all around the world; recognized by responsible governments, environmental groups and community leaders that it is the best way to sustain communities and protect the environment. It has been recognized that manufacturing base economies are shifting to a service economy. Jobs and careers with dignity and prestige must be created. To have in our community a project of this caliber that will be recognized not only as a model for environmental sustainability but be able to provide a visitor experience that will attract visitors from all around the world.
 6. The diversity of the project allows for an all year experience. The quality of the golf courses, available only 6 months per annum will attract a new golf market that doesn't currently support the area. Skiing at Belleayre Mountain 4-6 months per year. The creation of an Aspen Institute type of community will bring thinkers and planners to the project 12 months per annum. Conferences of a small nature will bring conferences and meetings to the area 10 months of the year. Health, wellness and therapeutic treatments and experience that will attract visitors 12 months per annum.
 7. I have lived in 9 countries been involved with an eco-tourism project in a world heritage area in Tasmania, Australia. Australia has a finer record of environmental sustainability than the United States; therefore, it was working with greens, and other communities that have a commitment to ensuring our world is not depleting our natural resources. We created something that was special. It is my belief that the investors that are currently involved have this same commitment. Ms. Emily Fisher; her husband, Mr. John Alexander and Dean Digger, developer of Catskill Corners.
 8. Civic Pride. Having a development like this raises standards and instills a sense of quality, service and a sense of pride.
 9. Internationalization. It is important in our civilized world. We must open our minds and hearts to other ways of thinking and share our views with other communities.

10. Monterey Bay, Cypress Point and Pebble Beach Golf Clubs on the Monterey Peninsula are considered icons of environmental architecture. It took years to convince the California locals that this would be a benefit to the environment, economy and for the community. It would be hard to believe that the area would be as beautiful as it is without the hotel and golf courses, and what eventually happened to the town of Carmel. It is so idyllic.

Warm personal regards,



William Ted Wright



Delaware County
Soil and Water Conservation District

44 West Street, Suite 1

Walton, New York 13856

Phone 607-865-7161

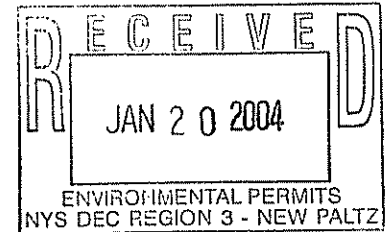
FAX 607-865-5535

TO: Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

FROM: *RW* Richard Weidenbach, Executive Director

DATE: January 16, 2004

RE: Wildacres Resort, Crossroads Ventures project



As requested, enclosed are initial comments from this Soil and Water Conservation District regarding water supply concerns associated with the Wildacres resort portion of the Belleayre Resort at Catskill Park.

If you have questions regarding these comments, please contact either myself or Larry Day at your convenience.

cc: Roger France - NYS Health Department



Delaware County
Soil and Water Conservation District

44 West Street, Suite 1

Walton, New York 13856

Phone 607-865-7161
FAX 607-865-5535

TO: Richard Weidenbach, Executive Director
FROM: Laurence Day ^{LD}_{CPSS}, Soil and Groundwater Specialist
DATE: January 16, 2004
RE: Wildacres Resort, Crossroads Ventures project

As you requested, I have reviewed the Draft Environmental Impact Statement for The Belleayre Resort at Catskill Park, and have the following initial comments. These comments are currently limited to issues of protecting the water supply for the Village of Fleischmanns in Delaware County, focusing on the Water Budget Analysis for WildAcres Resort.

Comments concerning the water budget analysis:

As is customary practice, Alpha Geosciences analyzed the existing hydrogeologic conditions and compared these assessments with post-development conditions by use of a water budget. In this process, existing and proposed changes in soil types, vegetative cover and land uses were evaluated, with certain assumptions being necessary. However, I am not comfortable with some of the characteristics assigned to the imported topsoil that is "assumed to be a sandy loam" (p. 6). This would be a logical choice of soil texture for creating final grades due to its apparent availability, workability (e.g. low plasticity), adequate water-holding capacity, etc. However, a wide range in soil permeability is possible for any given soil texture, depending upon variations in the amount of fines (silt + clay), and variable compaction during placement. Regardless of precautions taken during construction, the rough grading of native soils commonly results in smearing and compaction of the soil surface that would later receive the topsoil fill, thereby significantly decreasing permeability of the whole soil profile.

In their Table 3 (Water Contributions by Soil Type - Future Conditions) a relatively large value (24.32 in/yr) is assigned to the Percolation Rate for all golf course areas, a value greater than nearly all other soils listed. This parameter, along with the associated Total Percolation Rate, is critically important for the outcome of the analysis. In effect, by selecting a large value for percolation rate, the best case scenario was chosen. Judging from both the actual percolation test results provided in Appendix 12 of the DEIS, and from my professional experience of soil profile evaluations and running hundreds of percolation tests in Delaware County, it is not likely that typical sandy loam fill material

on fairways and greens would have percolation rates that generally exceed the native, well-structured, very gravelly (or channery) silt loam soils under forest vegetation.

Furthermore, the assumption that using topsoil fill with sandy loam soil texture overrides the importance of removing forest vegetation contradicts accepted practice: in one of the most widely used and nationally accepted methods for predicting runoff, commonly called TR55, various curve numbers are used to represent runoff from areas of various land uses. With a given rainfall event over an area, a greater curve number indicates more surface runoff would occur, while a smaller curve number implies that more infiltration (and consequently less runoff) would occur. For example, considering soils in hydrologic group C (such as the Vly soil that occurs on the proposed Wildacres site, and typical of most upland glacial tills with dense subsoils), woodlands in good condition are given a curve number of 70. By contrast, the same soils under golf courses are given a curve number of 74. This implies that within the same hydrologic soil group there is a tendency for slightly more runoff (and hence less infiltration) to occur over golf course fairways than over woodlands such as those on the proposed Wildacres site.

According to the percent coverage of each soil type (second column of Table 3) the golf course would occupy less than 20% of the project area. Because it is not clearly stated as such, it seems necessary to point out that this area of shallow soils over fractured bedrock located directly upgradient from Fleischmanns spring is undoubtedly an important recharge zone for the spring. Although some 20% seems a relatively small proportion, its importance is magnified by its relative location to the spring.

My evaluation of the water budget analysis, and its conclusion that the proposed development would produce essentially unchanged recharge water quantities to the spring than the present conditions provide, is that it represents one estimate of an optimistic scenario. Considering a less optimistic scenario, as I have suggested above is probably more reasonable. Adjusting the water budget to model less optimistic scenarios should help address the extent that such mitigation measures might be needed.

Comments concerning other aspects of the project (in the DEIS) that potentially affect the Fleischmanns spring:

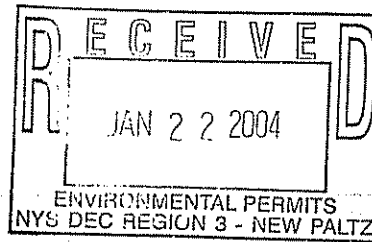
The wetlands maps and wetlands table (Tables 3-26 and 3-26A) for the Wildacres area show where 1.08 acres of isolated wetlands would be filled. Isolated wetlands lose water only through the processes of evapotranspiration and infiltration. Wetlands 17 to 22 are not listed as having aquifer recharge as one of their functions, despite their being isolated (i.e. not hydrologically connected to other wetlands via a channel with concentrated flow) and within the likely recharge area for the spring. Seeing no information to the contrary in the DEIS, I am concerned that filling these wetlands may magnify the potential for decreased recharge to the spring.

Comments concerning water quality issues:

The DGEIS states that stormwater ponds would be installed, being blasted out of the bedrock where necessary, to detain stormwater flows from the resort, parking lots, etc. While the need for stormwater controls is clear, I feel that these ponds should be lined or the stormwater otherwise treated very conservatively to prevent infiltration of contaminant-laden stormwater into the aquifer that supplies Fleischmanns spring.

The plan to use Integrated Pest Management, minimal risk fertilizers and similar programs to limit effects on water quality are appropriate, considering the proximity of the golf course at Wildacres to the Fleischmanns spring. I would also recommend that all fertilizer storage and pesticide storage and mixing areas be located well away from the likely recharge area for the spring.

.....
January 15, 2004



William Kavanaugh
P.O. Box 473
Plattekill, New York
12568

To the Honorable Judge Wissler:

It comes as a great concern to me to hear of the proposed project to build "The Belleayre Resort at Catskill Park".

As an avid fly fisherman of the Esopus Watershed, I am troubled by the impact this project will have on the Birch Creek and Lost Clove Creek, both important tributaries of the Esopus.

As stated in the SPDES permit fact sheet submitted by the Resort at Belleayre, permit #NY0270679, water discharge temperatures into these creeks may be as high as 70 degrees. This is not acceptable, as these temperatures are above the optimum 62 degrees Fahrenheit required by trout. These fish depend on the cool water provided by the tributaries in the summer. When water temperatures rise, many fish take refuge in the cooler water, provided by, these streams.

In addition, I am also concerned with the effects of wastewater and run off of storm water, which will contain: Phosphorus (P) , annual maximum of 60 kg/yr. (Increases in phosphorus will lead to oxygen depletion as the algae growth dies as a result of the addition of phosphorus), Ammonia, 2.2 mg/L. (ammonia kills trout), Chlorine, and Suspended Solids.

All of the above will have a detrimental effect on the health of these two tributaries, and consequently the Esopus Watershed.

The Catskill region has a unique and rich heritage. Its beauty has served as a source of inspiration for numerous authors and artists such as Herman Melville, author of Moby Dick, and Thomas Cole, founder of the Hudson River School of art. Unfortunately, an ecosystem is only as healthy as the watershed that serves it. Trout, because of their sensitivity to temperature and pollutants are an excellent barometer of good water quality.

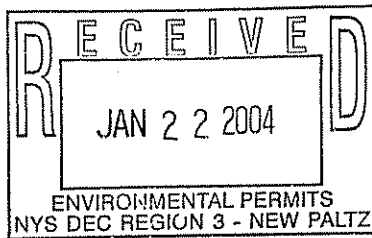
I would urge you to use wisdom, not just knowledge, when making your decision about this project. Projects such as the Belleayre Resort can be built anywhere, but quality watersheds capable of supporting trout cannot be created. Therefore, when making your decision I would ask you to consider the long-term implications of allowing this project to proceed as the future of these fabled mountains is in your hands.

Sincerely,

A handwritten signature in black ink, appearing to read "William Kavanaugh".

William Kavanaugh

.....



Robert Lidsky
622 Ridge Road
Andes NY 13731
845-676-3964
boblidsky@yahoo.com

1/13/04
Alexander Ciesluk, Jr
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

The brochure prepared by the developers of Belleayre Resort at Catskill Park, titled "A great new chapter opens for The Catskill Mts." states: "Long-time residents have seen one initiative after another fail. An atmosphere of discouragement tends to prevail: nothing has worked; therefore, nothing will ever work."

This declaration is without merit. In fact, life here is encouraging for most of us who live here, because we love what we have here. One by one, each of us make our own lives work. Small scale initiative has been quite successful. Local artists, writers, small businesses, retail, wholesale, and trades produce revenue in our community which is spent here because their owners' homes are here. Retirees bring their life savings with them and spend most of it here in this rural Catskills community. Part timers & tourists spend good money here. Over time, our small local enterprise and economy will continue to grow and thrive without this project.

The profits made by Belleayre Resort at Catskill Park will go to the investors, which for the most part will not be spent locally. All inclusive resort patrons tend to stay in place and do not contribute much to the local economy. A construction project of this magnitude will be built almost entirely by workers hired from outside the Catskills by national companies and large commercial or industrial contractors. Their wages and profits will for the most part be spent elsewhere.

The Belleayre Resort developers have promised jobs, but for who? Few jobs will actually be filled with local people. For example, the wait staff at the Emerson restaurant are Europeans brought here because local people did not meet the managements requirements. Hiring for this project will also exacerbate the present area wide shortage of hospital and housekeeping workers. Will the taxes paid by the resort cover the cost of schooling the children of the resort staff? What happens to those people if the project fails? Will our towns have to pay later for the costs of the unemployed? Will we become like Sullivan County?

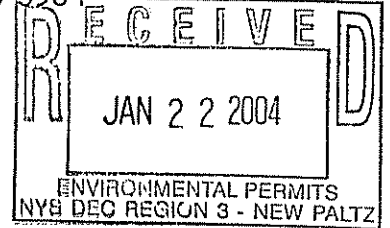
This project is a mistake waiting to happen, because it will not help the economy of Catskill residents. This rapid growth will more likely cost more than it brings. An old saying goes "beware of strangers bearing gifts". The enticing gifts promised by the developers, are a pittance compared the cost of the project. The true cost of these "gifts" are substantial, non-reversible long term infrastructure costs to be born by our taxpayers & residents while the profits leave the area.

Please do what you can to defeat this proposal.

Bob Lidsky

Robert Lidsky • 622 Ridge Road • Andes NY 13731 • 845-676-3964

boblidsky@yahoo.com



1/14/04

Alexander Ciesluk, Jr
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

I read a well designed, crafted & often compelling brochure (bulk mailed to owners in Delaware county), titled "A great new chapter opens for The Catskill Mts." I would like to comment on some of its message: "Heritage tourism? *Our heritage is tourism!*"... "We have 23 million potential visitors down the road. If we put our minds to it, we can find prosperity in the high seasons and peace & quiet when the visitors go home. *Change is never easy, but it is inevitable.*"

Without discussing motives, I would like to state that implementing this proposal (Belleayre Resort at Catskill Park) is not inevitable. Our locale has grown quite nicely without this proposed project. Our growth has been through & because of small local enterprise. Most of the people who have fueled that growth live here. Much of this development is small scale, artistic & holistic in nature. Most local residents value what we have here; tranquility, nature, little crime, low pollution, less stress, little traffic, value for one another.

Although we are all concerned about our economic lives, I have found that many people in this area do not focus primarily on being wealthy but instead are more concerned about their neighbors and life in the surrounding countryside. These concerns motivate those like myself who oppose large scale development, however cleverly designed and implemented.

History has proven over & over again that rapid growth brings the exact *opposite* of what we value so much in this area. Witness Easthampton, Long Island (a once tranquil farming area with little population) where now routine traffic jams last for hours, long lines run outside restaurants & stores, and beaches are packed with people. In the Hamptons the local culture, developed over many decades, is being *replaced* by that of the visitors, while the cost of living has risen to the point where some local people who are employed there have to live elsewhere & commute back to where they were raised. It's called Manhattan East for very good reasons! It has been trampled with growth. The message is clear: *bigger is not better.*

Here we are only at the beginning of development & thankfully have been growing slowly. This growth has been well assimilated. We have good values & diversity here. I reason that the trick to success in growing is in limiting the rate of growth by

limiting the size of enterprise. If it is "inevitable" that some day this area becomes a suburb, I would rather have that with diversity in population, values, commerce & housing than have huge enterprise, sterile housing & commercial developments which are the *inevitable* consequence of too rapid growth. *The mere thought of having 23 million annual visitors here is truly frightening!*

If you can vote or have any influence, please defeat this proposal. It is designed by experts and would be beautiful, luxurious and elegant, but *lethal* to our way of life.

A handwritten signature in cursive script that reads "Bob Liddy". The signature is written in black ink and features a large, sweeping flourish at the end of the name.

EDWARD RIPLEY-DUGGAN
23 MILL ROAD
OLIVEBRIDGE NY 12461
PHONE: (845) 657-7057

January 20, 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz NY 12561-1620

Dear Mr. Ciesluk,

I have been a full-time area resident for eighteen years. I live here in large part because of the mountains. I have long been an enthusiastic walker, and have climbed all the major summits of the region (and many of the minor) in all seasons. I am an officer (Outings Chair) of the Catskill 3500 Club, active in the mid-Hudson Chapter of the ADK and a volunteer trail maintainer (Notch Lake-Devil's Acre) under the Trail Conference/DEC program.

It seems ironic to celebrate this centennial year of the creation of the Catskill Park while debating a proposal for marring it with largest single development ever undertaken within the park boundaries. The Bellayre Resort would profoundly change the character of nearby communities. The impact on the viewshed from the Route 28 corridor and on that from the adjacent mountains will be substantial, and the nature of the construction is such that (unlike the vanished grand hotels of the nineteenth century) changes in the topography of the affected area will be largely irrevocable, so vast is the scope of excavation and construction envisaged. This is an especial concern if for any reason the Resort should fail -- the scarring of the land will remain for the foreseeable future.

As a resident, I am concerned about the impact of the increased traffic on Rt. 28 and surrounding roads. The number of traffic accidents (including numerous fatalities) on that artery is already considerable, and can only increase with the additional traffic the project is anticipated to engender. Route 28 is not (to put it kindly) a road that is equipped to handle high traffic volume.

A further issue is the precedent created. Will other developers see this as a green light? Much of the land along 28 is not in State hands, and there are several major undeveloped tracts adjoining the highway (e.g. Fleischmann Mountain). If the Bellayre venture goes ahead, it would make it harder by far to resist similar schemes in the future. Adverse effects created by an overly accelerated influx of population into the area contiguous with the highway (into towns where already much open land

has been built over) seem inevitable. It seems fundamentally unlikely that much of the rural nature of the corridor would remain, blighting the scenic pleasures of the area for resident and visitor alike.

From an environmental standpoint, it is hard to imagine a positive outcome. The Esopus Creek, one of the great American trout streams, is already under some degree of threat from silt as a result of water discharge from the aqueduct in Allaben. The effects of further silting as a result of clear-cutting and construction, with discharge into Birch Creek and from thence into the Esopus, are difficult to predict and extremely troubling. The fact that this water ultimately flows into the Ashokan Reservoir must be considered as a threat to NYC's water supply and undercuts the City's attempts to maintain water purity within the watershed. Concerns over run-off and effluent abound, and will be difficult to address once the project is underway, the roseate projections of the developers notwithstanding.

The DEC Pine Hill-West Branch and Lost Clove trails will both be negatively impacted, as the Bellayre Ridge/Bellayre Highlands "luxury mountain communities" will be in close proximity to the trails, with minimal set-aside margins, according to the published map. The effect on the Pine Hill-West Branch trail is especially troubling, as this is a major venue for hiking in the central Catskills, as it provides access to so many peaks.

I am sure that some of the concerns I have expressed (and many I have not) will be mentioned by other respondents. I urge the DEC to consider the very considerable negative impact on the Catskill Park, and the strong public sentiment against the Bellayre Resort, as it deliberates. If this proposal should be accepted, the consequences will be deleterious in economic, social and ecological terms, and the ultimate result will be the enrichment of a few individuals, at the cost of permanent damage to one of the most precious recreational resources in New York State.

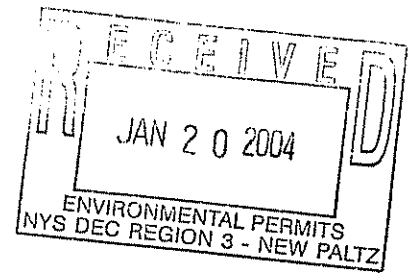
Yours faithfully,

A handwritten signature in cursive script, reading "Edward Ripley-Duggan". The signature is written in dark ink and is positioned below the typed name.

Edward Ripley-Duggan.

Pieter & Abby Heijnen
186 Sheldon Hill Rd.
Olivebridge, NY 12461

Att: Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620



January 15, 2004

Re: Opposition to Belleayre Project

Dear Mr. Ciesluk,

As an extremely concerned resident/s of Ulster County who would be directly affected by the what I/we see as negative changes/effects that would take place if the Belleayre project, or any other very large scale development, i.e. casino, etc., was allowed to be built in this precious area of small villages, wild mountains and clean streams, I/we wish to register my/our strong opposition to this proposal.

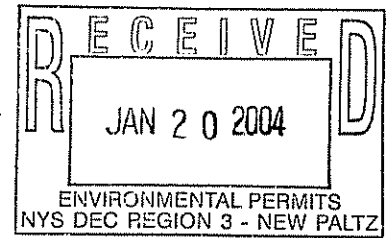
Having witnessed the irreparable damage that takes place when the interests of a tiny few who stand to profit from this type of enterprise is deemed more important than the quality of life for local residents and existing wildlife and natural resources, I/we cannot stand by and allow this commercial tourist destination to set a precedent that would allow for the development of the Catskills that would inevitably spoil the environment we love forever.

Please stop the Belleayre project, before it starts.

Sincerely,

Two handwritten signatures in black ink. The first signature on the left is "Pieter Heijnen" and the second signature on the right is "Abby Heijnen".

58 Brookside Drive
West Shokan, NY 12494
January 14, 2004



Mr. Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620

Re: Belleayre Development

Dear Mr. Ciesluk:

I am writing to voice my opposition to the development of Belleayre, as proposed by Mr. Gitter.

I have been a resident of the Town of Olive for almost 20 years and live 3 ½ miles from Route 28. My son attends elementary school at Bennett, in the Onteora School District. We are hikers and campers. We have chosen to live here, at significant financial cost, due to our love of this rural environment.

We want neither additional traffic, clearcutting of beautiful forest or a widening of Route 28. Other than providing a few new restaurants and a few low-end jobs given to the local population, I can find no real benefit to this community.

Our family has long supported the notion of land conservancies. We do not want to deny people the right to use their land. We prefer, instead, to buy parcels of land outright and protect them. Therefore, I believe that if Mr. Gitter's proposal is a usage that he is allowed under the current zoning, then he should, regrettably, be permitted to proceed.

However, if Mr. Gitter's proposal requires special approval, changes of zoning or any other accommodation by the agencies that have oversight on this project, it should be absolutely rejected. Mr. Gitter is entitled to try and earn a profit from his investments. He is not entitled, and should not be permitted, to destroy our way of life.

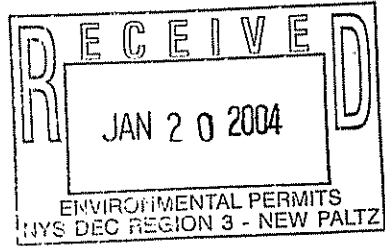
Thank you for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Wendy Wolfenson".

Wendy Wolfenson

1/16/04



Dear Mr. Cieslinski,

I am writing to oppose the building of golf courses in Shandaken and Middletown.

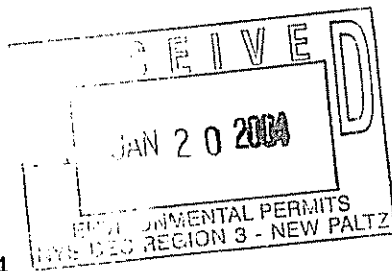
I'm concerned about the effects of this massive development - especially golf courses, with their heavy pesticide usage - on water in the Ashokan Reservoir.

I also think these projects are a poor choice, given their impact on local resources + traffic, and erosion and loss of open space and views.

I understand that economic development is important, but I believe these sprawling projects are a poor use of these lands.

Thank you for your consideration.

Nancy Tolleson
431 W 22
New York, NY



January 14, 2004

Alexander F. Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC, 21 South Putt Corners Rd.
New Paltz, NY 12561-1696

Dear Mr. Ciesluk:

Five years ago, my wife Karen and I moved back to this area from Saratoga Springs, N.Y. We recently built a new home on property I have owned for over 25 years. We love this area.

I am currently a vice president at a local bank and treasurer of the proposed Catskill Watershed Museum. I was an active and founding member of the Catskill Center for Conservation and Development, the first executive director of the Margaretville Arkville Revitalization Project and the Catskill Rail Ride, campaign treasurer for the Margaretville Memorial Hospital, regional manager for NBT Bank in Fulton County and prior to moving back to this area, president of a savings bank acquired in a stock buy out.

The Catskills, not long ago, had many thriving resort establishments and a strong agricultural base which provided a pastoral landscape. This area now has fewer and less appealing tourist accommodations, farming is fast disappearing and the forests have subsequently replaced much of the pastoral landscape.

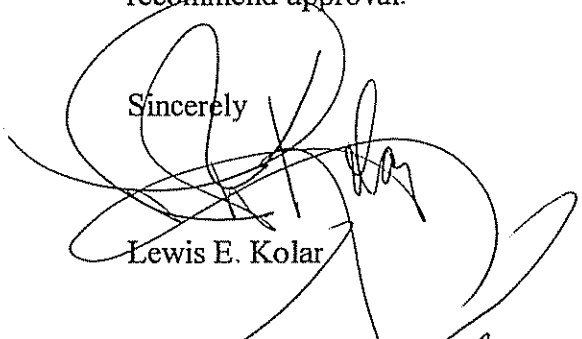
As proposed, the Belleayre Resort Project, will recapture some of that past, provide upscale accommodations, jobs and would be a stimulus to reinvigorating the declining built environment in adjoining communities by providing patrons and income to struggling local shops and restaurants.

The example set by Crossroads Ventures at the Emerson and Catskill Corners should be evidence of their commitment to quality and the environment. These facilities in Mt. Tremper once abandoned, deteriorating and off the tax roll are now gems on Rt 28, the eastern entrance to the Catskill Park.

I am sorry I could not personally speak at the public hearing as my position in a public traded stock company precluded that, none the less it is important DEC know my personal view point, my credible background, commitment to this area, and for that matter that of my wife Karen.

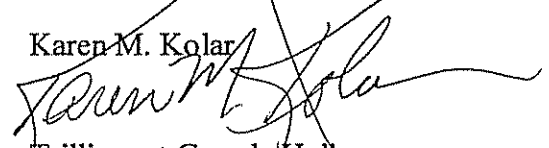
We support the Belleayre Resort Project at Catskill Park as now proposed and recommend approval.

Sincerely



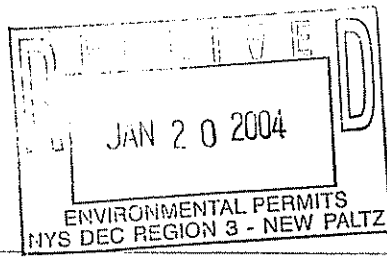
Lewis E. Kolar

Karen M. Kolar



Trillium at Canada Hollow
PO Box 857
Margaretville, NY 12455

845-586-4844



Alexander Ciesluk, JR.
NYSDEC.

Jan 16, 2004

Dear Mr. Ciesluk,

I am writing again to oppose the proposed Bellegarde Resort.

There is a alarming concern in my community about this proposal and the inadequacies of the DEIS put forth by Mr. Gitter.

Why did Mr. Gitter's group use old census data to come up with their conclusions?

I'm no scientist but it seems as though it would be highly inaccurate to use data from over a decade ago. Does it not?

Why wasn't the more recent census used?

Why do the Catskills need 2 golf courses?

Why do we need to build a city on top of a mountain? A city that will pose clear

threats to our much valued watershed, that will destabilize the community due to rapid

growth; ~~the~~ a city that will compete with our local businesses, built from the hard work of the people of the Catskills. A city

that will create dangerous traffic on our roads.

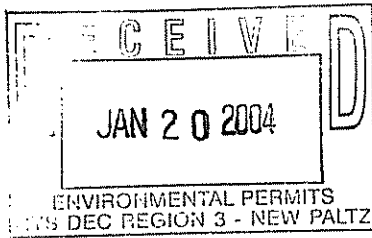
Does this make sense to you?

Mr. Ciesluk, you work at the DEC. I assume your work is to take care of the environment is it not? Do you believe the environment, the mountain, the watershed, the rivers and creeks, are being taken care of if this development goes through? Are you truly comfortable with that? Does your conscience allow it?

I'm sure the people, like myself, who are opposed to this project are not as well-spoken as Mr. Gitter and the DEIS. I'm sure the DEIS is very convincing in its language. I'm sure a lot of money and legal work backs up the DEIS. Still, it seems to not adequately address the questions like the census data - like why exactly we need a resort of such magnitude -

Please Mr. Ciesluk, the project will severely damage the community and our quality of life

Sincerely,
Phidel Dennis
Mt Tremper.



**RON GROOMES
41 PERKINSVILLE RD.
HIGHLAND, NY 12528**

Alexander Ciesluk, Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561

Dear Mr. Ciesluk,

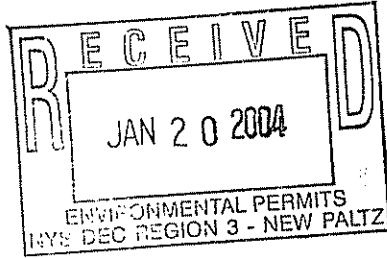
I am writing to ask you to take a good, hard look at the proposed Belleayre Resort project from an environmental viewpoint. I as well as what may be described as a community of people, have both homes in the city and up in the Hudson Valley or Catskill Mountains.

Not only do we rely on the watershed coming through the Catskills for our drinking water, we rely on Belleayre Mt. and surrounding area for a wide range of recreational and tourism purposes. I would like to ask what has become of the 'forever wild' intent of the State Constitution?

The residents of the State of NY rely on the Department of Environmental Conservation to take an objective and scientific view of developments such as these and further to fulfill its mission as protectors and conservators of the environmental treasures we have here. We need the DEC because generally it is the developer who is hiring the firm to do the environmental review. The conflict of interest there is obvious and ludicrous at best.

Thank you.

Ron Groomes



January 17, 2004

To: Alexander Ciesluk, Jr.

Subject: PROPOSED RESORT AT BELLEAYRE

I urge you to deny a permit to the above project. My particular concern is the resort's effect on trout fishing in the Esopus stream.

Runoff from construction and pesticides on the two 18-hole golf courses will inevitably degrade the water quality of tributaries which feed into the main river and will subsequently destroy trout stocks.

Of course, there are additional insurmountable negatives. There will be years of massive traffic congestion on Highway 28, making a shopping trip to Kingston a nightmare. There will be insufficient housing for service people working at the resort and resulting tax burdens on local communities. There will be massive destruction of the pristine Catskill environment. There will be imposition of an alien culture of super-rich into our rural community, with the prospect of casino gambling down the road.

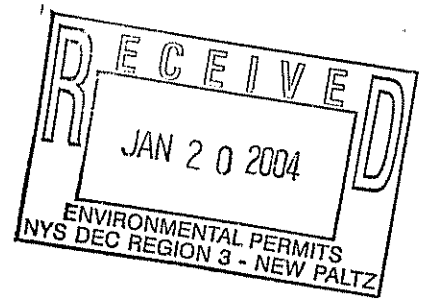
Please stop this proposed resort.

Thank you,

A handwritten signature in cursive script that reads "George E. Warner".

George E. Warner
Box 816
Margaretville, NY 12455

ELISE G. VIOLA
39 PERKINSVILLE RD.
HIGHLAND, NY 12528



ALEXANDER CIESLUK, JR.
21 South Putt Corners Rd.
New Paltz, NY 12561 - 1620

January 17, 2004

Dr. Mr. Ciesluk,

I am writing to state my opposition to the proposed Crossroads Venture "resort" on Bellearye Mountain. I don't have to tell you what a unique treasure NY residents consider Bellearye Mountain to be (as well as the entire Catskills). To think of a project of this magnitude scarring up the landscape, interrupting species habitat, silting up streams, creating traffic, sprawl and congestion; makes my skin crawl !

It seems to me that a few hundred low paying (and probably non-union) jobs are not enough of an asset to offset the many negative effects of a development of this size. After all, this is not some cozy retreat in the woods, which would be appropriate to its setting; this is a metropolis! Those detrimental effects of which I speak are as follows:

1. Pollution due to fertilizers, herbicides and pesticides on golf courses and lawns killing wildlife (if not immediately, then later). The same pollution finding it's way into our groundwater.
2. Erosion heading downstream and compromising the city's watershed, potentially costing 8 billion dollars out of the city's coffers.
3. Rapid population growth adding to school taxes, increase in services requiring tax money, sprawl, congestion, strip malls, wider roads, traffic; all where pristine natural resources used to be. These pristine natural resources by the way, result in tourism dollars for the entire Catskill region. The sprawl created by a huge new metropolis on the other hand, only benefits the resort itself and makes the surrounding area into a suburb, not a rural retreat as it is now. Suburbs don't bring in tourism dollars.

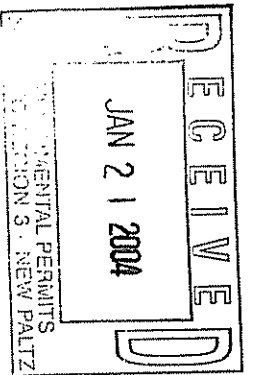
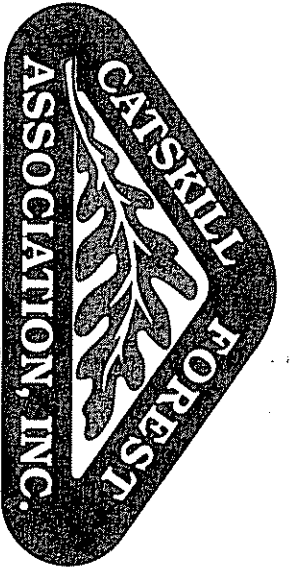
The list goes on I urge you Mr. Ciesluk, and all New Yorkers to do what they can not to let the personal greed of a few dictate the future of our beautiful natural resources here in the Catskill region. **Once it's gone; it's gone forever.**

Thank you for your consideration.

Sincerely,


Elise g. Viola

Jan 18, 2004



Dear Mr. Cleaver,

What is the purpose of the Dept of Environmental Conservation? I can't believe we're even considering a development the magnitude of the Challenge Resort in the Catskill Park - watershed.

New York City is buying up land as if can't be developed to save the watershed & you might approve something like this?

Why should a developer be allowed to change the quality of our environment so drastically for the limping dollar? 75% of the people who live here don't want the Catskill Park raped.

Please do your job & conserve our environment. Sincerely,
Just say me!

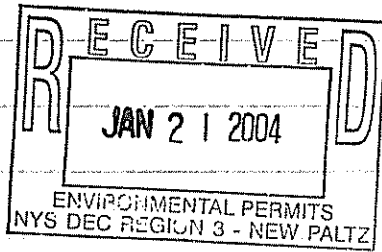
Harold Rogge Jr.
Katherine & Fred
Michael Reese
Flaackmann 97-7.

(over)

Mailbox address:

MARKOV KOELL, MR.
P.O. Box 343
Rivers Hill, N.Y.
12465

January 19, 2004



Alexander Ciesluk, Jr.
21 South Putt Corners Rd.
New Paltz, NY
12561-1620

Dear Alexander,

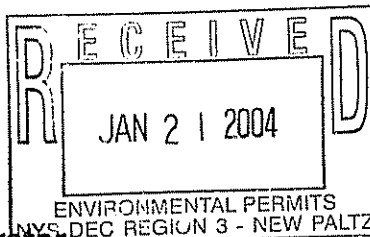
The intent of this letter is to express my shock, outrage, and disappointment in those NY politicians and representatives who are supporting the proposed:

BELLEAYRE RESORT PROJECT

I am opposed to this project on moral, financial, environmental and just plain common sense grounds. My neighbors, and myself, share a deep opposition to this project, and therefore to any agencies or individuals who support it.

Very Sincerely,
Michael Latviano
Phoenicia, NY

Michael Latviano



January 20, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: Belleayre Resort at Catskill Park Project

Dear Mr. Ciesluk:

This "Peopletician" and Journalist has lived and worked in the Heart of the Catskills for more than half a century, after coming up here as an Assistant Editor on the Brooklyn Daily Eagle and marrying a Mt. Tremper native. Together, Howard and I have raised five children and are the grandparents of ten.

Always a community activist, I was a member of the Shandaken Town Board for twenty years (the last two as Supervisor) and spent twelve years as an Ulster County Legislator, representing District 2.

During the latter, I was on the Economic Development and Public Relations Committee and was Chairman of the Educational Committee, which covered the Ulster County Community College.

At one time, as a Legislator, I had the Marriott Hotel Corporation interested in building a resort hotel in the Town of Shandaken, and as Supervisor, a large group from NYC approached the Town Board about instituting an ambitious music and recreational complex in Big Indian. Both projects fell thru due to either opposition or lack of public relations.

Because of dearth of opportunity in this area, most of our educated children, grandchildren, nieces and nephews have had to go out of Town, County and State for decent jobs, and the same goes for offspring of our fellow townspeople.

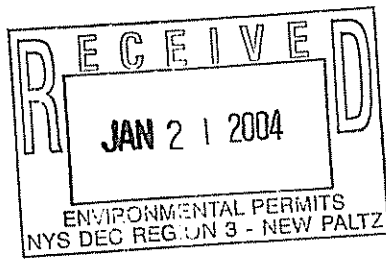
Hunting and fishing is no longer feasible as major income sources. While Belleayre Ski Center (which I helped foster under Assemblymen Kenneth L. Wilson and Clark Bell), does provide some part and full-time Winter jobs for residents of Delaware and Ulster Counties, the skiers, for the most part, are day-trippers, with relatively few of them patronizing local businesses.

A project, such as the proposed Belleayre Resort, is desperately needed for the financial future of the Towns of Shandaken and Middletown.

Most Sincerely Yours,

Marian Callaghan Umhey
Marian Callaghan Umhey

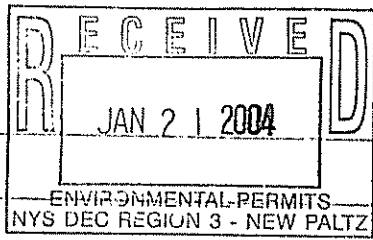
P. S. Older resident-taxpayers, who either were unable to brave the cold to attend the hearings, or are not adept at writing letters, have requested that I be their spokeswoman. It's my experience that the "aginnners" have always been able to be more "vociferous" than the majority in favor of a project!!!



January 16, 2004

Dear Mr. Ciesluk:

I would like to take this opportunity to express my strong opposition to the proposed Belleaye Resort project as currently proposed by Sean Hitter. I am a full time resident living just a few miles from the proposed site and am aghast at the possibility that such a proposal could become a reality! I consider myself to be an open minded person who weighs arguments fairly on both sides of any issue. I have studied carefully the pros and cons of this project for years and must conclude that its size, scope and consequences are truly misguided. It is beyond me how anyone can fail to see that such a project is not in keeping with the rural character and general scheme of things in this area. Moreover, I have grave reservations about potential environmental consequences that would impact our way of life forever - among these runoff, pesticides + fertilizers, "light" pollution of our nighttime sky, traffic, tax, educational and related consequential issues. Indeed, can anyone guarantee no deleterious effects to our water supplies or fishing habitats? I've heard and evaluated all of the arguments in favor of this project but



P.O. Box 325

Margaretville, NY 12455

January 12, 2004

To whom it may concern;

I was born and raised in these Catskill mountains. I come from a long line of C.M. people - my Grandparents and their Grandparents, etc., etc. have all originated in this area. Now I'm raising my children here also.

I love this area, the forests, farmlands, the close-knit communities. I love the way the whole community pulls together to help residents in times of need. I love walking down the street & recognizing the majority of people I meet - I may not know them all by name, but I know they are "local" people.

I like the way that the entire school (staff & students) look out for my 8 year old son. He has "friends" who are in high school as well as in his second grade class. I know the majority of his classmate's parents and the others I recognize on sight.

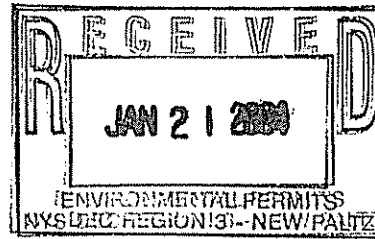
The proposed Belleayre Resort would change all of the things I love about living here. The thousands of new people



Pauline Vos
P.O. Box 372
Highmount, NY 12441-0372

Jan. 18, 2004

Alexander Ciesluk, Jr.
NYS DEC
21 South Putt Corners Road
New Paltz, NY 12561-1620



RE: Crossroads Ventures Project

In 1968 I moved from New York City to Highmount drawn by the beauty, serenity and fresh air of the Catskills.

I do believe the region needs development, but not on the scale Dean Gitter envisions. Maybe a series of "mallettes" located within the towns and hamlets with shops, parking, benches; or light industry: woodworking, small manufactured goods -- not a mega complex sufficient unto itself with its own recreational facilities, shops and restaurants; how will that help struggling hamlets like Pine Hill or Fleischmanns.

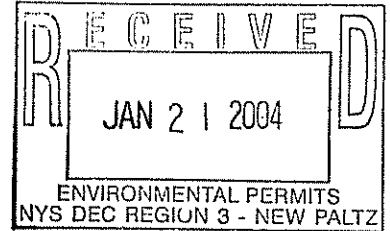
To begin with, the building process alone will create noise, pollution and road damage, with blasting, trucks hauling materials for years on end, and general disturbance of the area.

The end result would be: pesticide and herbicide runoff from the golf courses, traffic congestion on Rte. 28 which is bad enough as it is, pressure on the fire and emergency departments, plus a dangerous drain on the water supply -- think of all those toilets, showers and hot tubs!

NO TO CROSSROADS VENTURES ** I CARE ABOUT THE CATSKILLS

Jan. 16, 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561-1620



Dear Mr. Ciesluk:

As residents of Catskills, who live and work within the Catskill Park, we strongly object to the proposed Belleayre Resort -- which is the subject of the hearing scheduled in Boiceville for Tuesday, Jan. 20. We are convinced that this development would degrade the environment, increase property taxes, and have a negative impact on small businesses in our area.

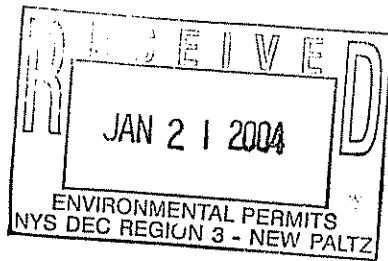
We are convinced, furthermore, that the DEC should be asking the larger question: What would be the impact on the Catskill Park itself -- in a state that has virtually no national park or national forest land. The Catskill and Adirondack preserves belong not just to those of us who live in them but to all the people of New York. If we allow these unique lands to be degraded, what significant natural heritage will we be able to pass along to future generations?

Why should one large developer be handed New York's constitutionally protected "forever wild" forest as a scenic backdrop for a commercial venture -- spoiling it for rest of us? We ask that the DEC require a meaningful environmental review.

Sincerely,

Jane Byers Bierhorst
John W. Bierhorst
Jane Byers Bierhorst
John W. Bierhorst

3WH57 Watson Hollow Road
PO Box 10
West Shokan, NY 12494



34 Dixon Ave
Woodstock, NY 12498
1/19/04

Alexander Ciesluk Jr
21 South Putt Corners Rd.
New Paltz, NY 12561

Dear Sir;

As an environmentalist, member of the Atlantic Chapter, Mid Hudson Group, of the Sierra Club, thirty two year resident of Woodstock, NY, and concerned citizen, I wish to register my total objection to, and protest against, the planned Crossroads Venture on Belleayre Mountain.

In addition to degrading the view scape, obliterating hiking trails, causing the extinction of terrestrial and marine wildlife through destruction of habitat and stream pollution, and spoiling the winter recreation of skiing for the local population, this planned monstrosity would necessitate building a pollution and sediment filter plant for New York City, and thus, no doubt, impact the real tax-rates in Ulster and adjacent counties, if not statewide.

The traffic on Route 28, heavy enough now, would become unbearable and far more dangerous than at present, both for the four or more years of construction of the project, and ever after that with the coming and going of she mostly very well-to-do patrons of the complex.

Besides destroying the fragile balance between the Catskill Parkland, the NYC water supply, the Forest Preserve, and the local population, the project would cause increase in local school taxes due to the extra population of low-paid workers, increased costs for police and fire control, repair of streets, and general municipal costs for local towns and villages, thus upping the local tax burden while **DECREASING** property values, since people seeking the present peace and

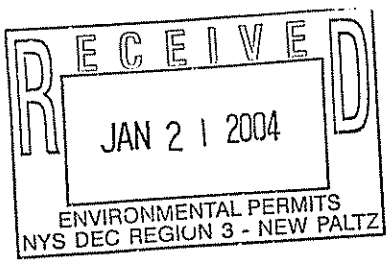
beauty of our Catskills would not want to move to this then spoiled area, where the night sky would be lit up like Times Square, and the traffic on 28 like Manhattan at rush hour.

The motive for building this proposed insult to our environment and the people who live here, is one thing only, increased wealth for the owners, and to hell with the health, safety, peace, and aesthetic enjoyment of the present residents, and the costs of wildlife disruption and extinction,, the ruination forever of thousands of acres of essential forest land on sensitive slopes, producing flooding and silting of the water courses, and almost certain flooding and mud-slide damage, including loss of life, to villages and residences at lower elevations.

Please do not allow the degradation, pollution, and destruction of our Catskill environment, to satisfy the selfish ambition of those who are not even native to the area and value only greed, power, and monetary wealth.

Sincerely,

Philip F. Sullivan



January 15, 2004

My name is Steven Stettine and I am a resident of Phoenicia, N.Y. I have lived-worked and retired here for the last 38 years. That experience leads me to one fact of life--Change is inevitable, it is part and parcel of the human experience. It has occurred simply because we are here, and all those who come after us will not only enjoy it but also add to it. The major concern should be weather the change is a good thing or a bad one. I do know this, no change, (ie) status quo, will not be a good thing-it brings stagnation, which in itself is a change but in a negative direction.

If there is evidence of the direction of this proposed change, it should be looked at carefully, in this case there is. Catamount and the Emerson House in Mt. Tremper N.Y. are the creations of the same group who are proposing Crossroads. Look at the beauty and charm they have brought to our area. In the beginning many residents were cautious and some even vehemently opposed to this change. The success of the Catamount and Emerson ventures should give us some insight as to the capabilities of Mr. Dean Gitter and his associates.

There will be local changes that will need to be made. Parking, Public Restrooms ect. All towns within a reasonable distance of the Crossroads project will have to accommodate an influx of people and business. If we look closely these are problems that already exist. Crossroads will, I believe, only hasten their solution.

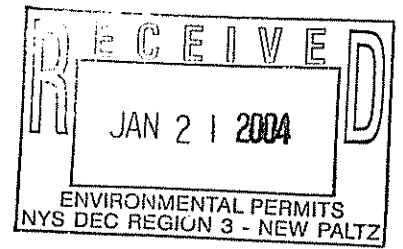
Crossroads will not be a blessing for all residents. Those who refuse to move forward and keep pace with the changes life brings will never feel kindly towards anything but status quo.

I have seen much of the beauty and ambiance of the catskills change over the last 38 years that I have lived here. To be honest when I moved here I too, in my own way, contributed to the change, as did everyone else who came after me. That experience leads me to believe that Crossroads is a good move for both the area and its residents- present and future.

I am proud to endorse the Crossroads project and sincerely hope that this committee will do likewise.

Steven T. Stettine, Phoenicia, N.Y.

70 Box 45 F
Phoenicia, NY 12464
(845) 688-5755



*Alexander Ciesluk, JR.
21 South Putt Corners Rd,
New Paltz, NY 12602*

Dear Sir:

As a new resident of Ulster County, I am deeply distressed after hearing that the environmental, social and economic health of the heart of the Catskills might be sacrificed for the building of a city-sized resort on Belleayre Mountain.

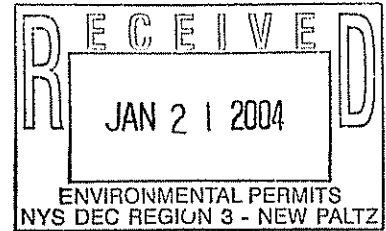
I am strongly opposed to the above venture, and feel we would all be diminished by such an action.

Thank you,

A handwritten signature in cursive script that reads "Dorothy Linden".

*Dorothy Linden
January 16, 2004*

January 20, 2004



Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS Department of Environmental Conservation (DEC) Region 3
21 South Putt Corners Rd.
New Paltz, NY 12561-1696

RE: Proposed Belleayre Resort

Dear Mr. Ciesluk:

It is with deep consternation that I am contacting you in regard to the possible destruction of virgin wilderness, the Catskill Mountains, to construct a hideous ostentatious development, the Belleayre Resort.

Please do not succumb to the greed and arrogance of businessman who worship the almighty dollar.

The words of Thoreau perhaps best express the concerns of many people, not only local residents, who oppose mega-development of the Catskill Mountains:

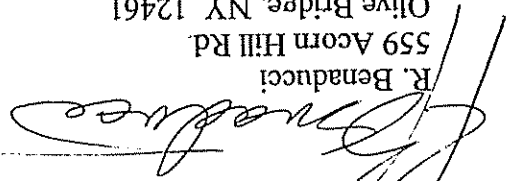
What are the natural features which make a township handsome? A river, with its waterfalls and meadows, a lake, a hill, a cliff or individual rocks, a forest, and ancient trees standing singly. Such things are beautiful; they have a high use which dollars and cents never represent. If the inhabitants of a town were wise, they would seek to preserve these things, though at a considerable expense. . . .

It would be worth the while if in each town there were a committee appointed to see that the beauty of the town received no detriment. If we have the largest boulder in the country, then it should not belong to an individual, nor be made into doorsteps.

As in many countries precious metals belong to the crown, so here more precious natural objects of rare beauty should belong to the public.

It is not just for the here and now the mountains should remain pristine, but for all the tomorrows and the generations who will be able to see the wild beauty of nature.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Benaducci". The signature is written in black ink and is positioned above the printed name and address.

R. Benaducci

559 Acorn Hill Rd.

Olive Bridge, NY 12461

845-657-6585

From: Ruzow
To: Bakner; Rosenthal
Date: 1/26/2004 9:02:24 AM
Subject: Fwd: Thank you - email received

Another letter

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 1/26/2004 9:07:27 AM >>>

>>> Michelle Spark <mbspark@netstep.net> 01/25/04 10:21PM >>>
Dear Mr. Ciesluk,
Please send along my gratitude to Judge Wissler, for providing a fair

and open public hearing on the proposed Belleayre resort DEIS. I appreciate your efforts to understand the problem of getting out relevant information to the public in an accessible and timely way. I

especially want to thank Judge Wissler for scheduling an additional time to continue to hear public comments, for February 3, 4:00-midnight. It's an important process, which helps people hear others view points as well as a place to convey actual information as well. I hope that you will be able to attend this last hearing, too.

Sincerely,
Michelle Spark
michelle@michellespark.com

New York State Department of Environmental Conservation
 21 South Putt Corners Road, New Paltz, New York 12561-1620
 Phone: (845) 256-3000 FAX: (845) 255-3042
 Website: www.dec.state.ny.us



Erin M. Crotty
 Commissioner

FAX COVER SHEET

TO: Terressa Bakner FAX # 518 487-7777

FROM: Alex Ciesluk

DATE: 1/22/04 NUMBER OF PAGES (including cover) 5

MESSAGE: I am faxing a copy of the comment letter I received from the Delaware Co. Soil & Water Conservation District, dated January 16, 2004 regarding water supply concerns related to the Wilderness Resort component of the Belleaye Resort at Catskill Park for your information and consideration.

cc: M. Holt via fax - (518) 402-9029
C. Krebs

FAX MACHINES:

- (845) 255-4659 - Fish & Wildlife, Hudson River, Lands & Forests & Operations
- (845) 255-3042 - Regional Director, Environmental Permits, Legal
- (845) 255-0714 - Public Affairs & Real Property
- (845) 255-0716 - Air
- (845) 255-9249 - Law Enforcement
- (845) 255-2987 - Spills Management & Water
- (845) 255-3414 - Solid Materials, Hazardous Materials, Pesticide Regulation
- (845) 255-4238 - Hazardous Waste Remediation
- (845) 256-9219 - Sportsman Education & Wildlife
- (845) 255-3649 - F. Dunwell



Delaware County
Soil and Water Conservation District

44 West Street, Suite 1

Walton, New York 13856

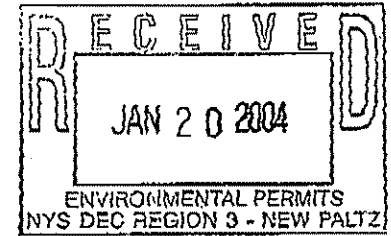
Phone 607-865-7161
FAX 607-865-5535

TO: Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

FROM: *RW* Richard Weidenbach, Executive Director

DATE: January 16, 2004

RE: Wildacres Resort, Crossroads Ventures project



As requested, enclosed are initial comments from this Soil and Water Conservation District regarding water supply concerns associated with the Wildacres resort portion of the Belleayre Resort at Catskill Park.

If you have questions regarding these comments, please contact either myself or Larry Day at your convenience.

cc: Roger France - NYS Health Department



Delaware County Soil and Water Conservation District

44 West Street, Suite 1

Walton, New York 13856

Phone 607-865-7161
FAX 607-865-5535

TO: Richard Weidenbach, Executive Director

FROM: Laurence Day ^{LD}_{CPSSI} Soil and Groundwater Specialist

DATE: January 16, 2004

RE: Wildacres Resort, Crossroads Ventures project

As you requested, I have reviewed the Draft Environmental Impact Statement for The Belleayre Resort at Catskill Park, and have the following initial comments. These comments are currently limited to issues of protecting the water supply for the Village of Fleischmanns in Delaware County, focusing on the Water Budget Analysis for WildAcres Resort.

Comments concerning the water budget analysis:

As is customary practice, Alpha Geosciences analyzed the existing hydrogeologic conditions and compared these assessments with post-development conditions by use of a water budget. In this process, existing and proposed changes in soil types, vegetative cover and land uses were evaluated, with certain assumptions being necessary. However, I am not comfortable with some of the characteristics assigned to the imported topsoil that is "assumed to be a sandy loam" (p. 6). This would be a logical choice of soil texture for creating final grades due to its apparent availability, workability (e.g. low plasticity), adequate water-holding capacity, etc. However, a wide range in soil permeability is possible for any given soil texture, depending upon variations in the amount of fines (silt + clay), and variable compaction during placement. Regardless of precautions taken during construction, the rough grading of native soils commonly results in smearing and compaction of the soil surface that would later receive the topsoil fill, thereby significantly decreasing permeability of the whole soil profile.

In their Table 3 (Water Contributions by Soil Type - Future Conditions) a relatively large value (24.32 in/yr) is assigned to the Percolation Rate for all golf course areas, a value greater than nearly all other soils listed. This parameter, along with the associated Total Percolation Rate, is critically important for the outcome of the analysis. In effect, by selecting a large value for percolation rate, the best case scenario was chosen. Judging from both the actual percolation test results provided in Appendix 12 of the DEIS, and from my professional experience of soil profile evaluations and running hundreds of percolation tests in Delaware County, it is not likely that typical sandy loam fill material

on fairways and greens would have percolation rates that generally exceed the native, well-structured, very gravelly (or channery) silt loam soils under forest vegetation.

Furthermore, the assumption that using topsoil fill with sandy loam soil texture overrides the importance of removing forest vegetation contradicts accepted practice: in one of the most widely used and nationally accepted methods for predicting runoff, commonly called TR55, various curve numbers are used to represent runoff from areas of various land uses. With a given rainfall event over an area, a greater curve number indicates more surface runoff would occur, while a smaller curve number implies that more infiltration (and consequently less runoff) would occur. For example, considering soils in hydrologic group C (such as the Vly soil that occurs on the proposed Wildacres site, and typical of most upland glacial tills with dense subsoils), woodlands in good condition are given a curve number of 70. By contrast, the same soils under golf courses are given a curve number of 74. This implies that within the same hydrologic soil group there is a tendency for slightly more runoff (and hence less infiltration) to occur over golf course fairways than over woodlands such as those on the proposed Wildacres site.

According to the percent coverage of each soil type (second column of Table 3) the golf course would occupy less than 20% of the project area. Because it is not clearly stated as such, it seems necessary to point out that this area of shallow soils over fractured bedrock located directly upgradient from Fleischmanns spring is undoubtedly an important recharge zone for the spring. Although some 20% seems a relatively small proportion, its importance is magnified by its relative location to the spring.

My evaluation of the water budget analysis, and its conclusion that the proposed development would produce essentially unchanged recharge water quantities to the spring than the present conditions provide, is that it represents one estimate of an optimistic scenario. Considering a less optimistic scenario, as I have suggested above is probably more reasonable. Adjusting the water budget to model less optimistic scenarios should help address the extent that such mitigation measures might be needed.

Comments concerning other aspects of the project (in the DEIS) that potentially affect the Fleischmanns spring:

The wetlands maps and wetlands table (Tables 3-26 and 3-26A) for the Wildacres area show where 1.08 acres of isolated wetlands would be filled. Isolated wetlands lose water only through the processes of evapotranspiration and infiltration. Wetlands 17 to 22 are not listed as having aquifer recharge as one of their functions, despite their being isolated (i.e. not hydrologically connected to other wetlands via a channel with concentrated flow) and within the likely recharge area for the spring. Seeing no information to the contrary in the DEIS, I am concerned that filling these wetlands may magnify the potential for decreased recharge to the spring.

Comments concerning water quality issues:

The DGEIS states that stormwater ponds would be installed, being blasted out of the bedrock where necessary, to detain stormwater flows from the resort, parking lots, etc. While the need for stormwater controls is clear, I feel that these ponds should be lined or the stormwater otherwise treated very conservatively to prevent infiltration of contaminant-laden stormwater into the aquifer that supplies Fleischmanns spring.

The plan to use Integrated Pest Management, minimal risk fertilizers and similar programs to limit effects on water quality are appropriate, considering the proximity of the golf course at Wildacres to the Fleischmanns spring. I would also recommend that all fertilizer storage and pesticide storage and mixing areas be located well away from the likely recharge area for the spring.

From: "Ruzow" <druzow@woh.com>
To: <afcieslu@gw.dec.state.ny.us>, <rrwistle@gw.dec.state.ny.us>
Date: 1/16/2004 10:24:26 AM
Subject: Re: Fwd: Public email comments - Crossroads Ventures LLC

Thanks Alex
Dan

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 1/16/2004
10:25:49 AM >>>

Attached are the comments I received from 1/13 - 1/15/04.
I will provide each of you with copies of the written comments
received
through 1/16/04 at the Hearing this coming Tuesday.

CC: <cbkrebs@gw.dec.state.ny.us>

From: "Rebecca" <rebwelz@mindspring.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/16/2004 2:58:04 PM
Subject: Proposed Belleayre Resort

Dear Mr Ciesluk,

I am greatly disturbed by the proposal of the Belleayre Resort complex. It is too big for this fragile watershed area. It will damage the environment, pollute the waters, take business away from the local hotels and B & B's and restaurants.

Not enough has been done to study the impact of golf course lawn fertilizers on the environment here. So far what we know about the fertilizers is that they cause cancer. This area provides water for one half of New York state. Already the Schoharie Reservoir and Esopus River are compromised. This project will compromise the water quality of the drinking water for half of this state.

It will also not provide jobs for local people but will bring in people who will work for minimum wages. This will put a strain on the social services of the area.

There is a quality of life here that we would like to preserve. I am not against development but the scale of this project is too big and too harmful. Please do what you can to stop this project from going through.

Sincerely,
Rebecca Welz

362 White Road
Margaretville, NY 12455
845-586-1106

Outgoing mail is certified Virus Free.
Checked by AVG anti-virus system (<http://www.grisoft.com>).
Version: 6.0.560 / Virus Database: 352 - Release Date: 1/8/2004

From: "John Ivanac" <johniv@nvbb.net>
To: <afcieslu@gw.dec.state.ny.us >
Date: 1/16/2004 6:48:00 PM
Subject: belleayre resort

Dear Sir,

I understand that the clearing of this land to allow development of the resort will cause substantial runoff into pristine streams & could potentially alter drinking water quality as well as trout streams. As a resident of NYC, I am certainly alarmed that our drinking water--heretofore some of the best in the nation--could be adversely impacted by so extensive a project. As an avid hiker in the Catskills, I am also dismayed by the aesthetic impact of such an extensive project. The Catskills are a wonderful natural beauty & people long ago recognized this deciding to keep it "forever wild." Let us not hastily cast these sacred principles aside. Please allow my comments to be published or utilized as you see fit. I hope that more people can wake up & look beyond their need to put their stamp on the Earth ceaselessly. Sometimes Mother Nature knows best--here it is clearly the case.

Thank you,
John Ivanac
220 Riverside Blvd.
New York, NY 10069

From: <Jvdb9@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/17/2004 2:34:32 AM
Subject: Only 1 session?

Dear Mr. Ciesluk,

I am disappointed to learn there will only be one hearing on Tuesday at Onteora HS re: the Belleayre Resorts project. I and so many others were hoping to speak then, and I anticipate a large crowd. Please reconsider and hold two or more sessions at Onteora HS.

Thank you.

Jane VanDeBogart
jvdb9@aol.com

From: "Phil Meagher" <philmeagher@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/17/2004 10:54:31 AM
Subject: Belleayre Resort

My wife and I are 25 year residents of West Hurley and live about .7 mi North of Route 28.
We are AGAINST the proposed resort.

- a.. From a parocial point of view the increased traffic on Route 28 will make turning left toward Kinston from Van Dale Road , our normal route, more difficult
- b.. The proponents of this proposal talk about jobs. Given the nature of the project most jobs will be low paying jobs. Where will these low wage earners live? Certainly not in the new houses being built. They will tend to live in the old housing stock in the surrounding communities creating a market for subdivided houses - hardly an asset to a commuinty.
- c.. Clearly, the impact on the environment, while it can be mitigated, will be negative.
- d.. Net - why degrade our quality of life and the enviroment for low wage jobs?

My wife and I would support a proposal which created high paying jobs and had minimum impact on the environmet. The proposed project does not meet this test

Phil and Nan Meagher

From: <JLBUDDS@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/18/2004 7:44:29 AM
Subject: Proposed Belleayre Resort/Crossroads Ventures

To whom it may concern:

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

Government has a particular responsibility to ensure the integrity of designated wilderness area. The proposed development would make a mockery of that constitutional protection.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Joseph and Lois Budnitsky
26 Briarwood Road
Jersey City, NJ 07305

From: <jhassler@att.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/18/2004 10:50:42 AM
Subject: Gitter development

Mr. Ciesluk. As a biologist, I can only protest the Gitter development proposal in Shandaken. I know that as a dedicated DEC professional you are aware of the environmental consequence, seen and unforeseen. I am also sure that you know the biological details and the risks that we all face for a project that serves the financial benefits of a very few. We need to consider what we and all future generations will lose to the profiteers. I urge you and your agency to use every regulation to protect this unique area. Denis Moran, Ph.D

From: <jhassler@att.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/18/2004 10:51:00 AM
Subject: Gitter development

Mr. Ciesluk. As a biologist, I can only protest the Gitter development proposal in Shandaken. I know that as a dedicated DEC professional you are aware of the environmental consequence, seen and unforeseen. I am also sure that you know the biological details and the risks that we all face for a project that serves the financial benefits of a very few. We need to consider what we and all future generations will lose to the profiteers. I urge you and your agency to use every regulation to protect this unique area. Denis Moran, Ph.D

From: <jhassler@att.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/18/2004 10:53:08 AM
Subject: catskill resort proposal in Shandaken

Please use every legal means to prevent the destruction of this area of the Catskills. It should be left as it is and not be the subject of development, pollution and increased traffic. Judith Hassler

From: <osprey001@comcast.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/18/2004 11:26:46 AM
Subject: [Maybe Spam] Catskill Wilderness

I oppose any development which will have a negative impact on the Catskill wilderness. We need to actively protect this unique and historic area which so far miraculously survived its proximity to huge metropolitan New York. As "Extinction is forever", development is forever too, as long as humans inhabit the Northeast. As a citizen I feel no obligation to enrich developers when they act in their own self interest in opposition to ours. Intact wilderness areas are a source of refuge for people well as for wildlife. Many, many more people than there are developers or buyers for the proposed estates.

You may sign and forward this message in my name:

Janet Vitiello
Bedford MA
e-mail: osprey001@comcast.net

From: john jabbour <jpjab@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/18/2004 11:28:33 AM
Subject: Friends of the Catskill

Dear Mr. Ciesluk,

As an area resident I oppose long term high density development in the Catskill especially the Belleayre area.

I understand the need for controlled development. But themega-resort is out of control. Just lok at Atlantic City, NJ. No real economic benefit to the entire community.

Please vote it down.

Thanks

John Jabbour

Do you Yahoo!?
Yahoo! Hotjobs: Enter the "Signing Bonus" Sweepstakes
<http://hotjobs.sweepstakes.yahoo.com/signingbonus>

From: <JCKKosarek@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/19/2004 11:29:24 AM
Subject: Gitter/Crossroads Venture

Dear Mr. Ciesluk:

I have been a resident of Ulster Co. since 1965 when I began my college career at SUNY New Paltz. After graduation, I chose to stay and teach in the area I had grown to love. I have been a homeowner in Shokan since 1974 and have seen the many changes that have occurred over the years. Increased growth and development, increased traffic, and increased disregard for the environment have all changed the area where I had chosen to live and raise a family. As a volunteer fireman for 17 years I have also seen the stress that growth puts on local communities. Therefore, I am very skeptical about the proposed "Crossroads Venture." I certainly believe that any possible benefits to the local area are vastly outweighed by the negative impact such a monumental undertaking would produce. The people who live in the catskills chose to do so because of its bucolic setting. While change in small increments can be assimilated, such a large change cannot without disastrous consequences. I urge you to stop the proposed "Crossroads Venture."

Respectfully,
Joseph J. Kosarek

From: <JDlannotti@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/19/2004 12:49:37 PM
Subject: Crossroads Ventures Project

Mr. Ciesluk:

As a resident of the region for more than four decades, a teacher in the Onteora Central School District, and a retired public official, having served the Town of Ulster as councilman and deputy supervisor during most of the decade of the nineties, I write in strong support of Dean Gitter's Crossroads Ventures proposal.

During my tenure in office, I had the sad responsibility to witness intimately the demise of the IBM Kingston facility, a plant closure that cost this area over seven thousand full-time positions paying high salaries and offering enviable benefits. The consequences, immediate and long-term, proved devastating; real estate values plummeted, ancillary businesses closed, median household income fell, and a palpable malaise, bordering on despair, settled upon Ulster County and its neighbors. There were more than a few who reveled in schadenfreude at this calamity, reproving us, with some validity, for neglecting economic diversity and relying upon a single, prolific employer. The lesson, presumably, has been learned.

In the ensuing decade, government, at all levels, has aggressively courted a variety of businesses, albeit with varying results. The retail sector has grown discernibly, as has small manufacturing and an assortment of service related industries. Only recently, residential construction has reemerged as a notable engine to growth, as the upper Hudson Valley attracts discontented urbanites to our south. Indeed, progress has been made, but at a level yet insufficient to redress many of the lingering problems that befall us - increasing state mandates, escalating costs of income subsidies, and, in direct consequence, sharply rising property taxes.

In economics, stasis proves impossible. We either dare to advance, or, through our timidity, abet decline. These problems will not resolve themselves. We must continue to reach out to all manner of employers. We must emphasize the charm, the scenic beauty, and the commercial vibrancy of both the lower Catskills and their environs. Projects like Crossroads Ventures will generate tax revenue, open up work for our young people, and, through symbiosis, spur economic growth throughout the area. Lest we fear an inundation of traffic, visitors, and, (Heaven forbid!), residents, we must remember that the project, while comparatively large, will result in but a modest increase in full-time employment, with consequences that the local housing markets and school districts are more than capable of absorbing. Mr. Gitter's project, in short, is not a second IBM plant. Rather, Crossroads Ventures represents but one enterprise in what we hope will be a regional renaissance.

Again, I urge your support.

Sincerely,

John D.

lannotti

From: Vickers & Beechler <greg.vickers@verizon.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/19/2004 1:45:53 PM
Subject: Proposed Belleayre resort

Mr. Ciesluk,

I am writing to share my views for the public hearing on the proposed Belleayre Resort. I am a resident of nearby Halcott Center just north of the project proposed for Fleischmanns Heights at the sight of the old Highmount ski area.

I find it dispiriting and sad that this project has managed to make it this far without sensible minds in the New York City and state governments putting it to rest permanently with rulings that will end this project permanently and, with it, end the anxiety and worry for residents who see the Belleayre project for what it is: a private speculative money grab at the expense of the people of the region, state and country.

Many logical arguments against this project have already been put forward, including the impact on the watershed, damage to wildlife, traffic, economic detriment to local businesses, strain on local services, etc., etc. And I am pleased to see an increasing number of voices-local and national-speak up on on these issues. My question is why opposition to this project even had to resort to this long list of feasibility concerns.

When one steps back from the the minutiae of the debate and just looks at what is being proposed-a 2,000 acre commercial development with limited benefit to the broad populace in the middle of a treasure of a state park system-the project should be D O A. Areas like the Catskills are becoming very rare and deserve the uncompromising protection of our government officials. Virgin mountaintops, clean water, and dark night skies represent an endangered environment whose preservation far outweighs any economic justification much less a pursuit of personal greed.

When future generations look back at this watershed (no pun intended) decision, which will they appreciate more? A large unspoiled contiguous park area with clean streams, limited commercial development, virgin forests, and protected wildlife? Or just another dime-a-dozen hotel golf resort? As the discussion on this project nears a final decision, please try and keep perspective. This is probably the most inappropriate, unwanted and grotesque proposal that this area could face and the residents here rely on the stewardship of people like you to protect the broad interests against the individual moneyed ones.

Thank you for your attention.

Sincerely,

Greg Beechler
PO Box 817 Halcott Center

Fleischmanns, NY 12430

From: <EASWP@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/19/2004 4:12:12 PM
Subject: Proposed Belleayre Resort

Dear Mr. Ciesluk,

I am sorry I can't be with you at the Hearing. However, please add my voice to those who oppose the destruction of one of the most glorious natural preserves in New York State. I find it amazing, and not a little disturbing, that, after so much discussion, evidence and public outcry, that there are still those who would destroy nature's blessings if given half a chance. That they still persist in camouflaging their mercenary goals behind professed assurances of preservation and plans to accomplish their goals shrouded in pathetic shrouds of protection, continues to amazes me.

The Catlike area is not only vital for what it is, but no less because of where it is. To erode such a treasure that is in easy proximity to one of the world's largest conurbations and thereby destroy access by the urban and suburban population of New York City to a magnificent opportunity to escape the pressures of metropolitan living for short periods of time would be a horrendous irresponsibility and a bitterly cynical disregard for the greater good.

IT MUST NOT BE ALLOWED TO HAPPEN! IT MUST BE STOPPED!

Sincerely yours,

Eugene A. Sekulow
7 Axtell Drive
Scarsdale, New York 10583
Tel. 914.725.5569
Fax. 914.725.8604
email: easwp@aol.com

From: "wolfphil" <wolfphil@prodigy.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/19/2004 4:32:29 PM
Subject: Please stop Crossroads

Blank

Woodstock, NY 12498

34 Dixon Ave

1/19/04

Alexander Ciesluk Jr

21 South Putt Corners Rd.

New Paltz, NY 12561

Dear Sir;

As an environmentalist, member of the Atlantic Chapter, Mid Hudson Group, of

the Sierra Club, thirty two year resident of Woodstock, NY, and concerned citizen, I wish to register my total objection to, and protest against, the planned Crossroads Venture on Belleayre Mountain.

In addition to degrading the view scape, obliterating hiking trails, causing the extinction of terrestrial and marine wildlife through destruction of habitat and stream pollution, and spoiling the winter recreation of skiing for the local population, this planned monstrosity would necessitate building a pollution and sediment filter plant for New York City, and thus, no doubt, impact the real tax-rates in Ulster and adjacent counties, if not statewide.

The traffic on Route 28, heavy enough now, would become unbearable and far more dangerous than at present, both for the four or more years of construction of the project, and ever after that with the coming and going of she mostly very well-to-do patrons of the complex.

Besides destroying the fragile balance between the Catskill Parkland, the NYC water supply, the Forest Preserve, and the local population, the project would cause increase in local school taxes due to the extra population of low-paid workers, increased costs for police and fire control, repair of streets, and general municipal costs for local towns and villages, thus upping the local tax burden while DECREASING property values, since people seeking the present peace and beauty of our Catskills would not want to move to this then spoiled area, where the night sky would be lit up like Times Square, and the traffic on 28 like Manhattan at rush hour.

The motive for building this proposed insult to our environment and the people who live here, is one thing only, increased wealth for the owners, and to hell with the health, safety, peace, and aesthetic enjoyment of the present residents, and the costs of wildlife disruption and extinction,, the ruination forever of thousands of acres of essential forest land on sensitive slopes, producing flooding and silting of the water courses, and almost certain flooding and mud-slide damage, including loss of life, to villages and residences at lower elevations.

Please do not allow the degradation, pollution, and destruction of our Catskill environment, to satisfy the selfish ambition of those who are not even native to the area and value only greed, power, and monetary wealth.

Sincerely,

Philip F. Sullivan

From: "Ann-Marie Di Gennaro" <amdigennaro@worldnet.att.net>
To: <afcieslu@gw.dec.state.ny.us >
Date: 1/19/2004 10:05:13 PM
Subject: Belleayre Resort at Catskill State Park

Att: Alexander Ciesluk, Jr

Dear Me. Ciesluk,

I am a resident of New York City. Throughout my youth I visited the Catskill Mountains and the Catskill State Park. It was refreshing as a city youth to be in a place untouched by human industry. To be fortunate to see native plants and, if lucky, wildlife.

Now I have been notified that a luxury resort threatens this jewel. Has the state of New York not endured enough destruction of its natural resources? Ours is a glorious state with more acreage than most of the other 49 states can claim. Yet if we look at the percentage of protected natural land we are near the bottom.

I implore you to deny the request for the construction of this resort. It will bring about the destruction of a much needed natural area and threaten the very water I drink and use to cook.

Ann-Marie DiGennaro
857 Grand Street
Brooklyn, New York 11211

CC: <info@friendsofcatskillpark.org>

From: Larry Day <larry-day@ny.nacdnet.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/20/2004 8:30:22 AM
Subject: Water supply comments, Belleayre Resort

Mr. Ciesluk,

Having received the DEIS for The Belleayre Resort at Catskill Park, this Soil and Water Conservation District has comments regarding the water supply for the Wildacres (western) portion, which are attached. I also have mailed a hard copy to your office, but wanted to ensure that you received these comments before your upcoming meeting to focus on water supply issues. Thank you,



Delaware County
Soil and Water Conservation District

Phone

607-865-7

1

44 West Street, Suite 1

6

1

Walton, New York 13856

FAX 607-865-5535

TO: Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

FROM: Richard Weidenbach, Executive Director

DATE: January 16, 2004

RE: Wildacres Resort, Crossroads Ventures project

As requested, enclosed are initial comments from this Soil and Water Conservation District regarding water supply concerns associated with the Wildacres resort portion of the Belleayre Resort at Catskill Park.

If you have questions regarding these comments, please contact either myself or Larry Day at your convenience.

cc: Roger France - NYS Health Department



Delaware County Soil and Water Conservation District

Phone

607-865-7

1

6

1

44 West Street, Suite 1

Walton, New York 13856

FAX 607-865-5535

TO: Richard Weidenbach, Executive Director

FROM: Laurence Day CPSS, Soil and Groundwater Specialist

DATE: January 16, 2004

RE: Wildacres Resort, Crossroads Ventures project

As you requested, I have reviewed the Draft Environmental Impact Statement for The Belleayre Resort at Catskill Park, and have the following initial comments. These comments are currently limited to issues of protecting the water supply for the Village of Fleischmanns in Delaware County, focusing on the Water Budget Analysis for WildAcres Resort.

Comments concerning the water budget analysis:

As is customary practice, Alpha Geosciences analyzed the existing hydrogeologic conditions and compared these assessments with post-development conditions by use of a water budget. In this process, existing and proposed changes in soil types, vegetative cover and land uses were evaluated, with certain assumptions being necessary. However, I am not comfortable with some of the characteristics assigned to the imported topsoil that is "assumed to be a sandy loam" (p. 6). This would be a logical choice of soil texture for creating final grades due to its apparent availability, workability (e.g. low plasticity), adequate water-holding capacity, etc. However, a wide range in soil permeability is possible for any given soil texture, depending upon variations in the amount of fines (silt + clay), and variable compaction during placement. Regardless of precautions taken during construction, the rough grading of native soils commonly results in smearing and compaction of the soil surface that would later receive the topsoil fill, thereby significantly decreasing permeability of the whole soil profile.

In their Table 3 (Water Contributions by Soil Type - Future Conditions) a relatively large value (24.32 in/yr) is assigned to the Percolation Rate for all golf course areas, a value greater than nearly all other soils listed. This parameter, along with the associated Total Percolation Rate, is critically important for the outcome of the analysis. In effect, by selecting a large value for percolation rate, the best case scenario was chosen. Judging

from both the actual percolation test results provided in Appendix 12 of the DEIS, and from my professional experience of soil profile evaluations and running hundreds of percolation tests in Delaware County, it is not likely that typical sandy loam fill material

on fairways and greens would have percolation rates that generally exceed the native, well-structured, very gravelly (or channery) silt loam soils under forest vegetation.

Furthermore, the assumption that using topsoil fill with sandy loam soil texture overrides the importance of removing forest vegetation contradicts accepted practice: in one of the most widely used and nationally accepted methods for predicting runoff, commonly called TR55, various curve numbers are used to represent runoff from areas of various land uses. With a given rainfall event over an area, a greater curve number indicates more surface runoff would occur, while a smaller curve number implies that more infiltration (and consequently less runoff) would occur. For example, considering soils in hydrologic group C (such as the Vly soil that occurs on the proposed Wildacres site, and typical of most upland glacial tills with dense subsoils), woodlands in good condition are given a curve number of 70. By contrast, the same soils under golf courses are given a curve number of 74. This implies that within the same hydrologic soil group there is a tendency for slightly more runoff (and hence less infiltration) to occur over golf course fairways than over woodlands such as those on the proposed Wildacres site.

According to the percent coverage of each soil type (second column of Table 3) the golf course would occupy less than 20% of the project area. Because it is not clearly stated as such, it seems necessary to point out that this area of shallow soils over fractured bedrock located directly upgradient from Fleischmanns spring is undoubtedly an important recharge zone for the spring. Although some 20% seems a relatively small proportion, its importance is magnified by its relative location to the spring.

My evaluation of the water budget analysis, and its conclusion that the proposed development would produce essentially unchanged recharge water quantities to the spring than the present conditions provide, is that it represents one estimate of an optimistic scenario. Considering a less optimistic scenario, as I have suggested above is probably more reasonable. Adjusting the water budget to model less optimistic scenarios should help address the extent that such mitigation measures might be needed.

Comments concerning other aspects of the project (in the DEIS) that potentially affect the Fleischmanns spring:

The wetlands maps and wetlands table (Tables 3-26 and 3-26A) for the Wildacres area show where 1.08 acres of isolated wetlands would be filled. Isolated wetlands lose water only through the processes of evapotranspiration and infiltration. Wetlands 17 to 22 are not listed as having aquifer recharge as one of their functions, despite their being isolated (i.e. not hydrologically connected to other wetlands via a channel with concentrated flow) and within the likely recharge area for the spring. Seeing no

information to the contrary in the DEIS, I am concerned that filling these wetlands may magnify the potential for decreased recharge to the spring.

Comments concerning water quality issues:

The DGEIS states that stormwater ponds would be installed, being blasted out of the bedrock where necessary, to detain stormwater flows from the resort, parking lots, etc. While the need for stormwater controls is clear, I feel that these ponds should be lined or the stormwater otherwise treated very conservatively to prevent infiltration of contaminant-laden stormwater into the aquifer that supplies Fleischmanns spring.

The plan to use Integrated Pest Management, minimal risk fertilizers and similar programs to limit effects on water quality are appropriate, considering the proximity of the golf course at Wildacres to the Fleischmanns spring. I would also recommend that all fertilizer storage and pesticide storage and mixing areas be located well away from the likely recharge area for the spring.

From: <Caddis1953@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/20/2004 8:05:30 PM
Subject: Proposed Belleayre Resort

To: Alexander Ciesluk Jr.
From: Vahe Balouzian, 116 Cannon Circle, Woodstock, NY 12498

Dear Mr. Ciesluk: I am writing to you to convey my deep concern about the proposed development. I am a New York City resident and have maintained a weekend home in Woodstock for the last 15 years. My family (two kids Carl 19 and Liza 16) have spent all their weekends during this period enjoying the mountains and streams of the Catskills. I started flyfishing on the Esopus Creek 14 years ago and my son Carl followed me in becoming an avid flyfisherman. He is going to CM Ranch in Wyoming as a flyfishing guide this summer. My daughter has become an expert rider. She spent the whole summer last year working on the Green Heron Farm teaching kids to ride. My wife and I hike every weekend on the Overlook Mountain enjoying the beauty of the Catskill Mountains.

The reason I am giving you these details about my life is for you to understand that this proposed development runs against everything that my family has come to enjoy in the Catskill Mountains. The Esopus Creek has already been degraded by the silted water being pumped through the Portal from the Schoharie Reservoir. Insect life has been diminished. There are no more those dense hatches of Mayflies and the number of native rainbow trout has seen a dramatic decline over the last few years. The Esopus Creek, whose headwaters start at the planned development, will be degraded further by all the runoff of chemicals, silt and pesticides from the huge development. Route 28, which has already seen increased traffic, will be even more crowded.

We come to the Catskills to run away from the crowds, the concrete buildings, traffic jams etc. to find solace in the beauty of the magnificent Catskill mountains. This project, if approved, is the beginning of the end of the Catskill Mountains as we know it. May be my voice will not make a big difference in your decision but I owe it to my kids' generation that at least I tried to save the Catskill Mountains by writing a short note to your committee.

From: "jim madden" <oliver@netstep.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/20/2004 10:29:39 PM
Subject: belleayre resort

please say no to the belleayre resort please protect the Esopus creek jim madden jr
38 hoffman st
kingston ny

From: <mgp9@comcast.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/21/2004 9:54:52 AM
Subject: The Belleayre Resort at Catskill Park

Mr. Ciesluk,
Please review my attached letter.
Thank you,
Maria Puoti

File

MGP

812 Roaring Brook Road
Highmount, New York 12441
January 18, 2004

Mr. Alexander Ciesluk, Jr.
NYSDEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561-1696
afcieslu@gw.dec.state.ny.us

Dear Mr. Ciesluk,

I am writing to oppose the development of The Belleayre Resort at Catskill Park, as it has been proposed, with 400 hotel rooms, 350 additional hotel and housing units, a 21-lot single-family residential sub-division and two 18-hole golf courses.

As brief background, I am currently a full-time resident of New Jersey, who has enjoyed visiting this region of the Catskills several times per year, every year since I was 5 years old (for the past 38 years). My family and I used to visit from New York City, to get away from the noise and crowds, to escape to a peaceful, beautiful, pristine wilderness. When I got married and moved to Cincinnati, I returned with my husband, to cross-country ski in the winter, tube in the summer and hike in the fall. When I had kids, we brought them here to learn to ski and to appreciate nature and escape to "my side of the mountain", much like Sam Gribble did in Jean Craighead George's famous books. Last year, we finally purchased a beautiful second home on 5 acres in Belleayre Village, directly across Rt. 28 from Belleayre Mountain so we could enjoy this lifestyle nearly every weekend and holiday.

We became property owners in this area BECAUSE it is relatively undeveloped. It provides a respite from the crowded, busy lives we lead. We do NOT need more development, more crowds, more pollution, more golf courses in this beautiful, unique region of New York State. There are plenty of hotels in the area that have rooms that remain vacant. There are 3 beautiful, one-of-a-kind golf courses in the area that never have enough golfers. There are plenty of homes for sale.

What we DO need in this area is more good quality restaurants, more good quality stores, more entertainment. On the restaurant front, two restaurants within a few miles of Belleayre have been shuttered for years: The Owl's Nest, directly across from Belleayre Mountain, with phenomenal views and rooms to rent has been closed for 5 years and for sale for the past 3; and Jake Moon, just down the road, recently rumored to have been purchased and renovated to re-open as Peekamoose Restaurant, remains vacant and closed. Why not put the effort into utilizing properties like these that already exist and that blend in well with the surroundings, to provide more for people who live here and

who visit to ski at Belleayre???. And we have so few stores in which to shop: the A&P in Margaretville is miles away and has not been upgraded for years; Wadler Brothers TrueValue hardware is a terrific store, but does not have consumer-friendly business hours; Phoenicia is miles away and only has one hardware store and a few small shops.. no clothing stores, for example. Why not invest in resuscitating Pine Hill and Fleishmann's further? These are two perfectly situated towns with lots of potential for generating business with the right mix of shops, restaurants and services. On the entertainment front, Belleayre Music Festival in the summer months is a wonderful attraction. Why not have high quality entertainment like this year-round???

My husband has recently taken up fly-fishing, in keeping with our desires to take advantage of the idyllic 'nature center' all around us. We are terribly concerned that run-off of storm water and wastewater disposal will impact the fish population with fertilizer, pesticides, heavy metals and increased water temperature (the SPDES permit fact sheet submitted by the proposed resort indicates water discharge temperatures as high as 70 degrees). And increases in phosphorous will lead to oxygen depletion, as the algae growth caused by the addition of phosphorus dies.

Regarding the proposed development, what data has been collected to prove that the project is actually the right one to benefit the area? The only data I've seen suggests that it will do more harm to the environment than good.

Net, the right kind of development in this area – such as restaurants, shops and entertainment - would enhance the quality of life in the area while maintaining the unique natural beauty that brings people here today and would greatly benefit both residents, 2nd home owners, and tourists alike. In contrast, the proposed development – more hotels and housing and two 18-hole golf courses, when we already have 3 local golf courses and myriad hotel rooms which are currently underutilized – would NOT benefit the majority of people residing in or visiting this area. It would instead completely remove the number one reason people come to this area - to get away from it all and enjoy events that are in harmony with nature – and would instead transform the area into an overdeveloped, overcrowded, unappealing Disney-esque resort that would be more appropriate for an area that does not have the wonderful natural resources that we should be exploiting in the Catskills.

Thank you for your thoughtful consideration of this issue.

Sincerely,

Maria G. Puoti

From: Liana Klippel <Liana.Klippel@centresolutions.com>
To: afcieslu@gw.dec.state.ny.us <afcieslu@gw.dec.state.ny.us>
Date: 1/21/2004 1:29:12 PM
Subject: Protesting Gitter

I am writing as a worker, home-owner and lover of the Catskill mountains. I am 24 years old and have lived in the area all my life. I currently work at Sweet Sue's Restaurant on the weekends. I own a home in West Hurley and during the week, commute to New York to assist a lawyer at a large Insurance firm.

I am ashamed at the plans Mr. Gitter has for the area. Growth in the area is happening more and more every year without the building of this massive resort. In the past, I have actually supported the building of the Catamount lodge, Emerson and Spotted Dog and until I read the actual plan for the Golf Course projects, I was supportive of this plan. The building of the first Gitter projects is something that can be benefitted from without the exhaustion of resources, the depletion of sacred mountains and the crowding of our fairly open, country houses and lifestyle. But the proposed Golf Courses and Resorts are too far!! It was way more than I had imagined and can not find the benefit to the area except for Mr. Gitter's fat wallet getting fatter. This 8-year project will do nothing but hurt the current environment and population. Change is a good thing, but too much change too fast will have a destructive effect on this area and the ripple-effect will be felt all the way down.

Mr. Gitter is supposedly a very spiritual man and yet his actions seem the opposite and totally disgust me to no end. A highly spiritual man would have more respect for the earth and nature, for it is our home. I really hope that he sees how devastating this move would be to the area and scales down and stops his massive "carving of the earth."

Sincerely,
Liana J. Klippel

From: "Bill Colagrande" <fisheratthec@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/21/2004 4:22:37 PM
Subject: Crossroads Ventures project

PO Box 613
Phoenicia, NY 12464
January 21, 2004

Alexander F. Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS DEC Region 3
21 S. Putt Corners Rd.
New Paltz, NY 12561

Dear Mr. Ciesluk,

I am writing to state my opposition to the Crossroads Ventures project currently under review by the DEC. I do not think a project of the scope is a good fit for the wilderness region of the Catskills. I am opposed for a number of reasons:

1. I fear that a project of this size will have a harmful impact on the water quality, not only of our local area, but of the nine million people in New York City who receive their drinking water from this area. Clear-cutting 529 acres of forest will increase the water run-off into our streams, upsetting their delicate balance necessary for healthy fish and wild-life populations. Vast amounts of pesticides, insecticides and fertilizer necessary to maintain two eighteen-hole golf courses will also wind up in the streams, poisoning the drinking water. All of the thousands of guests and staff will be creating a lot of sewage, which also threatens the health of the streams. In addition, I don't know if there is enough water in the Pine Hill area to go around as it is, without feeding golf greens and ski slopes.
2. The supporters of this project site the economic advantages to the area. The good paying jobs within this project will be going to people from outside the area. The types of jobs that will be available for the locals will be primarily low-paying, minimum wage jobs. In addition, the guest facilities, restaurants, shops and attractions that will be available at this project will be in direct competition with existing businesses. Once guests arrive at this complex, they are not likely to be hopping into their cars to get a pizza from Brio's in Phoenicia. In addition, there will be a lot of wear and tear on our roads, schools and social service systems which we, the local taxpayers, are going to have to pay. And suppose this project fails, and we wind up with some huge white elephant perched high up on the mountain? Gambling in Atlantic City, NJ was supposed to revitalize that community thirty-five years ago: all it revitalized was the boardwalk area; the rest of Atlantic City remains a virtual slum.
3. In addition to the serious water pollution hazard, there will be a huge increase in traffic along Route 28, which will create noisy, unsightly and smelly pollution. Our pristine night skies will be polluted by the ambient light from this project. The majestic mountain views will be polluted by golf

courses and parking lots.

I have been a resident of Phoenicia since 1986, and am an avid fisherman and lover of the outdoors. Those of us who live out this way do so because we appreciate and love the rural nature of things. We are willing to put up with the inconvenience of having to drive thirty minutes to go to a movie, for example, as a small price to pay to live in nature's beauty. I think my neighbors would agree with me on this.

This project is not going to do any of the locals any good. A handful of greedy entrepreneurs are the only ones who stand to profit. I am not opposed to tourism, development or progress, but feel very strongly that this project, as proposed, is not right for this area. Preserving the drinking water and wilderness area is much more important to so many more people. I am convinced this project will have only a detrimental and indelible impact on the region, and so urge the application for this project be denied.

Sincerely yours,

Bill Colagrande

cc: The Honorable George Pataki
The Honorable Maurice Hinchey,
The Honorable Kevin Cahill

High-speed users—be more efficient online with the new MSN Premium Internet Software. <http://join.msn.com/?pgmarket=en-us&page=byoa/prem&ST=1>

CC: <gov.pataki@chamber.state.ny.us>, <mhinchey@mail.house.gov>, <cahillk@assembly.state.ny.us>

From: "S.Plant&Z.Sklar" <plantsklar@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/21/2004 5:33:37 PM
Subject: Public Comment on Belleayre Resort DEIS

Dear Mr. Ciesluk:

Attached as a Microsoft Word document and also included below as part of this e-mail, please find my public comment on the proposed Belleayre Resort DEIS. It was delivered orally at the public hearing at Onteora High School on January 20, 2004. Please include it in your deliberations. Thank you.

PUBLIC COMMENT ON BELLEAYRE RESORT DEIS

My name is Zachary Sklar. I own a home and live at 22 Mill Road in Olivebridge, New York. I have been a full-time resident here for sixteen years.

I would like to speak about the effect of the proposed development on me and my neighbors in the town of Olive, the unique character of the community we love, and why it is so important to us that it not be destroyed.

I speak as a cityboy. I was born and raised in Los Angeles, California, and lived and worked in New York City for 15 years. I moved to Olivebridge in 1988 because I had become very ill from the stresses and pollution of city life. I knew I could never get well if I continued to live in the city. Living in Olive, I have returned to good health. This place has nurtured me, and I feel obliged to defend it when it is threatened.

Olive is a small town of several thousand people. We enjoy a quiet life here. We have little traffic and no traffic lights. We have open space, clean water and clean air. Our skies are unspoiled by light pollution, and we can still see the Milky Way at night. We are blessed with views of beautiful mountains, rivers and streams. We can still hear birdsong in the morning and the symphony of cicadas at night. We love this way of life, and it is the primary reason most of us have chosen to live here.

It is about a 20-minute drive south and east on Route 28 from the proposed Belleayre Resort Mega-Development to the town of Olive. Route 28 is the main artery through our town, which is composed of five smaller villages divided by the Ashokan Reservoir. Since virtually all traffic from New York City to the proposed Belleayre Resort Development would have to go through Olive on Route 28, the influx of vehicles (estimated by the developer to increase by more than 500 per hour, using outdated baseline numbers) would have a great impact on the quality of life in our town.

Since September 11, 2001, the traffic on Route 28 has increased enormously. As one who did it myself, I do not begrudge anyone the right to move here or to vacation here. However, I do feel that increased development of this area must be handled with care and proper planning so that it does not endanger the very things that make people want to come here in the first place.

We have already been adversely affected by New York City's ill-advised anti-terrorism rules that require us to drive out of our way on bad roads to get from one part of our town to another. And it is already difficult to make a turn from Reservoir Road (the main link between the hamlets on one side of the reservoir and the other) on to Route 28. If the proposed mega-development were built (requiring an enormous amount of construction material to be trucked in over eight years--we would no doubt need not just traffic lights, but also a significant widening of Route 28 or a bypass. This would disrupt the tranquility of our lives not just for a few seconds--as Dean Gitter flippantly suggested at the public hearing at Onteora High School-- not just during the widening of Route 28, not just during the eight-year building period, but forevermore.

Everything we most value here would be threatened by the mega-development. The size of our town would grow dramatically. The traffic and noise would increase dramatically. The light pollution and the stress of daily life would increase dramatically. Our well water and streams would be more polluted from the chemicals used on golf courses. Our taxes would go up to pay for more police and fire personnel, more road maintenance and more school facilities.

The developer argues that these changes would be worth it because he would bring new jobs to our community. But he has stated that virtually all the jobs for locals would be low-paying. The better-paying jobs would go to skilled workers from elsewhere.

In 1999, the Town of Olive was faced with a similar proposal in our own backyard from a developer named Harry Fotopoulos. Mr. Fotopoulos wanted to develop an Indian theme park in our town. He said it would bring jobs, and it would help poor Indians. He never publicly acknowledged that what he had in mind was a casino. He met with 300 town residents in Samsonville Church, and he told us he fully expected he would be greeted with open arms.

Instead, he was shocked to find that nearly everyone in Olive was against his proposed development. Why? Not because we don't need jobs. We welcome decent jobs. We objected because we do not want our way of life destroyed in exchange for the dubious promise of a handful of minimum-wage jobs. We do not want to sacrifice the beloved character of our community just so that Harry Fotopoulos or Dean Gitter or any other developer can make a financial killing.

Mr. Fotopoulos's development was rejected and withdrawn, and the vast majority of Olive residents are very happy about that today. This example should tell State officials something about the character and values of the town of Olive.

That character and those values have not changed since 1999. We were not fooled by Fotopoulos then. We are not fooled by Dean Gitter now. We understand that when some developers propose golf courses and hotels, they are really planning on casinos. We know how our way of life can be destroyed by greed and by lies and by politicians who want re-election.

We ask State officials to examine this project carefully and to give great weight to the views of the people who know best--the people who live here and will have to pay the price for this greed-driven, ill-conceived, dangerous proposal.

Mr. Gitter's false claims to the contrary, the public hearing--at which so many citizens spoke so eloquently--left no doubt that the overwhelming majority of citizens who will be directly affected by this proposal adamantly opposed to it. In the name of our future and the future of the communities in the Catskill Park we love, we urge you to reject the proposed Belleayre Resort Development. Thank you.

Zachary Sklar

From:

Please note our new e-mail address as of 12/15/02:
plantsklar@hvc.rr.com

To:

January 21, 2004

Dear Alexander Ciesluk Jr.:

The following public comment on the Belleayre Resort DEIS was delivered orally at the public hearing at Onteora High School on January 20, 2004. Please include it in your deliberations. Thank you.

PUBLIC COMMENT ON BELLEAYRE RESORT DEIS

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We ask State officials to examine this project carefully and to give great weight to the views of the people who know best--the people who live here and will have to pay the price for this greed-driven, ill-conceived, dangerous proposal.

Mr. Gitter's false claims to the contrary, the public hearing--at which so many citizens spoke so eloquently--left no doubt that the overwhelming majority of citizens who will be directly affected by this proposal are adamantly opposed to it. In the name of our future and the future of the communities in the Catskill Park we love, we urge you to reject the proposed Belleayre Resort Development. Thank you.

Zachary Sklar

From: "Mary" <mbdickas@nyc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/21/2004 6:09:22 PM
Subject: Proposed Crossroads Resort

I have lived in Olivebridge for 17 years. The proposed Crossroads resort would be devastating to the community and to our entire surrounding area. Not only would this resort ruin a beautiful mountain top that can be viewed from many trails and roads, it will overwhelm the resources of all the towns that will be forced to handle the increased volume of people and cars.

My most specific concern is Route 28 and the traffic that will result. This road cannot handle it. There are too many accidents now, mainly from cars trying to pass. Others from outside our area traveling to the resort do not know the dangers and will be even less cautious.

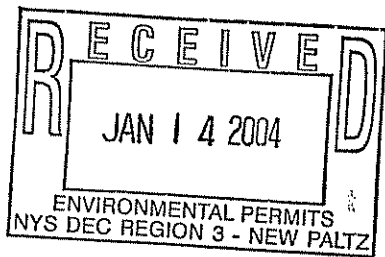
There are so many proposed developments that threaten our area, small and large. Of course they can be built with care and thereby enhance the beauty and value of all the Catskills. But this requires constant vigilance by the agencies and town boards in charge to make this happen. Your agency must assure this development will not negatively impact the entire surrounding area.

I only hope that all possible impacts will be taken into consideration and mitigated before any approvals are given. We still want to live here safely and in peace after all the developers have left.

Mary Dickas

236 Lower Sahler Mill Road

Olivebridge, New York 12461



411 Sepasco Center Street
Rhinebeck, NY 12572
January 10, 2004

Deputy Reg. Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561

Dear Mr. Ciesluk,

I am writing to you to state my opposition to the Belleayre Resort project. It is my understanding that the permit for the initial stages of development may be forthcoming from your office. I strongly urge you to deny the permit.

The Catskill Park is an essential natural resource to all of us living in the Hudson Valley, and it needs to be protected, not developed. This area of the state, especially the Route 28 corridor, is a critical piece of a treasured legacy that we can leave unspoiled for our children. I taught elementary school in Kingston for over 30 years. I showed hundreds of students the principles of conservation, the importance of ecology, the beauty of wildlife, and the necessity of preserving habitats. We all know the scarcity of good, clean water, and the fragile state of our mountaintops.

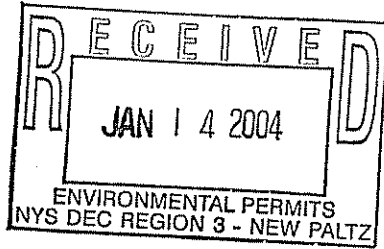
What a horror it would be to bulldoze a road through High Mount. Do we really need three golf courses, two hotels, seventy-one condominiums, and miles of blacktop on Belleayre Ridge?

I urge you to do anything in your power to downsize, postpone, or deny these proceedings. Please encourage everyone involved in the process to think beyond politics, and beyond pocketbooks, to the continued and future preservation of the majestic Catskill Mountains.

Very truly yours,

Joanne Engle

A handwritten signature in cursive script that reads "Joanne Engle". The signature is written in black ink and is positioned above the printed name "Joanne Engle".



1/12/04

Alexander Ciesluk, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz NY 12561-1620

Dear Mr. Ciesluk:

Crossroads Ventures' proposed Belleayre resort is not appropriate development for the Catskills, and I am totally opposed to it, for many reasons. Here are a few:

- increase in traffic to a level Route 28 cannot bear
- increase in pollution from traffic and from pesticides on golf courses, especially distressing in this pristine environment
- decrease in wilderness, a vital and already shrinking element of our environment
- strong possibility of casino gambling infiltrating the resort over time, leading to increase in crime and decline in quality of life
- excessive burden on services and tax base of community
- will create jobs that most locals do not want, producing need to import workers, further burden on services
- need to protect local wilderness resources, a major source of income (through tourism) and quality of life for local residents
- little benefit for local businesses, since resorts will have shops and services that will compete with local businesses

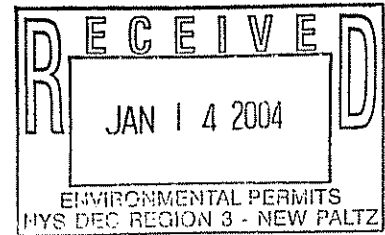
Please ensure that the Catskills remain free of mega-resorts. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ellen Carter".

Ellen Carter
PO Box 63
Phoenicia NY 12464

January 13, 2004



Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Sir,

I am writing to express my support for the Belleayre Resort at Catskill Park Project. As a Legislator in Ulster County and having to deal with the financial responsibilities of the County, I believe this is an opportunity to generate capital for the Counties of Ulster and Delaware, the townships of Margaretville, Highmount and Shandaken and the State of New York.

I am confident with the process and the abilities of both the D.E.C. and the D.E.P. to hold the applicants feet to the fire and protect our environment and natural resources. The job market is equally as important to me. This project will create numerous opportunities in its construction phase and lasting employment upon its completion for decades to come.

This project is a direct investment in to our local economy and will create state and local sales tax revenue, property tax revenue, income tax revenue and the financial spin-offs to the surrounding communities would be a welcome by-product.

If the applicant meets the criteria of your agency, I urge you upon completion of the public hearings and your review, to allow this project to go forward.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael L. Stock".

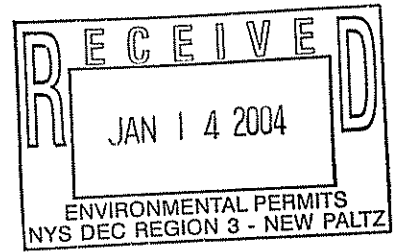
Michael L. Stock
Majority Leader Ulster County

Walter & Jean Maxwell

20 Tall Oaks Drive
Kingston, New York 12401
845-338-0296
walter@hhvrtowers.com

January 13, 2004

Mr. Alexander Ciesluk, Jr.
NYSDEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561-1696.



Re: Crossroads Project


Dear Mr. Ciesluk:

It is important that the Crossroads project be approved. It will provide vital jobs to the town and sales tax revenue to Ulster County.

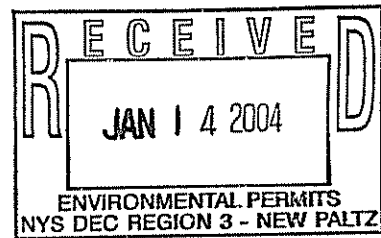
The new development as proposed appears to be a first class operation and judging by Mr. Gitter's past work with Catskill Corners and the Emerson should be of equal or better quality.

If Mr. Gitter passes all the environmental requirements the project should be approved.

Sincerely,


Walter Maxwell

January 12, 2003
10 Burger Road
Rhinebeck, NY 12572

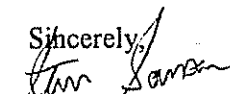


Mr. Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator, NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

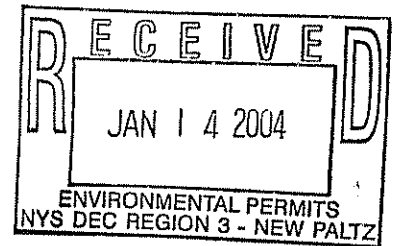
Dear Mr. Ciesluk,

I am concerned about the far-reaching and irreparable damage the proposed Belleayre Resort would do to our environment to the quality of our drinking water to the Catskill Park, one of two major state parks in New York to the character and social stability of our rural communities to wildlife habitat... and to the wilderness recreational activities pursued by so many, do hereby strongly declare our opposition to the development of this mega-resort in the heart of the Catskill Mountains. I oppose the creation of what would effectively be a new city in the middle of the Catskill Park hotels, time-share units, luxury homes, clubhouses, restaurants, stores, activity centers, conference facilities, maintenance buildings, parking lots, access roads, etc. that would be wholly inconsonant with the surrounding hamlets, with the character of our community, and with the intimate hospitality the region has traditionally offered to visitors;

I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and we oppose the loss of a pristine eco-system and the damage to its plant life and animal habitat; I oppose the devastation this mega-resort would wreak on the magnificent view shed and night sky of these mountains, on the State Forest Preserve, and on the Catskill Park; I oppose the compromising of our water resources which also supply water to New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses; I oppose the negative consequences we believe this development would bring to our economy and our way of life: a sudden and disproportionate population growth exacerbating the current crisis in affordable housing, the potential for uncontrollable secondary growth, a spike in property taxes that could displace many homeowners, pressures on our property values, traffic congestion that would adversely affect business and commerce, rapid and radical change that could imperil the core strength of local communities; I oppose the loss of a unique environment a prized asset for all the people of New York in order to provide financial gain for a few. I therefore you to reject and deny all applications relating to the proposed Belleayre Resort.

Sincerely,

Steve Sansola

51 Fifth Avenue
(Apt. 2B/F)
New York, NY 10003-4324



January 10, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

We are writing as the owners, for over thirty years of a home and property in Woodland Valley, Phoenicia. You will be holding hearings this coming week in Margaretville and Boiceville regarding the proposed Belleayre Resort at Catskill Park.

We will unfortunately be unable to attend either of the two scheduled meetings. However, we would like to inform you of our complete approval of the project. The development should help provide an economic revival to an area that, unhappily, has needed the intelligent investment of this project. It will bring tourists and tax input to an area that cries out for this kind of help.

Please add our voices to those who approve,

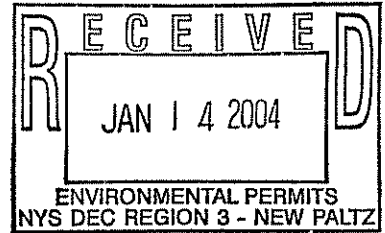
A handwritten signature in cursive script that reads "Betty Zimmer".

Lionel and Betty Zimmer
P.O. Box 471
450 Woodland Valley Road
Phoenicia, NY 12464

SLUITER AGENCY, INC.

INSURANCE • FINANCIAL SERVICES

P.O. Box 170, Main Street, Margaretville, NY 12455-0170
Phone: 914-586-2641 • Fax: 914-586-3809



January 13, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York 12561-1620

Dear Mr. Ciesluk:

This is a letter in support of the proposed Belleayre Resort project. As lifelong residents of the northern Catskills we choose to call this home for many reasons, not the least of which is the unspoiled beauty of the mountains.

It is exactly that unspoiled beauty of our rural area, which makes the business of tourism and recreation our most viable alternative for new economic development. The infrastructure required to attract other types of business and industry is simply non-existent and farming in these mountains is a thing of the past.

If constructed and maintained in an environmentally responsible manner, Belleayre Resort will create new and healthy business, employment and recreational opportunities for residents and visitors alike. The developers have already proven their dedication to both community and environment and we believe that there are enough concerned government agencies, politicians and citizens to ensure that environmental responsibility.

Belleayre Resort can bring good business to our area, just as second homeowners have. It is a project, which we feel should proceed.

Sincerely,

Handwritten signature of Douglas W. Sluiter in black ink.

Douglas W. Sluiter

Handwritten signature of Peter J. Sluiter in black ink.

Peter J. Sluiter

Handwritten signature of Matthew D. Sluiter in black ink.

Matthew D. Sluiter

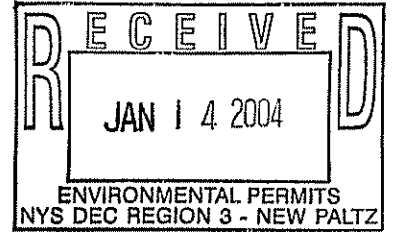
cc: Dean Gitter
Gary Gailles

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K. Cathers
1 Dug Rd
New Paltz, NY
12561

Jan 10, 2004

Alexander Ciesluk, Jr.
NYSDES
21 S. Putt Corner Rd
New Paltz, NY.
12561 1620



Dear Mr. Ciesluk,

Please do what you need to do to PROTECT the Catskill PARK from over-development, Golf Course run-off pollution, etc. This is an area that needs your protection.

The Bellayne Development Project is not good for people (except for a very few) animal, environment.

Thank you

Karen Cathers

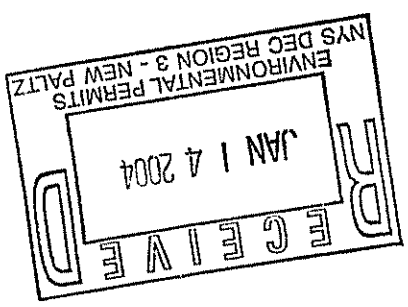
Dr. in ecology,
Murray Ellis Cantor
(Res: Dept of Management: 110)

I am not in favor of a huge resort that
will destroy 2000 acres - a home to wildlife
and an essential part of the environment
consisting of acres of woodland.
I have lived here for 50 years and after
travelling all over the country, there is no
place as beautiful as right here in the Catskills.
I have embraced some of the people moving
here from the metropolitan area, but
feel a resort such as this will destroy
the peace and quiet and natural beauty
we all enjoy.

I'm writing in regard to the proposed
Belknap's mega resort. After reading
comments published in the Friends of Catskill Park,
I was compelled to voice my opinion.

Dear Mr. Cieslak,

Alexander Cieslak Jr
21 South Putt Course Rd
New Paltz NY 12561



Jan. 12, 2004

1-13-2004

Mt. Tremper, NY

Dear Mr. Ciesluk,

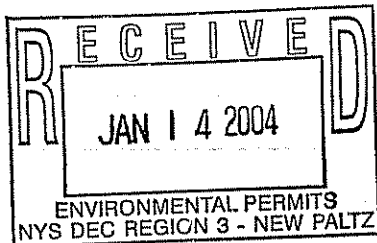
I am writing in regards to the proposed Belleayre Resort in the Catskill Park.

My concerns about a development of this size are many, and environmental destruction ranks high on my list, as a project this size will create wholesale, most likely unalterable change.

Considering the effect that a resort this size will have on this area, I cast my vote against. I oppose the scale and scope as unwarranted and ill-advised. A massive addition such as this will forever alter our community, destroying what is most unique and attractive.

Thank you for your attention to this letter.

Jeffrey Roberts



Jan. 13, 2004

Dear Mrs. Ciesluk:

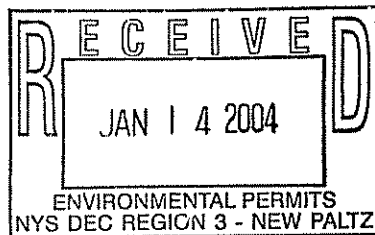
I am writing to voice my grave concerns over the Belleaire "development" Project in the middle of Catskill Park. Your agency's apparent support of this "Resort" is nothing less than appalling. The DEC's mandate is to protect the environment not to allow a few greedy people to profit from something that belongs to us all.

It threatens to irrevocably pollute the water resources of the Catskills, to say nothing of the NYC water supply. It also threatens to fragment the fragile habitats of plants and animals which would further push some of them closer to extinction.

This beautiful place which we all love would be lost forever if this cancer is permitted to be built. Are you an environmentalist? Do you care? I think you do care about the environment and I hope you will do the ~~right~~ moral thing and oppose its development. Thanks for your time.

Sincerely

Joel H. Benton
P.O. Box 150
871 S. Plank Rd.
Mt. Tremper 12457



January 13, 2003

Dear Alexander Cieslak Jr -

Please let it be known that I am against the development at Bel-air 5th street - I lean for the environmental impact that will have and I worry for future generations that the quality of life in the area will be damaged.

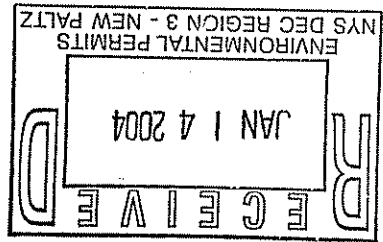
I hope you take my plea into consideration. We are all aware that the small hamlets in this area will be adversely affected.

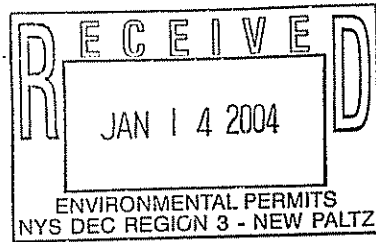
Thank you for listening

Yours Truly

Michael Greshy

10 year Resident of Mt Tremper





Dec 13, 2004

Dear Mr. Ciesluk,

I am writing this letter to express my concern over the proposed resort at Belleayre.

I do not need to inform you of the ambitious scale of the plan as I'm sure you are well acquainted with the facts.

I am a resident of Shandaken and an avid hiker. The very reason that I've moved to this area was for the beauty of its mountains and streams and for the character of its small hamlets and local residents.

I had moved from northern New Jersey where I had settled for much the same reasons. But over development in the form of condominiums, malls and ski resorts had made the reasons I'd settled evaporate. In a town near me due to luxury condos from a ski resort the school taxes alone doubled. That is to say nothing of higher taxes for increased services.

I feel there is no need for such a resort. Emphasis should be on developing the hamlets as eco tourist/shopping destinations. Phoenicia is a good example.

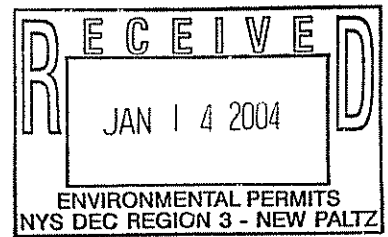
This area has been designated "forever wild" and your department is charged with honoring that charge. I ask you to rise to the occasion, despite all the opposing money and influence and do your job.

Sincerely

D.O

January 13, 2004

Alexander Ciesluk Jr.
21 South Platt Corners Rd.
New Paltz, NY 12561-7620



Dear Alexander Ciesluk,

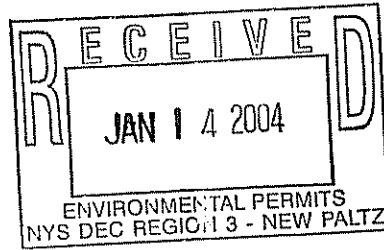
Tonight I walked Tremper Mountain, the wind was whipping through the quiet forest, dark silhouettes of trees firmly rooted, the sky full of constellations.

Then the painful thought came to my mind how once again this could all disappear on Belleayre Mountain. How once again we could fall prey to the greed, ignorance and power of a selected few individuals who don't think of this land or its inhabitants as having any connection to their own bodies.

Please do not let this happen: Please consider the many lives and precious resources at stake if this resort project was to proceed. We have a chance now to protect and save these mountains and its inhabitants - securing it for future generations - and their quality of life.

I write to you - because you have it hand in decision making. You have tools that can save a quality of life's moral fiber.

please TURN Towards Saving this land
Say NO to Belleayre. Respectfully yours,
Jody [Signature]



Jan. 13, 2004

Dear Mr. Ciesluk,

I am writing you to express my opposition to the proposed Belleayre Resort. As a voter and resident of the Catskill region, I am concerned that this development will prove harmful to both the natural environment and local communities.

First of all, the development will cause irreversible damage to the natural ecology of the Catskill region. The resort site encompasses almost 2,000 acres of heavily-wooded mountaintop forest, much of which will be clear-cut and bulldozed in the course of construction. Traffic on Route 28 would increase significantly. And runoff from the accompanying golf courses would impact the watershed that supplies much of the water for New York City.

Further, it is doubtful that the proposed development would help local communities. According to the developers' Draft Environmental Impact Statement (DEIS), "mid and upper management jobs would probably be filled by non-resident personnel who relocate to the resort area." Presumably that leaves low-paying service jobs for local residents. Much better for the community would be to focus on development that draws on the region's strengths: historic tourism, recreation in the Catskill Park, and training young people to work in such fields as telecommunications, computer programming, education, and health care.

Again, I urge you to oppose the proposed Belleayre Resort.

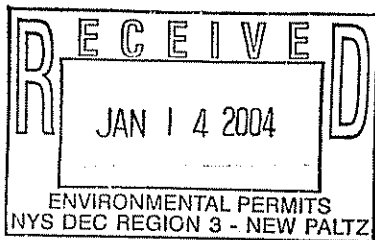
Sincerely,

Patrick Kelly

PO Box 197

Mt. Tremper, NY

12457



Box 199
Mt Tremper NY 12457
Jan 13 2004-1

Dear Mr Ciesluk,

I want to tell you how distressed I am to learn of the plans to build a big new resort town in the Catskills not far from where I live.

I'm 76 years old, and I love the quiet here, and the small scale.

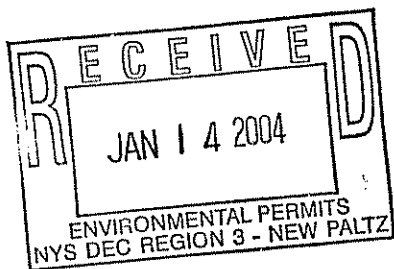
In the local post office many of the customers are greeted by name as they enter. They chat to each other "Did you find your cat?" etc. Trivial, but, somehow, very important too. I don't want this to disappear.

If there were some real benefits in this project I might feel differently, but it seems to be just a huge money-making enterprise which will turn our beautiful mountains into parking lots for a city, built for tourists.

Please don't let this happen.

Yours sincerely,

Mary Mold.



January 13, 2004

Alexander Ciesluk, Jr.
NYS DEC
21 South Putt Corners
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

I am writing to you to please stop this madness! How can the DEC continue down this road with so much devastation in sight. Don't you realize the impact that this mega-resort will have on the character of the Catskills, not to mention the light pollution, traffic, stormwater runoff and water usage?

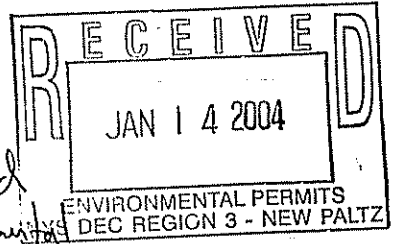
It also seems to me that your (DEC's) participation in this process is a conflict of interest since the State has so much to gain from approving this resort while owning Belleayre Ski Center. How coincidental.

Do not be "bought off" by Albany. Try to retain some integrity on this one. (DEC's poor reputation is already widespread for rolling over on wetlands.)

Dana Travers

Thayer Case
PO BOX 197
Mt. Vernon, NY
12577

JAN 13, 2004



DEAR MR. CIESLYK,

This letter is regarding the proposed Belleayre Resort and the Draft Environmental Impact Statement.

I have lived in the area for on and off seven years and the reason that I cherish this area so much is because of the amount of pristine wilderness and the slowness of development.

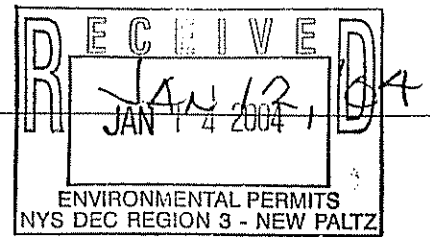
I have serious concerns:

- 1) 2 18 hole golf courses will feed the NYC watershed with chemicals that they claim will be as environmental as possible. There are no safe environmental alternatives. I want our WATER to BE SAFE.
- 2) The developed area would be the size of 135 WalMart's... Does it have to be so big?
- 3) The socio-economic impacts are huge. Higher tax base and low end jobs for locals.

I know you are aware of the facts. Please look more closely at the tremendous impact this resort will have on our land. I am not anti-development, we in the Catskills need responsible development and this proposed development is absolutely not that vision.

Thank you for reading,
THAYER S. CASE

AILEEN B. CRAMER
P.O. BOX 193, 12 RICKS ROAD
WOODSTOCK, NEW YORK 12498



MEMO TO:
ALEXANDER CIESLUK, JR.
NYS DEPARTMENT of ENVIRONMENTAL
CONSERVATION
21 SOUTH PUTT CORNERS ROAD
NEW PALTZ, N.Y. 12561-1696

IN REGARD TO DEAN GITZER'S
"CROSSROADS" PROJECT THE ONLY
OBJECTIONS ARE, I DO BELIEVE, AS
FOLLOWS!

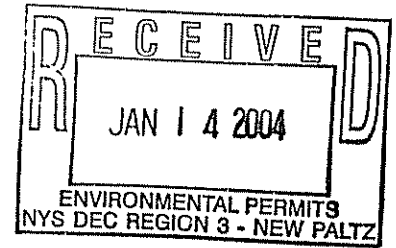
- ① DESTROYING THE WILD LANDSCAPE.
- ② BRINGING TRAFFIC TO THIS WILD
LANDSCAPE - SUCH AS CARS, TRUCKS,
PEOPLE - MORE CARS, TRUCKS
AND PEOPLE - AND SO - - -
- ③ NO MORE WILD LANDSCAPE -
REGRETTABLE INDEED.

THANK YOU FOR GIVING THIS
YOUR ATTENTION.



AILEEN B. CRAMER

January 11, 2004
Mel Greene
21 B Millers Ln.
Kingston, NY
12401



Alexander Ciesluk Jr.
21 South Putt Corners Rd.
New Paltz, NY
12561-3014

Dear Sir:

Coming upstate from traffic-laden New York City, I happened to stop at the park located on the New York-New Jersey border, off the Palisades Interstate Parkway.

Feeling I had to get away from the highway traffic and the carbon monoxide, I decided to take a walk along a woodland trail.

But, even here, urban ugliness intruded. Hunched over, some citizen with a spade was busy scouring the ground, throwing chunks of soil into a pail, which he brought to his car.

I shouldn't have, but I politely asked him, since I was curious, what he was doing. He replied that he was "digging up dirt for his garden".

Just as that person was uninterested in what he was doing to despoil the environment, and made the world uglier for his own selfish concerns, so, too, do I think of the people involved in the development of Crossroads Venture.

No matter how pretty the final result, nor what it will mean in terms of jobs, etc., this kind of "rampant" development is the same kind of thinking that has led to the draining of much-needed marshland, the destruction of woodland necessary to control erosion, the fouling of rivers and the threat to our food supplies both on land and sea. Interestingly enough, the purity of water needed by millions of people in the city, would be threatened.

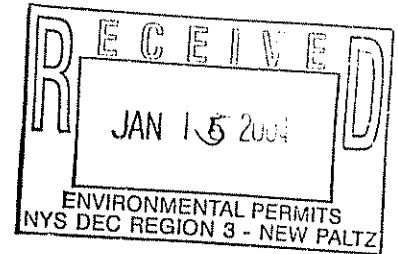
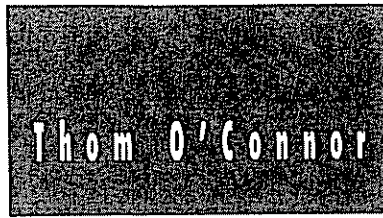
Please let me know if there is anything I can do to help "slim down" this project or get it re-designed.

Sincerely yours,

A handwritten signature in cursive script that reads "Mel Greene".

Mel Greene

cc: Diane Ladner



Post Office Box 135, Big Indian, New York 12410 845.254.4183

January 8, 2004

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

Dear Deputy Commissioner Ciesluk:

As a staunch supporter of managed economic development in the Catskill Region and the Town of Shandaken in particular, I personally have been involved in collecting signatures from area businesses, organizations, and individuals (including second-homeowners). My firsthand experience indicates that there is overwhelming support for Belleayre Resort at Catskill Park.

Most of those with whom I spoke welcomed the opportunity to sign letters of support addressed to DEC Commissioner Erin M. Crotty. Many expressed regret that their limited time made it difficult to attend meetings to keep abreast of developments. And, as many expressed dismay at the one-sided perspective expressed by opponents of the project who, although small in number, are exceptionally strident and adept at flooding local media with their "letters to the editor." These are the same people who have helped heap future debt on the Town by opposing just about everything and bringing legal suits to halt progress on all fronts in Shandaken.

I hope that the DEC and DEP alike keep an open mind and one attuned to the majority of citizens in the area who look to this project as an important stepping stone to measured and responsible growth. They know that the Belleayre Resort at Catskill Park is projected to:

- pay \$600,000 per year in State and County taxes
- pay nearly \$1 million a year in sales taxes to Ulster and Delaware Counties
- pay \$1.2 million in sales tax to New York State
- create more than 800 full & part time jobs
- have payroll of \$20.5 million a year
- pay more than \$2 million in property tax
- create \$28.4 million in annual visitor spending in this and neighboring Delaware County

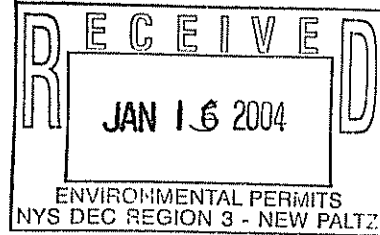
Despite opposition scare tactics, the project as proposed heralds the start of clean, non-polluting economic development in the area that will not add significantly to the permanent population and will not burden the area schools.

Those who signed letters of support throughout last year believe that unless the DEC and DEP find fundamental environmental flaws, the project should be allowed to go forward as proposed.

Since collecting these signatures, I have moved from the area to find meaningful employment and cell phone service.

5 Old Mamaroneck Rd.
White Plains, N.Y. 10605

Dear Alexander Ciesluk, Jr.:



I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

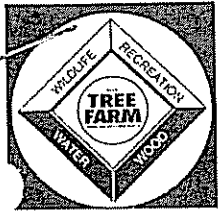
The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Maddy Albert
1-8-04

[Faint, illegible text, possibly a carbon copy or bleed-through from the reverse side of the page.]



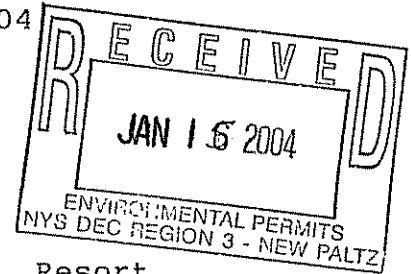
GILEAD TREE FARM
TEL: (845) 254-5031

179 STEINFELD ROAD

HALCOTT CENTER, NY 12430
FAX: (845) 254-4458

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz , NY 12561

Jan. 13, 2004



Dear Mr. Ciesluk:

We wish to comment in favor of the Belleayre Resort Project.

Our perspective comes from 45 years of part-time and full-time residence on our 200-acre tree farm in Halcott. This experience has demonstrated that proper land management is vital for forest conservation. People are part of our ecosystem, and their economic and social needs must be considered in plans for our region. Population of the Catskills, both full-time and part-time residents, has varied considerably over the years. Here in Halcott we have witnessed since 1958 a dramatic change from many small family farms to only two dairy farms, and the growth of many second-home residents. Many fields, formerly cultivated, have reverted to forest.

We can not lock up our Catskills, nor assume static population or static land-use patterns. We can plan for the wisest use of our land, water, and air. The plan for Belleayre Resort is a plan for 2,000 acres of which 1,500 acres would remain under forest cover and include outdoor activities compatible with the forest. Only 500 acres would be developed for activities including golf, housing, and business activities. At Catskill Corners we have evidence of a well-planned business area owned and designed by members of the same organization who own and plan Belleayre Resort.

The real issue is a good plan for 2,000 acres versus unknown, and possibly haphazard, ugly suburban sprawl.

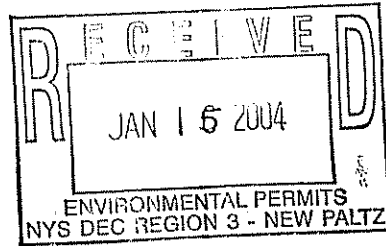
Sincerely,

Paul Steinfeld
Paul Steinfeld

Lillian Steinfeld
Lillian Steinfeld

January 11, 2004

Ann Roberti
1690 Upper Dingle Hill Road
Andes, New York 13731



Alexander Ciesluk Jr.
NYS DEC,
21 South Putt Corners Road,
New Palz, NY 12561-1620

Dear Mr. Ciesluk,

I am writing to tell you how damaging I believe Crossroads Ventures' Belleayre Resort project will be to the surrounding area.

I try to resist NIMBY responses to development or change in my area as I know things need to be in someone's back yard. But I believe opposition to this project is much more than that. I would welcome a resort of reasonable dimensions, and I believe Dean Gitter did a wonderful job with Crossroads itself. But the scope of Belleayre Resort is too much for the natural environment and the local towns to endure.

The traffic brought in to the area by the construction process and later by the many visitors expected at the resort cannot be accommodated by Route 28. Currently, on Friday and Sunday nights traffic can get quite bad. When one car drives more slowly than other drivers want, many out of area drivers make hazardous passes on the single lane road to get around the traffic. There are few places where it is safe to pass on 28. I imagine the number of accidents caused by an influx of drivers in a hurry making dangerous passes will increase alarmingly.

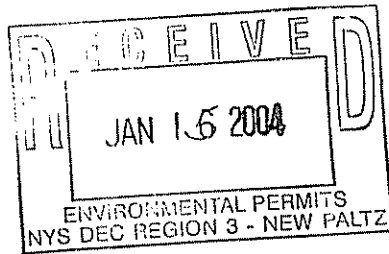
The economic and cultural effects of the developments on the towns will be devastating. The resort will siphon away some current visitors to the area, leaving local restaurants and hotel establishments with less business than before the development. Most of the jobs offered by the resort will be at such a low wage that local residents will not be able to afford to fill them and own homes and support families on them. New low wage earning people will need to be brought into the areas, and some sort of low income housing will have to be provided for them. More children will be brought into local schools, increasing the burdens on the towns disproportionate to the tax revenues brought in.

Please do not let this mega project damage the unique and irreplaceable Catskill Mountains.

Thank you for your time and attention.

Sincerely,

Ann Roberti



Sandra W. Legler
160 Spencer Rd
Glenford, NY 12433
January 14, 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am a resident of West Hurley and live on a mountain overlooking the Ashokan reservoir. A year ago I watched the reservoir shrink so much that the muddy lakebed was visible in some places and old roads and railroad tracks appeared which had not been seen for over 90 years. After a \$5,000,000 estate was built on this mountain some 10 years ago, the wells of all the other residences began to have problems, and many have run dry during recent droughts. Clear cutting of forests destroys the ability of the land to hold water, leading to droughts in dry weather, floods and mudslides in wet weather. The proposed BELLEAYRE MEGA-RESORT would clear-cut 529 acres of mountainside. At the same time it would create two thirsty 18 hole golf courses and provide lodging for over 1500 couples and families, all of whom would use water and produce sewage. The entire water supply of Shandaken, Middletown, Olive and West Hurley would be compromised, more wells would run dry, more trout streams would run muddy and polluted, and some year round streams would dry up every summer. Somehow I don't believe Mr. Gitter would volunteer to pay for re-drilling home owners' wells, nor would he reimburse businesses that serve fishermen, skiers and other tourists who presently spend their cash in local townships.

Make no mistake, the proposed BELLEAYRE MEGA-RESORT is a DESTINATION RESORT. A destination resort is self-contained, the resort itself includes all the new restaurants, shops, grocery stores, banks and post offices that anyone visiting the resort to ski or golf would ever need. All of which means that existing restaurants, motels, bed and breakfasts, antique stores, ski shops, etc. will earn LESS money from the tourist trade, not more. All that the local economies will see from this mega-project is higher taxes to pay for the extra wear on the road system and to provide schools, fire protection and social services for the 1072 workers who are brought into the area to service the proposed facilities. Think Disney World. How many of you who took your family to Disney World went outside the Disney complex to shop, eat and sleep in local stores or motels?

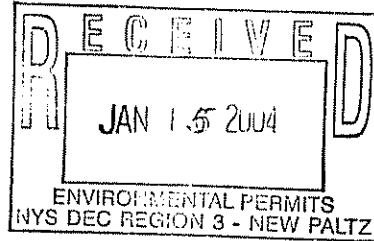
Do not allow a mega-resort at Belleayre. It would destroy our water supply and fragile Catskill environment, and would reduce the tourist income of present residents while increasing the local tax burden. The money generated by this resort would flow into the pockets of the venture capitalists who back it and the construction companies that are imported to build it.

Sincerely,

Sandra W. Legler
Sandra W. Legler

cc. Daily Freeman

January 14, 2004



Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

The following remarks were made in support of the Belleayre Resort Project at the public hearing held in Margaretville, NY:

My name is Martie Gailes and I would like to speak in support of the Bealleayre Resort Project. I believe this project offers essential tourism development that is critically needed in the region. As a volunteer for two local cultural groups, the summer music concert series and the proposed Catskill Watershed Museum, I am acutely aware of the challenge of building audience. Our area needs to develop attractive, modern guest facilities that will allow tourists to come, stay and enjoy. This project is, in my opinion, well thought out, environmentally sensitive and in keeping with our heritage as a first-class tourist destination.

Sincerely,

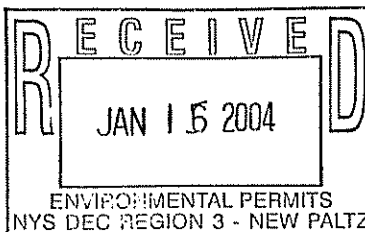
Martie Gailes
21 Church Road
Big Indian, NY 12410

Jack Maguire



17 South Chodikee Lake Road ♦ Highland, NY 12528
Phone 845 691.3564 ♦ Fax 845 691 3564 ♦ Email Jacktale@aol.com

January 13, 2004



Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

I am writing to protest the proposed Belleayre Resort in the Catskill Mountains.

As a naturalist and professional storyteller, I have conducted countless field trips for elementary students in that area over the past 15 years, and I know it well. I have used these trips to teach my students to respect the natural world. The huge size of the resort and the extent to which it replaces natural landscape with lawn or paved surfaces shows no such respect. Specifically, I am concerned about the widespread contamination of groundwater and the destruction of natural habitat, as well as the creation of ongoing noise and light pollution for miles around the development.

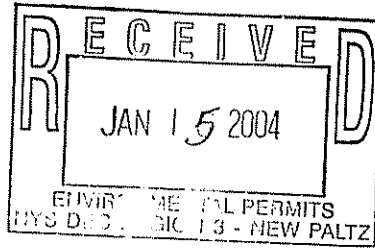
The Belleayre Resort project also shows no respect for the existing social fabric of the area. In size, it is entirely out of scale with the hamlets and other human settlements in its vicinity. Simply the amount of traffic it adds to the area will be a nightmare for local motorists and pedestrians. If built, the resort will irrevocably change the peaceful rural character of that part of New York which is prized by residents and visitors alike.

I appreciate this opportunity to voice my objections. Please give serious consideration to preventing the creation of such an inappropriate development.

Sincerely,

Jack Maguire

January 12, 2004



Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

I am writing to let you know I am very concerned about the proposed golf course and resort development on Belleayre Mountain, and the potential threat this development poses to the integrity of the Catskill State Park and the safety and well being of the surrounding communities.

As you are aware, destruction of habitat and habitat fragmentation pose two of the greatest threats to biodiversity in our state and our country. Because this area of the Catskill State Park contains critical habitat for wildlife and is the source of New York City's drinking water, the proposed project must be examined for potential impacts to the ecological integrity of the state park, wildlife habitat and surrounding wilderness areas before approving this development.

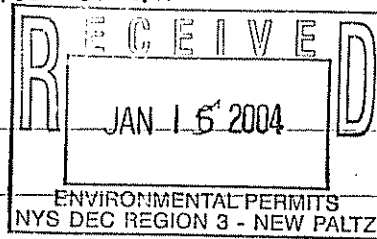
I ask you to consider if the benefits of this development project outweigh the costs to the ecological quality and health of the Catskills, as well as the costs to the local community through increased traffic, decreased road safety, and distributionally higher tax burden to the local community due to the need for increased infrastructure.

I implore you to consider these impacts in determining what is best for the entire ecosystem and community. I am sure you will make your decision wisely. Thank you for your time and consideration of this important matter.

Sincerely,

Amy L. Stock
165 Phila St, Apt 4
Saratoga Springs, NY 12866

(1)
Alexander Ciesluk, JR
Deputy Regional Permit Administrator
NYS DEC
21 South Platt Corners Rd
New Paltz, NY 12561-1620.



January 14, 2004

Dear Mr. Ciesluk;

I am writing to express my strong opposition to the proposed development of the Belleaire Resort.

I am a resident of the Mt Tremper area and moved here precisely for its quiet and the privacy and beauty of the surrounding hamlets. I love that I can go to the local businesses, owned and operated by my neighbors.

I am highly alarmed by the proposed development of this mega-resort, which, I am sure you are well aware, would occupy 2000 acres of space through clearcutting. The erosion and muddying caused by this, not to mention the use of chemicals, herbicides, and pesticides to maintain, not one, but two golf courses is an obvious and imminent threat to the watershed that serves us and New York City.

Furthermore, why do we need two golf courses?

I am sure you are also aware of the fast declining golf industry in this country. Is this not a red flag?

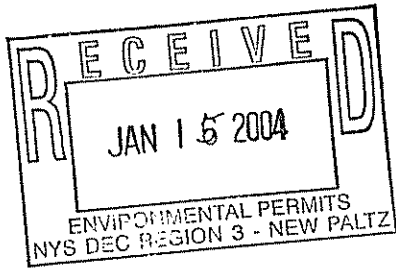
I do not wish to pay higher taxes, e.g. school taxes, etc... that will be the inevitable result of this development which is not meant for the hard-working local residents, but for others who will ~~come~~ have to be brought in to fill the jobs at the resort.

(2)

I do not wish for my beautiful wilderness to turn into buildings, golf-courses, congested and dangerous roads, and polluted soil-

Mr. Cieslik, this is our home, and I implore you to reject this proposal.

Sincerely,
Shideh Seaman
Mt Tremper, NY



January 11, 2004

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd
New Paltz, NY 12561-1620

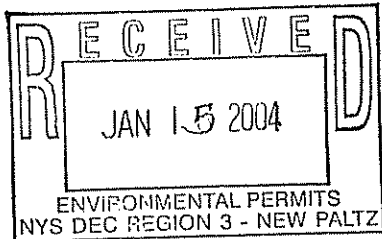
Dear Mr. Ciesluk,

I am unable to attend the public hearings for the Belleayre Resort Project scheduled for January 14th and 15th, and therefore, would like to express my support for the Project in writing.

My parents own a retirement home in Big Indian, and we have frequently enjoyed visiting the area. However, it is clear to us that well-managed economic development is essential if the region is to survive. We believe that the Belleayre Resort Project offers the kind of environmentally sensitive, positive growth that is critically needed.

Sincerely,

Jennifer Schneider
P.O. Box 10
Big Indian, NY 12410



Melissa H. Pierson
283 Lapla Road
Kingston, NY 12401

January 14, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Advisor
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am writing to register my comments on the proposed Belleayre Resort in Shandaken and Middletown. It is my deep belief that this project is damaging and must not be allowed to go forward. It would take something that belongs to all of us, inclusive of the entire living world in this region, and change its very nature for the exclusive use of a minute portion of the human world, i.e., wealthy people.

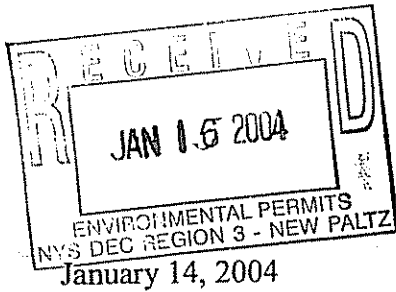
What would be lost is incalculable: the dark night sky that regulates all life; the clarity of the water that supports all life; the ability of people and other animals to move unimpeded in the place they call home. What would be created is hellish: pollution, crowding, death of animals and trees, more cars, more poverty. The Route 28 corridor cannot possibly sustain this level of traffic, and would change permanently into a faceless highway.

We should not allow destruction on this scale to occur on our watch -- the loss is permanent, for all time, just as the mountaintop was meant to remain the way it is, for all time. For the wallet of one man to be enriched by sacrificing the earth is unconscionable -- evil, some might say. Please do not let it happen in our little lifetimes.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Melissa H. Pierson".

Melissa H. Pierson



Jennifer M. Gould
P.O. Box 537
Phoenicia, NY 12464

Mr. Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYS-DEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am writing in support of the Crossroads Ventures project that will straddle Ulster and Delaware Counties. I have lived here for 15 years and know first hand the lack of economic growth and opportunities. The level of poverty in Delaware County is astounding – 26% are seniors and more than 45% earn less than 80% of median income. In addition 17% live below the poverty line.

With the decline of farming and the restrictive NYC-DEP Watershed regulations, tourism is now our number one economic development industry that fits into the topography of the region. This project will create much-needed jobs as well as provide the State and counties' monies from taxes that will help to improve our declining infrastructure.

We need to create an environment where there are job opportunities for our youth, who leave rural areas in much higher numbers than those in suburban or urban areas. The Heartland Center for Leadership Development, a not-for-profit organization that specializes in rural initiatives states that in order to sustain ones population (rural) a community needs to attract its youth to return home. There are several factors that make coming home attractive to young people. The most important is economic opportunity, and then quality of life. This project meets these two criterias.

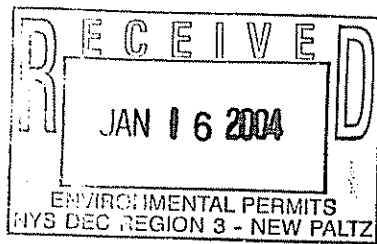
Crossroads Ventures is a clean, non-polluting economic development initiative that will benefit our region. Many of the people opposed to this project are wealthy second-homeowners and retirees with generous pensions. They give little thought to the majority of low-income individuals that live here, many of whom have two jobs just to exist.

If there are no fatal environmental flaws in this development, then the DEC must allow this project to move forward.

Yours truly,



Jennifer M. Gould



JANUARY 14, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC

21 South Potts Corner Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

I am writing you with great concern over the proposed Bellayre Resort to be built in the Catskill Park. I moved to this area over eight years ago because I was looking for a better quality of life. I found it here, in the midst of the beautiful mountains and rivers that make up the Park. And by better quality of life I don't mean money, I mean a place where I could live and work in harmony and health with both people and surroundings.

In my view, the construction of a mega resort directly threatens the quality of life of the present inhabitants of Standaken and Middletown, as well as the generations to come.

Where will enough water to maintain not one, but two golf courses come from? Where will the pesticides and herbicides needed to upkeep the golf courses drain to — if not to the waterways that currently make up New York City's water supply?

I am not against measured development, but the proposed resort seems on all counts excessive. Do we really need two golf courses, side by side? Do we need 800 jobs in an area with a ^{year} 2000 unemployment count of 200? Do we need to destroy hundreds of acres of forest that have taken thousands

of YEARS to DEVELOP to CREATE yet ONE MORE GIGANTIC STRIP
wall — AMERICA'S MOST SALIENT FEATURE THESE DAYS

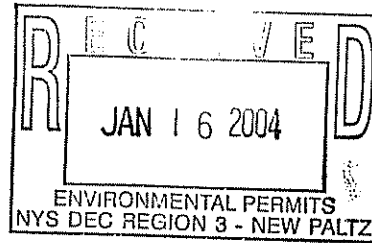
I URGE you to CAREFULLY CONSIDER THE PROJECT, AND to
TAKE INTO ACCOUNT ITS LONG-TERM IMPACT ON THE PEOPLE
AND LIFE OF THIS AREA. PLEASE DO NOT LET THIS TURN INTO
ANOTHER INSTANCE OF A FEW PEOPLE MAKING MONEY AT THE
EXPENSE OF HUNDREDS OF OTHERS WHO WILL SPEND THE REST
OF THEIR LIVES PAYING FOR THIS MISTAKE.

THANK YOU FOR YOUR CONSIDERATION AND YOUR TIME.

Sincerely,
Vanessa Goldband
Resident of Mt. Tremper.

January 11, 2004

Mr. Alexander Ciesluk, Jr.
NYS Dept of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1620



Re: Crossroads Venture

Dear Mr. Ciesluk:

I am writing in opposition to the proposal of Crossroads Venture to build a massive resort complex in the Catskill watershed.

At the end of the environmental review process there should be but one question: Is the proposed project right, or is it wrong? The great writer and naturalist Aldo Leopold wrote that "A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise."

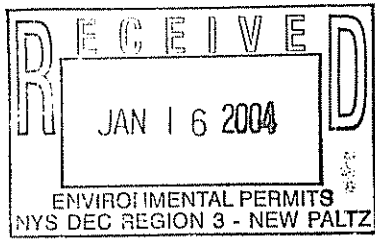
Some of the likely environmental effects of the proposed project include deforestation, increased run-off and turbidity, increased pollution within the watershed, and impairment of the watershed's ability to naturally filter water. In view of the fact that the proposed project will tend to impair, rather than preserve, the integrity, stability and beauty of the biotic community, it is wrong. The Crossroads Venture project should not be allowed to go forward.

On one hand, the City of New York has invested hundreds of millions of dollars to protect the integrity of the watershed's natural ability to filter water. This project is a laudable goal, and one that we should all be working toward, because it tends to preserve the integrity, stability and beauty of the biotic community. One method by which the City has done this is by purchasing land within the watershed to protect it from development. On the other hand, and almost incomprehensibly, developers may, apparently, invest hundreds of millions of dollars developing land within the watershed, the effect of which is to defeat the purpose of the City's protection efforts. The contradiction is irrational. We are working at cross-purposes. We need an overriding policy that is consistent with preserving the natural filtering capacity of the Catskill watershed.

I encourage you to deny the application of Crossroads Venture and to adopt a policy that will prohibit such projects within the Catskill watershed in the future. Thank you.

Sincerely,

Mark D. Frering
32 Janet Street
Kingston, NY 12401



GEORGE V HUTTON
72 HIGHLAND AVENUE
KINGSTON, N.Y. 12401
845 338 1742

Alexander Ciesluk Jr.
21 S. Putt Corners Rd.
New Paltz, NY

15 January, 2004

RE: Proposed Belleayre Resort

Dear Mr. Ciesluk:

This is to state the strongest opposition to the Belleayre Resort project. Lifelong familiarity and regard for the Catskills have left an unquestionable belief in a need to keep development on a small scale in a landscape that is small scale. There are too many unanswered questions about pollution and backfiring economics to take this risk on land that is in the heart of a Catskill park that should remain forested. There is no problem of unemployment in this community, so the 'jobs' argument has no basis.

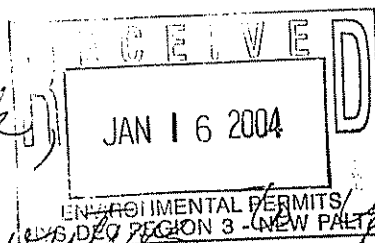
This smells too much of arrogant big money that can buy its way into anything and knock aside any considerations, no matter how important.

Very truly yours,

A handwritten signature in black ink, appearing to read "George V Hutton".

George V Hutton

Dear Mr. Ciesluk,



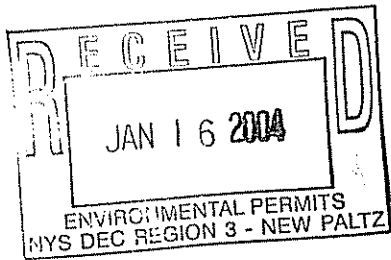
1/15/04

I am writing you to voice my opposition to the Belleaye resort. As a parent, homeowner, and lover of the Catskills I feel the resort would not help our local economy but rather hinder it.

I moved to the Catskills about 12 years ago from New Mexico where I witnessed development edge the middle class out of jobs and owning a home. Also, to my horror the environment was compromised and fights broke out pertaining to water, traffic and wildlife. I do hope that the resort is not built and our quality of life can remain safe, healthy and quiet.

Thank you for reading my
letter.

Sincerely,
Molly Kibb
PO 179
Phoenixia, NY
12464



2545 County Rte 3
Olivebridge, N.Y. 12461
January 13, 2004

Alexander Ciesluk, Jr
DEC
21 South Putt Corners
New Paltz, N.Y. 12561-1620

Dear Sir:

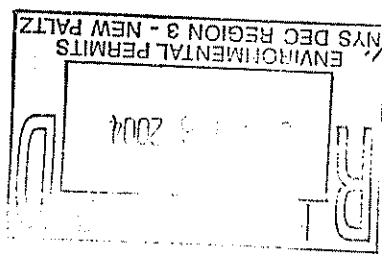
In regard to the Crossroad Ventures Resort and Golf Course Project, I believe it is an inappropriate project for that location . I find myself in agreement with the environmental criticisms . The effect on the watershed, on the slopes and to the animal life are unwelcome in a world progressively compromised by human activity. I also do not believe Mr. Gitter's projections of economic benefit for the area are likely to occur. It is an example of unnatural growth in the area, likely to create problems. As for the aesthetics , it is very unlikely to be attractive to the substantive number of tourists who do not come here to see a version of suburban sprawl in the woods.

I believe that the totality of the environment including the human/economic environment is best served by slow change , not by gross projects based on dreams of profit.

Respectfully,

Mary Ann Mays

January 9, 2004



Mr. Alexander Cleburne, Inc.

NYS DEC

21 South Pitt Common Road
New Paltz, New York 12561-1620

Dear Mr. Cleburne:

I am commending you for your cooperation with the NYS DEC to expedite my application for the proposed Berkey front project.

Being a natural government employee,

close to where in the West Shaker area almost 8 years ago. The traffic in both Route 28 and Route 28A

have increased steadily over the past few years in the Town of Otsego. As no other area in Otsego

there is about a five-fold increase in traffic due to increased traffic and tourists during

Central time of the year. As no other applicant to enter

into Route 28 from Route 28A in Berkey, and

to enter Route 28 from Route 28A in Berkey.

Route 28 study already has the truck traffic

X in opposition to the idea of traffic lights at this

question, which early on would be a study,

likely the proposed major project would further

create traffic congestion on Route 28.

Additionally, I'm opposed to the project

as I believe the ~~best~~ Catalytic should remain

environmentally "pure"; small low scale study development

would be preferable in opposition to a mega resort project.

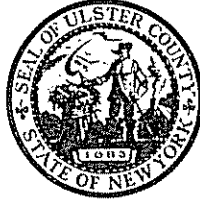
Not to further belabor the issue, I trust
you'll grant me as among the local residents
opposed to the Bellamy Project.

Respectfully,
Michael Brumberg

ULSTER COUNTY TREASURER'S OFFICE

P.O. Box 1800, Kingston, New York 12402 • Phone: (845) 340-3431 • Fax (845) 340-3430

LEWIS C. KIRSCHNER
County Treasurer

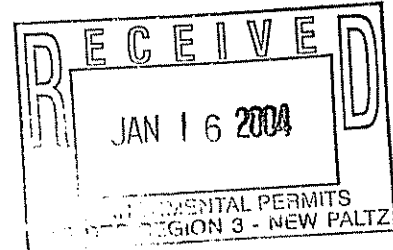


PAUL J. HEWITT 340-3458
Director of County Finances

MICHAEL P. HEIN 334-5536
ADELE B. REITER 340-3459
Deputy Treasurers

January 13, 2004

Mr. Alexander Ciesluk
NYS Department of Environmental Conservation
South Putt Corners Road
New Paltz, New York 12561



RE: Belleayre Resort Project

Dear Mr. Ciesluk:

I write to inform you of my strong support for the proposed Belleayre Resort Project. The Project lies, for the most part, in Ulster County, and as Ulster County's Treasurer for the past 27 years, I can attest to the strong need for such an addition to the Shandaken area.

Shandaken, once the home of many flourishing hotels (and two golf courses) has been struggling for many years. It is by any measure the poorest town in the County. Every year I must post the names of many of its property owners who are unable to pay their taxes and who are in danger of having their property foreclosed upon.

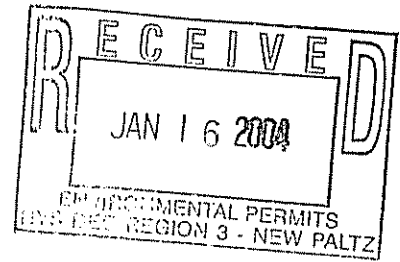
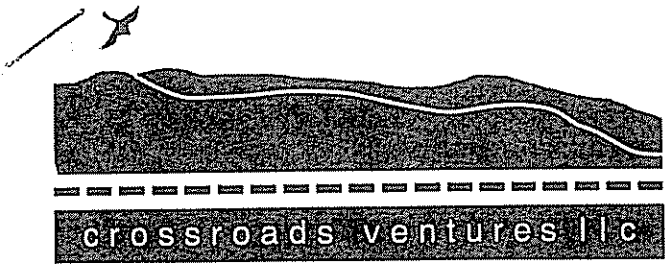
The proposed resort will give a needed economic boost to virtually every business along Route 28. It will directly contribute three quarters of a million dollars annually to the County in sales taxes. It will reverse the long-term shrinkage in Shandaken's tax base and will offer a significant economic boost to the regional Onteora School District.

Most importantly, the Belleayre Resort will contribute significantly to the improving tourism economy of the Hudson River Valley – an initiative with which much of the economic future of this county is involved.

Sincerely,

Lewis C. Kirschner
Ulster County Treasurer

LCK:cv
C: File



January 2nd, 2004

Dear Friend:

Some months ago we sent you a brochure describing our Belleayre Resort project. You were kind enough to respond to the questionnaire we enclosed and indicated that, providing we passed all environmental review, you would be in support of the project.

As you may have heard, we have now passed the Department of Environmental Conservation review. After 36 months of scrutiny, the DEC has deemed our Draft Environmental Impact Statement complete and issued our required SPDES permit in draft form. While their conclusion is still subject to challenge by members of the public and special interest groups, the DEC's decision means that the professionals in the state charged with the task of protecting the environment have determined that our project is what we have always said it is: environmentally responsible while still providing great economic progress for the area.

There are, of course, those who will never be convinced of this, no matter what authority rules otherwise. You may be sure that they will be out in force at the two public hearings the DEC has scheduled: one for the afternoon/evening of January 14th at Margaretville High School and another for the following afternoon/evening at Onteora High School in Boiceville. Details of the dates, time and place for these public hearings are attached.

We would consider it a great favor if you would plan to attend whichever one of these hearings is more convenient for you; that you register to speak and bear witness to the positive aspects of our proposed resort. If you are hesitant to speak in public, we would ask you to submit your thoughts in writing and address them to Alexander Ciesluk Jr., whose address is on the attached page.

Your opinion was encouraging to us and will be instructive to the state officials conducting the hearings. Please come out and be heard. We need your voices.

Thank you for your support and we wish you and yours a happy and prosperous New Year.

Dean
Dean Gitter
Managing Member

No Hom St Day Concerns.

Thank you for affording us the opportunity to express our views on the Belvedere Resort project.

We are in favor of the project as we feel it will bring needed revenue to the area. The rise in taxes over the past few years has been a tremendous hardship to most of the residents in the area & doubly hard on the retired in the area.

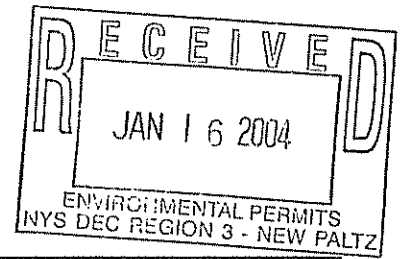
Something must be done to try to hold taxes in check. It is hoped that this project will create jobs & bring dollars to the area which, in turn, should help offset the spiraling cost of government in the area.

Charles & Greg C. McCann
46 Hagon Wheel Dr.

Marysville, N. Y. 13455

Tue, Jan 13, 2004 8:29 PM

From: Sherrie Bartholomew <sbarthol@midtel.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: Tuesday, January 13, 2004 8:27 PM
Subject: Crossroads Ventures Belleayre Resort



Dear Mr. Alexander Ciesluk, Jr.,

Regarding the proposed Crossroads Ventures Belleayre Resort, the eloquent, but sad commentary on imprudent development and rapacious land usage offered by Alf Evers on pages 719-729 of "The Catskills" is both prophetic and frightening. Writing in 1972, Mr. Evers penned these words that are very relevant in 2004.

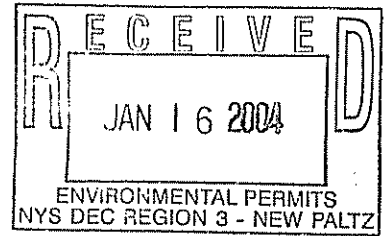
"It seems reasonable to suppose that as newer gadgets come on the market, for use in moving human beings quickly on the earth and in the air, their makers will be able to bring about their welcome to the preserve. A process like this, continued for a few decades, cannot help reducing the Catskills to the state of slovenly disorder that marks so much of the American landscape. Already owners of ski centers have shockingly scarred the Catskills by sweeping away forests and dynamiting cliffs and ledges in order to provide more and better skiing terrain. Pressures are unrelenting for building new and broader highways leading to commercial recreational attractions---some of the highways being promoted would seriously compromise the integrity if scenic values like those of the Katterskill Clove. Yet there is some reason for hope.

The Catskills have taken much punishment in the past from land speculators, absentee landlords, tanlords, quarrymen, charcoal makers, and others. After each assault the mountains have had enough vitality left to bounce back and become covered again with healthy living things. The Catskills bungled their way into the protection of the Constitution as part of the State Forest Preserve. Now there are signs that they may be bungling their way toward joining the devastated regions of America in which market values have been allowed to override all others. At the same time, Americans--and especially young Americans--have shown an awakening unmatched anywhere else on earth to the necessity of defending their environment against further deterioration. Ninety years ago people of many kinds joined in battling to save the Adirondacks. The people of our own generation, if they make the effort, may still save the Catskills."

Shortsightedness, avarice, apathy and indifference are traits that have plagued humanity for countless generations. We like to think of ourselves in the 21st century as more enlightened and informed than those who went before us in previous centuries. How ironic and tragic it would be if the integrity of the Catskill Forest Preserve, a creation of 19th century thinking, were to be sacrificed at the altar of 21st century mammon, hedonism and expediency.

Quote: Evers, Alf. "The Catskills, From Wilderness to Woodstock", NY, 1972, pgs. 719-720.

Sincerely, *Howard Roger Bartholomew*
Howard Roger Bartholomew
POBox 986
Middleburgh, NY 12122-0986
(518)827-4643



January 15, 2004

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

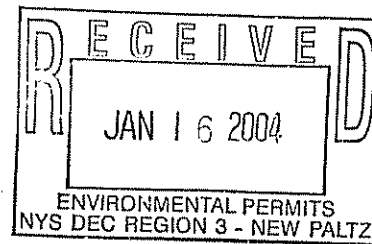
The following remarks were made in support of the Belleayre Resort Project at the public hearing held in Boiceville, NY:

My name is Martie Gailes. I am a retired school teacher on a fixed income. I support the Belleayre Resort Project because it will expand our tax base. More than three-quarters of my hometown, Shandaken, is restricted from development because it is either part of New York Cities' watershed lands or owned by the state of New York and designated forever wild. The Belleayre Resort Project offers high quality clustered development that is both environmentally responsible and capable of providing real economic progress.

Sincerely,

A handwritten signature in cursive script that reads "Martie Gailes".

Martie Gailes
P.O. Box 10
Big Indian, NY 12410



Belleayre Mega- Development

[View Current Signatures](#) - [Sign the Petition](#)

To: To Governor George Pataki, NYSDEC Commissioner Erin Crotty, Local, County, State, and Federal Permitting Agencies

We, the undersigned, citizens concerned about the far-reaching and irreparable damage the proposed Belleayre Resort would do to our environment to the quality of our drinking water to the Catskill Park, one of two major state parks in New York to the character and social stability of our rural communities to wildlife habitat... and to the wilderness recreational activities pursued by so many, do hereby strongly declare our opposition to the development of this mega-resort in the heart of the Catskill Mountains.

We oppose the creation of what would effectively be a new city in the middle of the Catskill Park hotels, time-share units, luxury homes, clubhouses, restaurants, stores, activity centers, conference facilities, maintenance buildings, parking lots, access roads, etc. that would be wholly inconsonant with the surrounding hamlets, with the character of our community, and with the intimate hospitality the region has traditionally offered to visitors;

We oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and we oppose the loss of a pristine eco-system and the damage to its plant life and animal habitat;

We oppose the devastation this mega-resort would wreak on the magnificent view shed and night sky of these mountains, on the State Forest Preserve, and on the Catskill Park

We oppose the compromising of our water resources which also supply water to New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses;

We oppose the negative consequences we believe this development would bring to our economy and our way of life: a sudden and disproportionate population growth exacerbating the current crisis in affordable housing, the potential for uncontrollable secondary growth, a spike in property taxes that could displace many homeowners, pressures on our property values, traffic congestion that would adversely affect business and commerce, rapid and radical change that could imperil the core strength of local communities;

We oppose the loss of a unique environment a prized asset for all the people of New York in order to provide financial gain for a few.

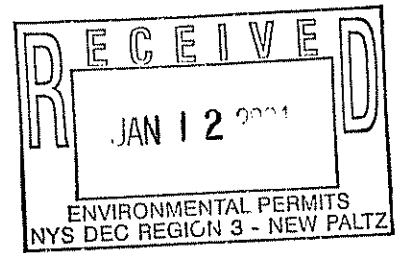
We therefore petition Governor George E. Pataki, NYSDEC Commissioner Erin Crotty, and all local, county, state, and Federal permitting agencies to reject and deny all applications relating to the proposed Belleayre Resort.

Robert Giambalvo

BOB GIAMBALVO
1558 BEL HILL RD
DELHI NY 13753

1/8/2004

517 Marsh Villa Road
Post Office Box 21614
Saint Simons Island, GA 31522
January 8, 2004



Alexander Chesluik, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

RE: Crossroads Belleayre Resort SEQRA Hearing

Dear Sir,

I am writing this letter to express my opposition to the Resort based on the verifiable information that has so far been distributed to the public at large in the Shandaken township area. (I spend 6 months during the year in Pine Hill, at 17 Academy Street; my sister, whose heir I am, owns another property in Pine Hill. Georgia is my legal residence, but I have a considerable stake – social, cultural, religious, and financial – in Shandaken Township.)

I am a recently retired physician – a board-certified neurologist with 20 years of experience dealing with diseases in locales based around golf courses, with special training in risk management. My opposition to the project is based on the well-documented risks to the health of each community that has constructed golf course complexes. These risks accrue due to the use of chemical fertilizers and changes, therefore, ultimately in the toxic exposures of local populations. ('Local populations', of course, are defined by drainage patterns of all effluent streams from the area, and so these populations, who are stakeholders in a project, may live many miles away from the actual site.) We all know very well that golf courses will change the concentration of phosphates and nitrates in the soil, as well as arsenicals. At the same time, there will be new concentrations of hydrocarbon-based insecticides: both original molecules and the huge numbers of breakdown products of these compounds. *Most of these are biologically active.* They adversely affect not only human beings, but 'local' flora and fauna as well. Many of these other residents of the 'local' biosphere detoxify the environment. Changes in their population structures ultimately will affect humans as well.

The biological activity of many of these compounds is realized in the form of neurological disease. For example, various insecticides can cause conditions similar to Parkinson's disease, and they may affect the neuromuscular system in other ways.

Hydrocarbon-based compounds and inorganic compounds may cause degeneration of the peripheral nervous system (peripheral neuropathy), and they may affect the central nervous system as well.

I recognize that it is very unlikely that any one person in the community will develop such conditions *only* from the chemicals used on the golf course. But there is no doubt that these chemicals will add to the toxic load of the environment and therefore make it more likely that persons with other exposures (usually industrially related) will in fact develop disease over the course of time. The 'local population' affected by a development like this resort is not only widely distributed in place, but in time as well.

How has this been studied? Have we laid out the epidemiology of disease in the areas affected by the proposed resort? Certainly nobody in the local hospital in Margaretville has done this; there is only one hospital for the entire region, and there is nobody who specializes in epidemiology and public health per se. Have we modeled the other toxic exposures in the area to determine how the toxicity of golf course effluent will add to destructive synergies over both place and time? Have these models and predictions been tested?

Nor have I been able to find any information on how the local healthcare community will handle the changes in musculoskeletal disease resulting from a "four season resort". There will be numerous instances of neurological and orthopedic injuries in any long-term construction site of the size required by this project. These injuries will occur not only among the carpenters, bricklayers, road crews, etc., involved in the immediate construction, but in the people who (presumably and hopefully) will come to use the facilities. There is no fulltime orthopedic surgeon in the region of the proposed project, nor neurologist; given referral patterns and the presence of Kingston and other larger towns, it is unlikely that there ever will be. *Poor preparation for disease will result in unusual morbidity, and possibly mortality. This will result in changes in legal liability, workers' compensation costs, the insurance infrastructure, etc.* And it is not a guess that this extra burden will have to be passed on to every business and taxpayer in the area: ***it is a fact that the 'local' population will bear all the risk over time, without any of these taxpayers necessarily seeing any gain. And what 'gain' would be worth it if you were talking about the health of the community and its children over the long term?***

The burdens and risks of the project should not fall on the people who have ultimately the least to gain and the most to lose. I have appended a short bibliography of articles dealing with the risks of such a project; let the developer present these and similar articles and their findings to the people who must deal with the consequences of their error. Let there be a full and explicit description of these risks of the project, and how they will be dealt with, and who will bear the burden and the pain. Let this description be made understandable to everybody who must be considered a vital part of the 'local' population. Let the people who are invested in the community, who cannot leave when they find that the project endangers them, make the decision that will change their lives for generations.

Thank you very much for your fair hearing.

Sincerely,

A handwritten signature in black ink that reads "David Block MD, PhD, ARM". The signature is written in a cursive style with a large, sweeping initial 'D' and a long, horizontal tail stroke.

David Block MD, PhD, ARM

Bibliography

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9: Armbrust KL. Chlorothalonil and chlorpyrifos degradation products in golf course leachate. *Pest Manag Sci*. 2001 Sep;57(9):797-802.

10: Duvall K. Parks and golf course workers. *Occup Med*. 2001 Jan-Mar;16(1):135-42.

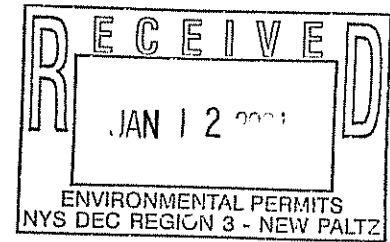
11: Lindsay DM, Horton JF, Vandervoort AA. A review of injury characteristics, aging factors and prevention programmes for the older golfer. *Sports Med*. 2000 Aug;30(2):89-103. Review.

12: Theriault G, Lachance P. Golf injuries. An overview. *Sports Med*. 1998 Jul;26(1):43-57.

13: Wilks J, Jones D. Golf-related injuries seen at hospital emergency departments. *Aust J Sci Med Sport*. 1996 Jun;28(2):43-5.

14: Kross BC, Burmeister LF, Ogilvie LK, Fuortes LJ, Fu CM. Proportionate mortality study of golf course superintendents. *Am J Ind Med*. 1996 May;29(5):501-6.

U
PO Box 333
Pine Hill, NY 12465
January 8, 2004



Alexander Chesluik, Jr.
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Sir:

Subject: Belleayre Resort SEQRA Review

We would like to express our opposition to the proposed Crossroads Ventures Belleayre Resort on the basis that it will adversely affect the environment by degrading the local water supply capabilities.

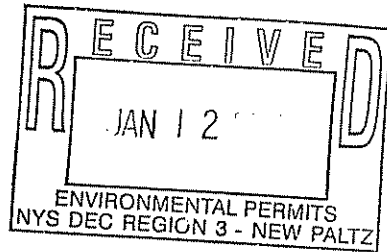
We own a home in Pine Hill, Town of Shandaken, SEC-BLK-LOT: 4.46-4-35.100, which is located directly below the proposed development. We are at an altitude above the Pine Hill Water Company, and so cannot make use of its water supply service. Our domestic water supply is provided by a 700 foot deep well dug in January 1987 which delivers water at a rate of 6 gallons per minute.

We believe that the local aquifer is not sufficiently robust, and that the proposed resort development represents a serious risk to our water supply and the viability of our home environment.

Sincerely yours,

Marc and Karen Putterman

Marc and Karen Putterman



17 South Chodikee Lake Road
Highland, New York 12528
845-691-3564

January 9, 2004

Alexander Ciesluk, Jr.
21 South Putt Corners Rd.
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

As a resident of New York State, I am appalled at the proposal to change the character of the Catskills with the mega-resort currently being put forward for the Belleayer area.

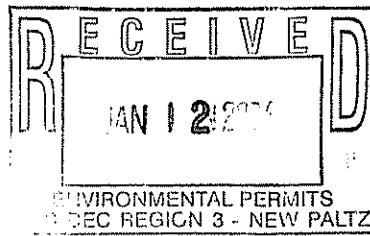
I moved to Upstate New York 18 years ago to live closer to pristine areas of nature and enjoy the natural landscape that goes unmatched anywhere in the country. As a minister of earth-based spiritual programs, I have led groups of people on retreats and excursions into the Catskills precisely to enjoy the blessings of the mountains in their most natural state. Wildlife, plants, trees, and riverways there are an inspiration to many people who feel the encroachments of our man-made environment. The human spirit needs places that are still touched primarily only by the Creator and offer a vision of the beauty and power of nature as it was originally intended.

Economic development on the scale proposed for this resort would destroy that beauty and power, and rob countless citizens of New York and the world from the spirit-filled experiences that only a landscape preserved in its most natural state can offer.

I encourage you and other state agencies to prevent this desecration of the Catskills by denying the developer a permit for this project.

Sincerely yours,


Tom Cowan



842 Elting Road
Rosendale, NY 12472
10 January 2004

Mr. Alex Ciesluk
NYS DEC
21 South Putt Corners Road
New Paltz, NY 12561

Dear Mr. Ciesluk,

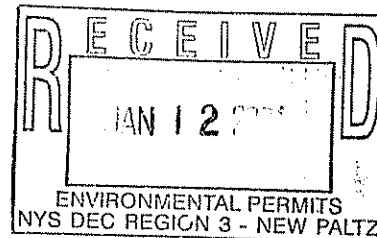
As a resident of the greater Catskill eco-region, I strongly oppose the proposed Belleayre Resort. While I have many concerns about this project, including the economic effects on the surrounding communities, my major concern is the environmental impact. It seems extremely ill-advised to me to put this kind of mega-development on a mountaintop in the middle of the Catskills. The despoilation of hundreds of acres of wilderness, the resulting destruction of wildlife habitat, slope erosion, run-off problems from impermeable surfaces, sedimentation of streams, and long-term consequences for the water supply of neighboring villages--all these argue strongly against approval for this badly misconceived project. I am all for sensible development in the Catskills, but this seems completely misguided--a grab for short term profits at the expense of the long term health--both environmental and economic--of the entire region. I urge you to say "no" to this destructive proposal.

Sincerely,

Paul Russell
Paul Russell

Alexander Ciesluk, Jr.,
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1620
Phone: 845-256-3014

Nathaniel Gillespie
624 Woodland Valley Road
Shandaken, NY 12480



January 6, 2004

Re: Opposition to the Proposed Crossroads Resort Development at Belleayre

Dear Mr. Ciesluk,

I am writing to voice my strong opposition to the proposed resort at both the Big Indian and Wild Acres sites. As a member of a family that has inhabited the Town of Shandaken since the 1840's, and a person who values the wild, rural nature of the Catskills amid the rampant development of other regions of New York State, I would like to offer my comments on the various reasons why the proposed resort by Crossroads Ventures threatens so many positive aspects of the local economy and regional character, and should be denied a permit to continue forward in its current form.

The resort's proposed size is completely out of context with the character of the region. Not only will it dwarf the neighboring hamlets, it will necessitate the immigration of potentially thousands of new workers and their families into the Catskill State Park, increasing housing costs and property taxes and adding a significant burden to local town services and infrastructure. Such an increase in residents and commuters will spawn secondary growth and sprawl among one the last wild areas in southern New York State and compromise the integrity of the Catskill State Park. Traffic along the Route 28 corridor will change the nature of the region and inconvenience those that live and visit in the area, while increasing traffic accidents.

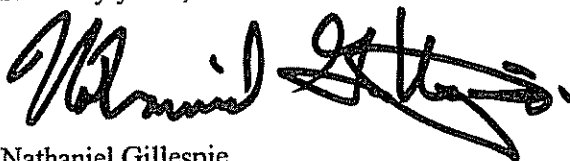
In order to suburbanize the mountaintop and create two "championship" level golf courses, the development would require significant alteration of the natural landscape including blasting, clearcutting, roadbuilding and grading. In my opinion, such alteration of a mountain ridge shaped over the millennia within the high peaks of the Catskills is offensive, not only because many find these mountains to be sacred, but because the aesthetics of area will change immeasurably both from the valley and from other mountain ridges. The Catskills are still healing from its industrial legacy of tanneries, logging, and quarrying, and the gradual revegetation of the mountains have proved to serve as an ecologically friendly, sustainable economic engine, drawing tourists who seek a natural experience hiking, fishing, hunting and relaxing. Allowing such manipulation of the mountain ridges would threaten this growing industry that depends on the aesthetics of a natural, wild landscape. Furthermore, it would signal a return to an industrial mindset reminiscent of the Catskills' "boom and bust history," at the same time as we are working to develop a viable economy from the fragmented and degraded landscape that we have inherited from those that sought short-term profit at the expense of both the environment and long-term, sustainably-based employment.

One of my greatest concerns environmentally with the proposed project is water supply. The developers have failed to prove that water needs for irrigation of the 36 holes of golf, domestic use for the numerous hotel units, residential units and restaurants will not adversely affect groundwater levels and stream levels in the trout spawning streams of Birch Creek and Bush Kill. The now defunct "grand" hotels of the past faced similar problems of reliable water supply on the mountain ridges during low water periods. The developers have failed to prove that the proposed use of aquifers from the valley bottom will not negatively impact aquatic life during periods of extended drought and stress. Protection of these trout spawning and nursery streams is important because Esopus Creek the East Branch of the Delaware are internationally-famous fishing destinations that draw tourists and second home owners and generate significant income, all at no cost to the taxpayer. The developers have also failed to demonstrate that during the eight years of construction, the proposed stormwater retention designs will adequately handle the heavy runoff events that characterize the region and protect the headwaters of Esopus Creek and the East Branch Delaware River, and the Ashokan and Pepacton reservoirs from sediment and nutrient contamination.

The Crossroads proposed development reflects an outdated economic growth model that has proven unsuccessful in many regions across the country, including the southern Catskills. The grandiose, centralized, sprawling hotel/golf course/second home development idea represents the flawed concept of building a city in the mountains. Such hotel complexes all but vanished from the region in the early twentieth century. The stagnating Kutshner's and the Villa Roma resorts in Sullivan County stand as testament to the ineffectiveness of this model. The developers have not demonstrated an economic need for such a project, given that unemployment in Shandaken and Middletown is relatively low and that the towns have experienced a growth in per capita income in the last several years. A smarter, more realistic, and more sustainable development proposal would seek to bolster existing hamlets, restore existing infrastructure on existing sites, provide hotel accommodations at a scale that matches the region, and build on the increasing ability of workers to telecommute and live in a relatively pristine, un-commercialized setting. The developers must be more realistic about the diverse impacts that such an immense project will incur on the region, and therefore must be more flexible with the size and content of the resort.

The proposed resort's tremendous size, location within the heart of the rural Catskill State Park, location in the headwaters of the Ashokan and Pepacton drinking water supply reservoirs, diverse threats to the Esopus and East Branch Delaware Rivers and their headwater tributaries, and the various impacts to quality of life, increases in local taxes, increased demands on local services and infrastructure, and secondary growth changes to the region make it completely incongruent with the mission of the Catskill Park to protect a valuable wilderness and its ecosystems, as well as the need for the Catskills to be developed smartly and sustainably. The proposed resort will enable a few individual investors to reap financial benefits at the expense of many New York state residents and various other visitors who cherish the natural environment that the mountains over time are reclaiming. I urge you to deny Crossroads Ventures a permit to continue forward with this ill-conceived project in its current form.

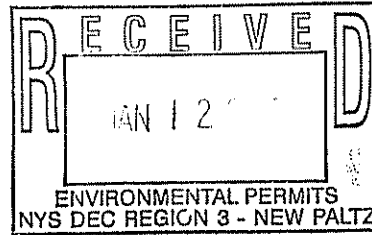
Sincerely yours,

A handwritten signature in black ink, appearing to read "Nathaniel Gillespie". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Nathaniel Gillespie

January 8, 2004

Alexander F. Ciesluk Jr.
Deputy Regional Permit Administrator
NYS Dept. of Environmental Conservation
21 South Putt Corners Rd.
New Paltz, NY 12561-1696



Dear Mr. Ciesluk:

This correspondence is to express my support for the proposed Crossroads Ventures Resort project.

As a lifelong resident of the Margaretville area, I consider myself fortunate to be one of the few who graduated Margaretville High School and is still able to reside in the area. In 1996, after years of commuting to the Kingston area for employment, I was offered a position with the Margaretville Telephone Company as manager of their cable and broadband division. During this period, I have realized that there is a delicate balance between the economic and environmental needs of the community. And in fact, one is dependent on the other.

As a lifelong resident and property owner, I recognize the needs for zoning and other restrictions designed to protect our environment and preserve the wilderness resource which we all enjoy. As a resident, I also recognize the fact that without employment opportunities, my ability to live in the community and enjoy its offerings would be limited.

The Crossroads Ventures Project appears to be the best of both worlds. A project which generates jobs and promotes the natural beauty of the area while keeping the building development impact located in one small geographic area. The community is in dire need of a facility which has conference rooms, provides modern lodging to support the local business, and which provides additional housing in a manner which does not degrade the mountain tops with 5 acres building lots.

Without progress and growth, our community cannot survive. Those who adamantly oppose the project are generally people who have made their living outside the area and do not see the economic impact to the local economy. I personally would love to see the economic growth which would allow my children a chance to stay and enjoy the offerings of the Catskill Region as I have.

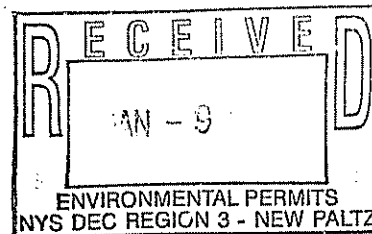
Sincerely,

A handwritten signature in cursive script, appearing to read "Glen Faulkner".

Glen Faulkner
PO Box 274
New Kingston, NY 12459



TELEPHONE • LONG DISTANCE • INTERNET • CABLE TV



1/7/04

Alexander Ciesluk, Jr
NYS DEC
21 South Putt Corners Road
New Paltz, New York 12561-1620


Dear Mr. Ciesluk,

The Margaretville Telephone Co., Inc supports the Belleayre Resort at Catskill Park project. We have been providing service in the Town of Middletown since 1916 and we need growth to sustain our business interest.

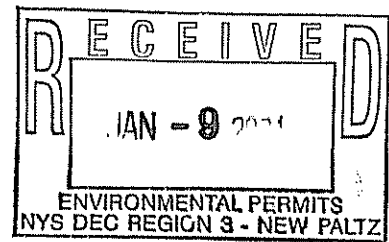
We feel very strongly that this project will bring much needed new visitors, homeowners, and jobs to our area. We also feel that this project has been done with more than adequate environmental review.

If you have any questions or would require further information please do not hesitate to contact me.

Sincerely,


Douglas G. Hinkley
President

26 Perry Street, #5A
New York, NY 10014
(212) 929-0004



January 7, 2004

Alexander Ciesluk, Jr
NYSDEC Region 3 Headquarters
21 South Putt Corners Road
New Paltz, NY 12561-1696

Dear Mr. Ciesluk,

I am writing with deep concern, fear and trembling about the proposed Big Indian Plateau resort and Wildacres Resort. Unlike Mr. Gitter's other ventures, including the pseudo-country strip mall, Catskill Corners, this project has the power to devastate both the local area and New York City's precious drinking water.

I feel so frustrated about the frequency with which mega-corporations (in this case, those partnering with a man who claims to be local) can descend upon a small community and alter values, main streets, socio-economics and environment with relatively little honest investigation into those potential impacts BEFORE the fact. Somehow, thus far, Ulster and Delaware Counties have been spared the kind of mega-development that has altered counties such as Sullivan County -- or that has completely destroyed the local culture of others, such as many counties in Long Island.

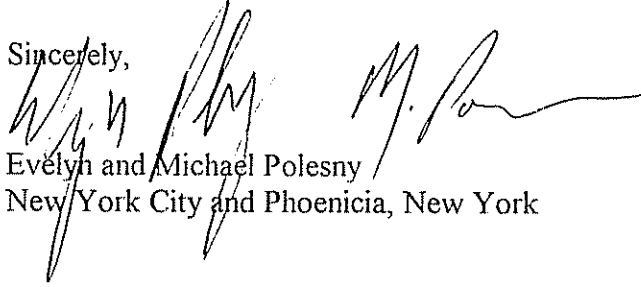
At this juncture, we have the opportunity to understand the unique purity and beauty of Ulster and Delaware Counties and to seek modes of development that will draw on those strengths, not alter them forever. The relatively inexpensive and ecological way we have preserved the quality of New York drinking water, by keeping our wild watershed lands wild, also provides immeasurable benefits for the region. Countless dollars in tourism, as well as ever-increasing property taxes, have drawn so many to the region. The real estate market, as you know, is sky-high, and local businesses are reaping the benefits. I am one of those New Yorkers who came to the area, offering my tax dollars and the money I spend in local businesses (not to mention that unquantifiable offering -- my membership in a community I love) because this area is so unspoiled, so full of local culture and natural beauty. If this proposal goes through, I, and many others like me, will leave the area. I have no interest in spending my quiet days fighting traffic on Route 28, no interest in hiking the spoiled areas around Big Indian where I spend so much of my time, no interest in even seeing the devastation that will be wrought on our beautiful mountains.

But even if I choose to leave, I will still feel the effects of this development -- because I also live in New York City. One golf course, let alone two, has the power to completely poison massive amounts of groundwater; and by now we all know that subdivisions and mega-hotels, besides not fitting in with the character of our area, are a guarantee of ecological destruction. Perhaps a development like this would be appropriate for a county farther south, where ecosystems are already marred, and where drinking water is not being filtered by natural forces for millions of people. But this development would destroy over one thousand acres on watershed land in a totally unspoiled

area! (Not to mention all the destruction wrought by traffic, sewage, etc.) I can't even begin to fathom how such an absurdly short-sighted proposal can be considered in this day and age!

Please think deeply about the power you have to alter the course of history for our area and for generations to come. Will you make a decision that will cause future generations to shake their heads mournfully and wonder why? Or will you make a decision that can make your own children proud, and make so many people, upstate and down, have a safe and sustainable -- and beautiful -- way of life for years to come?

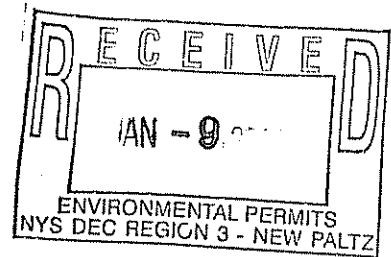
Sincerely,



Evelyn and Michael Polesny
New York City and Phoenicia, New York

January 7, 2004

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York 12561-1620



Hello Alexander:

I'm writing to express my support of the Belleayre Resort/ Cross Road Ventures project.

I am an avid hiker and backpacker, and a member of both the Catskill 3500 club and the Adirondack Forty Sixers. I have hiked the Catskill 3500 club peaks a minimum of five times each, and have climbed them in all seasons of the year. I have climbed most of the Northeastern 111 peaks. I have climbed to the summits of most of the geographic state high points in the United States, and recreated in many parks throughout America. I love the Catskills, and observe reasonable environmental back country practices. The Catskills are a true treasure, and well worthy of preserving.

However, I have to say that I am perplexed at all of the opposition to the Belleayre resort, to include as I understand it a couple of hotels and two golf courses. Somehow, a few hundred acres of lodging and recreational facilities on private land are going to destroy the Catskills in totality? I think that notion is nonsense. Let's look at the golf courses (By the way, I play golf fairly well though less often than in my younger days and am a solid single digit handicapper – and I walk and carry my bag). I've heard talk that the highway traffic to the golf courses will cause intolerable traffic jams to residents? Come on. That is complete nonsense. Typically, if you have 100 people playing a regulation golf course at any one time, you have a lot. That equates to maybe thirty cars worth of golfers spread out over five hours. You are talking less than ten cars an hour including staff. So double it for the second golf course. Along route 28 (I live right on the road), twenty cars additional over an hour you wouldn't even notice since hundreds of cars pass my house every hour of every day during daylight hours. Even if it were fifty cars, it is no big deal. Golfing traffic would pale in comparison to current ski traffic, as literally thousands of people commuting to the slopes go there daily in ski season. And in our area, golf and ski seasons virtually do not overlap. On the ski weekends, you have a lot more traffic because you are talking many thousands of cars over the weekend. Since I'm on skiing, let's look at what T-bars do to the landscape. To build a ski resort, you strip big patches of land, and put in unnatural looking supports, ski lifts, and build huts, even restaurants HIGH ON THE MOUNTAIN. You build roads up the mountain, and bury big tracts of ground under asphalt for parking (Again, golf course parking pales in comparison to ski resort parking needs). This is good? If you are anywhere in the vicinity, you look up and see the mountain stripped of trees. Where the heck are the environmental and conservative preservationists when it comes to skiing? You can see

the ski slopes on Hunter Mountain from quite a number of the high peaks. Believe me, I do not begrudge skiers or the ski industry, but a golf course in the lowlands pales in comparison visually and environmentally to what you do to the Catskills when you build a ski center. There are patches of trees and flower gardens on most golf courses. They can be fantastically scenic with good design. And what are the chair lifts for? Are these ski people to lazy to walk up to keep their legs strong?

I'm convinced that most of the people most vocal against Dean Gitter don't even hike in the Catskills. They have something personal or political against the guy, and are trying to use the environment as the alibi, and go running after every environmentally conscious organization or club to cause turmoil. A good friend of mine runs a golf course. At times, there is necessary but limited pesticide application, but there is training and credentialing you need to apply them, you apply them in a limited area, and the science behind them minimizes impact. Scotts has a dry program. They break down. We are not talking about a toxic dump. You really think a golf course owner wants to pollute himself? Davis Love is one of the top players in the world. I think we are crazy to try to stop the building of a true championship caliber course in the Catskills. We should be thrilled he wants to do it here.

The State of Colorado and the States in the West I've seen recognize the necessity for recreation and environmental preservation people to work together. Of course it is essential that local environmental authorities look at proposals carefully to protect America's treasures. That doesn't mean you can't build a golf course or a hotel. Come on. If the Crossroads project is on solid environmental footing, you should approve it without hesitation, and stay out of the politics of the thing. This project will create jobs and promote tourism and healthy recreational activities. Do the contrarians think a golf course near Belleayre is going to ruin the view from Rocky Mountain? You are darn lucky if you can see ANYTHING from the top of Rocky Mountain, and I urge the gripers who have never taken the trip to don some hiking shoes and get back in there to confirm their fears scientifically, instead of brewing up all this political chicanery. The peaks are neither Republican nor Democrat, and I'm not either. It is truly ridiculous to me that the building of a new golf course is going to wreck the Catskills. It defies common sense.

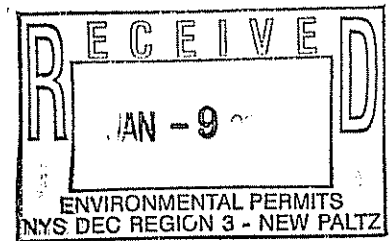
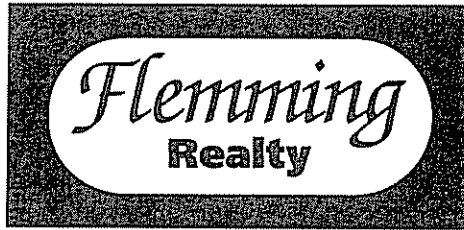
Well sir, I guess you know where I stand on the matter. I'm a guy that really does spend time "back there" and this project does not scare me. I expect you'll do the right thing.

Sincerely,



Michael A. Higley
5200 Route 28
Mount Tremper, NY 12457
(845)-688-5667

mah



8 January 2004

Alexander Ciesluk, Jr.
21 South PUtt Corners Road
New Paltz, NY 12561

Dear Mr. Ciesluk:

As a real estate broker who has for 25 years been selling country properties to New York City weekenders, I would like to strongly object to the proposed Dean Gitter development. This would "kill the goose that laid the golden egg". Quiet country seekers will need to go elsewhere.

Worst of all, this would be an environmental disaster.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Hallam".

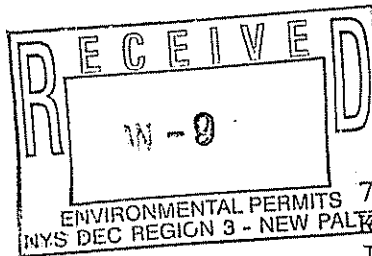
Barbara Hallam
CC: Maurice Hinchey



P.O. Box 820, 3670 Main Street
Stone Ridge, N.Y. 12484-0820
914-687-4451 • Fax: 914-687-9405

42 North Chestnut Street
New Paltz, N.Y. 12561
914-255-0771 • Fax: 914-255-0392





72 Highland Avenue
Kingston, New York 12401
January 8, 2004

Mr. Alexander Ciesluk, Jr.
21 South Putt Corners Road
New Paltz, New York 12561-1620

Dear Mr. Ciesluk,

I am writing to express my vehement opposition to the proposed mega development on Belleayre Mountain. The proposals would certainly change the Catskills forever, and would certainly not bring in high paying jobs promised by the developer. As an avid hiker and real estate broker working primarily with buyers from New York City who come to our area because of its beauty and tranquility such a development can only be viewed as a disaster which would destroy these qualities forever.

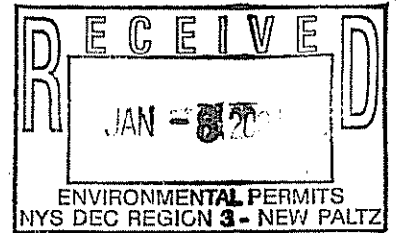
I trust that you and your office will do everything in your power to prevent this disaster from happening.

Very truly yours,

Sandra H. Hutton

cc: Maurice Hinchey

January 6, 2004



Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am writing this letter to express my total opposition to the proposed Belleayre development by Dean Gitter.

If approved and completed, this development will utterly ruin a part of our precious Catskill Mountains. 529 acres of high elevation forest will be clear-cut. Large portions of the mountain will be blasted apart to make way for golf greens, with pesticide run-off, parking lots and tennis courts. The rivers and streams will be unrecognizable. Loss of habitat will severely threaten animals, birds and other wildlife in that area.

Between guests and the workers, the population of this area will likely double. Roads will need to be expanded and wildlife will be unable to cross safely from one section of the Catskill Park to other. Mr. Gitter admits that traffic along Route 28, statistically the most dangerous road in New York State, will increase by hundreds of vehicles per hour during peak use.

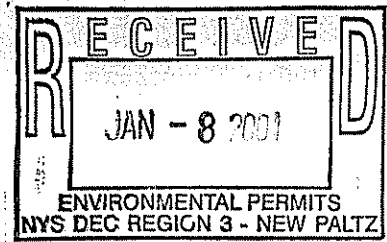
This 2000 acre mega-development is completely out of proportion to its setting and to the way of life here. Mr. Gitter and his business partners may gain more money and power from this project, but their plans show that they don't care about these mountains and rivers, or the people who live here. Consider the ramifications of this development: pollution, traffic, noise, sprawl, destruction of wildlife and forest, tax increases, loss of quality of life for Catskill residents.

Catskill State Park is one of the largest and oldest protected wilderness areas in our country, designated "Forever Wild" over 150 years ago. Please protect this designated wilderness: stop this horrendous project from going forward. I urge you to do your part to save these precious Catskills for all of us, and for future generations.

Sincerely,

A handwritten signature in cursive script that reads "Roxie Newberry".

Roxie Newberry
192 Moonhaw Road
West Shokan, NY 12494
845-657-5751



January 6, 2004

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

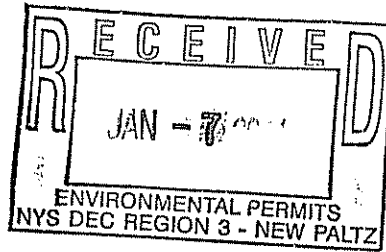
Dear Mr. Ciesluk:

In response to Dean Gitter's plan for a development on Belleayre Mountain, let me just say it's quite obviously another superficial money-maker for him, like Catskill Corners, rather than any kind of economic support for the community. We really don't need another few-dozen low-paying jobs at the cost of our ecological health.

Sincerely,

A handwritten signature in cursive script that reads "Renee Samuels".

Renee Samuels
Woodstock, NY



**John Gregg
Judith Garrison
75 Main Street
PO Box 266
Andes, New York 13731**

January 6, 2004

Mr. Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator, NYSDEC
21 South Putt Corners Road
New Paltz, New York 12561-1620

RE: Belleayre Resort Project

Dear Mr. Ciesluk:

As residents as well as business owners in the Route 28 corridor we've been following with great interest the progress and planning of the Belleayre Resort Project, including the huge numbers of hurdles the developers have had to jump over.

From everything we've learned, the proposed development appears to be on a first class level that we believe would enhance our region recreationally and vitalize it economically.

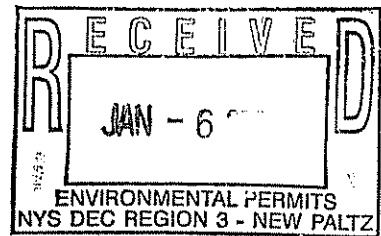
The concepts, if realized as planned, would create a landmark for our region, spotlighting it in the minds of people in the nearby metropolitan areas as well as helping supplant forever the tired and inaccurate stereotype of the entire Catskill region (for those who have no familiarity with the Route 28 corridor) as a wasteland of decaying bungalow colonies. We believe the realization of this plan would contribute dramatically to the revitalization of this region.

In sum, we heartily endorse the approval of this project.

Sincerely,
John Gregg
Judith Garrison

Handwritten signatures of John Gregg and Judith Garrison in black ink. The signature of John Gregg is on the right and Judith Garrison's is on the left, overlapping the typed name.

63 Miller Road
Mount Tremper, NY 12457



Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am resident of Mount Tremper, NY and I oppose the Belleayre Mountain resort plan. The reason I oppose it is because of its negative impact on the environment including:

1. Dramatic increases of water pollution to NYC watershed
2. Increase of hundreds of more automobile accidents to humans and wildlife on roads.
3. Destruction of 529 acres of high elevation forest

Thank you,

A handwritten signature in cursive script that reads "Juan B. Pena".

Juan B. Pena



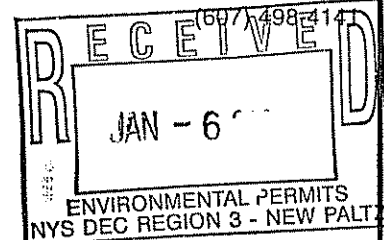
Verona Oil Company Inc.

P.O. Box 519, 75 Highland Avenue
Roscoe, New York 12776

F.R. VERONA
PRESIDENT

1/05/04

Alexander Ciolude Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Pult Corner Rd.
New Paltz, N.Y. 12561-1620



Dear Sir:

I have been a resident of this area for 57 years during which I have never seen a business venture presented representing anywhere near the benefits that would accrue to the area from the Crossroads Ventures, Inc., Belleaire Resort project.

It is in keeping with the historical road image in a modern fashion. Maintaining the natural beauty of our environment while at the same time bringing much needed employment and tax base to our communities without the burden of additional demand.

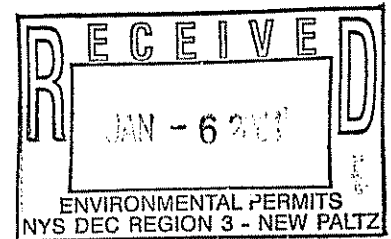
The "Trickle Down" effect on the area will provide more business for area merchants and more jobs. This project may well provide the stimulus needed for a revival of the business community.

Home owners may well see stable, or even reduced tax burdens, enabling them to either affordably remain in the area or make their homes saleable if they desire to relocate.

I don't see this resort placing any negative impacts upon our communities or environment. It is, on the other hand a wonderful opportunity which I support wholeheartedly and would expect our elected officials to do the same.

Sincerely,
Dick Verona

January 03, 2004



David Milutin
Box 232
Denver, N.Y.

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, NY

Dear Mr.Ciesluk:

I am writing to support the Belleayre Resort Project.

As a long time resident, for years finding good employment was difficult As much as I disliked, I was forced to work outside my community and commute. It wasn't until the opening and creation of the Catskill Corners complex, that I could find gainful and gratifying employment. Tourism and local business sustains and maintains my ability to work here.

Many of our local communities are economically depressed. Weekend, part time residents do not need local jobs. We do. I believe, if my experience dictates, the Belleayre Resort will create more jobs.

From what I have seen and read, the Belleayre Resort Project has been given a lot of thought in planning and creative design. . It appears to be environmentally responsible and holds great economic promise for us. I believe the Belleayre Resort project will create a sense of community pride as a world- class resort destination.

I believe that change in our beautiful mountains is inevitable. Either it can be responsible or happen otherwise. The Belleayre Resort project will make change PROGRESS.

Before your decision is made, please look at the true motivation of the project's detractors. I am convinced that your decision will be to support this progress.

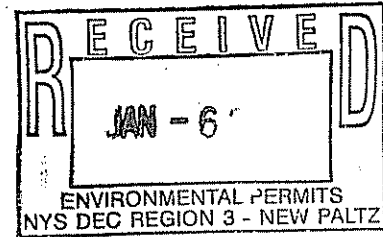
Thank you for your kind consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "David Milutin".

David Milutin

January 03, 2004



David Milutin
Box 232
Denver, N.Y.

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21 South Putt Corners Rd.
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Sincerely;


David Milutin

914-254-4010

Flieischmanns, NY 12430

P.O. Box 88 - Main St.

of the two public hearings on the proposed Belleayre Resort at Catskill Park, I wanted to drop you a letter on my feelings re: this project.

I have lived in the Catskills for 12 years and owned "Saydes" for almost 10 years. While our business, in others, is susceptible to competition, our greatest "competitor" is the business created by the weather, economic conditions (the deer market, etc.) that affect tourism/development, etc. Political "terrorism" (regulations, etc.) and government heavy-handedness (regulations, etc.) that put burdens, etc.)

It is often out-of-control to have an impact on these pressures so as to build a constant flow into our business and lead a life that isn't a constant roller coaster. The backbone of business life in the Northern Catskills is small retail service businesses - usually family owned operators. Give the infrastructure I am in is unlikely to operate and significant industry (e.g. auto assembly plant, factories, etc.), the vitality of an area must continue

Dear Mr. Ciesluk:

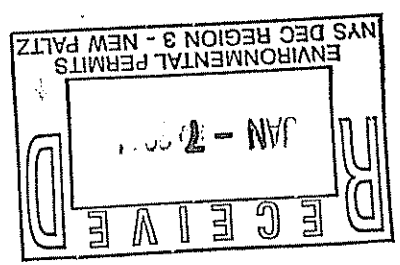
I am unable to attend either

of the two public hearings on the proposed Belleayre Resort at Catskill Park, I wanted to drop you a letter on my feelings re: this project.

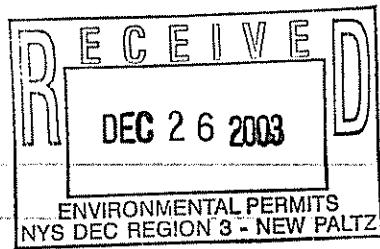
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Mr. Alexander Ciesluk, Jr.
 Reg. Regional Permit Admin.
 NYSD&E
 21 S. Pott Corners Rd.
 New Paltz, NY
 12561-1620



1/5/87



3 Woodfield Rd.
Grahamsville, NY 12740
Dec. 21, 2003

Mr. Alexander Ciesluk, Jr.
NYS-DEC
New Paltz, NY 12561

I live in the Catskill Park. I was not born there. I made the choice because of what it is.

I have seen changes come over 42 years, and I've learned to live with most of them (what else? move away? to where?) But this monstrosity of a ridge top resort is too much!

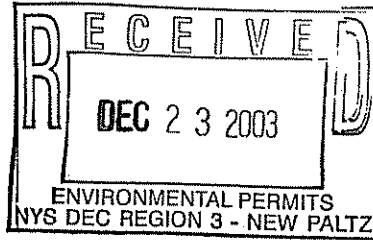
The proposed Belleayre Resort at Catskill Park is not appropriate for the Park. We ~~had~~ had resorts like Grossingers and the Concord that now stand empty. Why create a new one in the Catskills that destroys forever and unretrievably the natural landscape, viewscape, fauna, and serenity that makes up a PARK?

Dictionary definition of a Park - "a tract of land kept as a recreational area".

Sure, the developer wants to be in the Park, its existence makes it attractive to buyers. But, they are the means of destroying it!

Please, keep it a PARK.

George Elias
Claryville, Ulster Co.



March 22, 2001

cc:

Governor George Pataki
Senator Hilary Clinton
Dick Clark, Superintendent, Belleayre Mountain
Wayne Gutman, Supervisor, Town of Shandaken
Kingston Freeman
Woodstock Times
Ulster Townsman
Catskill Mountain News

Mr. Alexander Cresluk, Jr.
Department of Environmental Conservation
Region 3
South Platt Road
New Paltz, NY 12561-169621

Dear Mr. Cresluk,

I bought my house in Shandaken in 1968. I was a weekender back then. Then most holidays. Then Fridays as well. Then Fridays and Mondays. I moved here full time in 1987 when all that just wasn't enough. In short, I truly love it here.

I must have driven up and down these roads literally thousands of times. From time to time something big will catch my eye along the way but most of the time the slow changes that happen and evolve kind of fade and become part of the scene. The little subtle things become the environment. They stop being noticed, they become part of just the way it is.

A restaurant closes, so you find another. The cynic says: their food was getting lousy and the place was like a morgue anyway. A gas station stops selling gas. Big deal. There's gas down the road. Then the one down the road closes.

One day you realize not just gas stations close, restaurants, laundromats, pizza parlors, antique shops, whole shopping plazas, car inspection stations, deli's, supermarkets, B&B's, country inns, are gone. Closed. Not replaced. Gas is now 5 miles further and the prices charged are without mercy. Car inspection is 8 miles away, each way. Life is harder, tougher, less appealing to those of us who live here. Our quality of life suffers.

The other day I took perhaps my 5,000th trip down Route 28. This time really looking, very closely at everything. How people choose to live and keep their properties is their business that's not the issue. But abandoned houses, roofs caved in; for sale signs on houses for years; boarded up houses; windowless houses and garages; 21 such places can be seen from the road, between Boiceville and Phoenicia. All of Phoenicia Plaza boarded up. From Phoenicia to Highmount 31 more windowless, boarded-up in collapse, abandoned houses. Route 214, 34 Route 42, a major corridor to Windham and Hunter is strewn with abandoned cars, and piles and piles of discarded litter, abandoned, falling down houses. Same on 212 and Wittenberg. That's not the side roads, but the main roads. To the outside world we look like a town on the way down with no end in sight.

Everyone agrees we need an economic boost. A Shot in the arm. A miracle.

We now attract mostly day trippers, whether they're tubers or skiers. That's not bad per se, but they leave very little in the community at large. We need families who spend weekends, full week and 2 week vacations here. Mostly we need resident tax payers. To attract these people we need more than one reason, or one activity.

It's a totality, a broader appeal than just skiing or tubing. It's an atmosphere that's positive, upbeat and vigorous. A place to bring family and friends with pride.

If a top-notch ski area could do it by itself, the town of Hunter would be booming. The Slutsky's have made millions from their hard work over the years and they deserve it, but the town of Hunter is a disaster. Hunter's claim to fame is more bankruptcies and unexplained fires than any town in the state.

Windham is a better model. Skiing? Sure. Golf? Sure. Accommodations? Sure. Good restaurants? Sure. Four season appeal? Without a doubt. The whole town looks good. People are moving in, taxpayers are being added to the rolls. Trade people are prospering. Shops are opening, not closing. The firewood guy is driving a new truck. Most local's houses have a fresh coat of paint.

I am not suggesting a Windham clone for Shandaken—far from it. My point is we must broaden our appeal or we won't accomplish a thing.

Governor Pataki did his part in words and deeds. He put five million dollars into Belleayre and the effect was immediate. Now, however, we have twice the number of day trippers going home as witness to our town's downward spiral.

Enter Dean Gitter and Crossroad Ventures. I don't know the man. I have no connection whatsoever to anyone at Crossroads. I have no stake in their success or failure. It's Shandaken I'm concerned with.

Mr. Gitter's project isn't the whole answer but it is a giant step in the right direction. Here's a man willing to put a couple of hundred million dollars in capital investment into a dying area. Instead of embracing him as a catalyst for positive change, he has come up against people who question everything from his motives to his personality, where he gets his financing to his hairdo. "They" say his project is too big, his taste is too fancy. "They" site unnamed experts, unsupported statistics, class warfare, and at moments out and out preposterous scare tactics meant to insight, not enlighten. Misrepresentation, mis-information, half-truths and outright lies. "They" should adopt the motto of the loonies of the '60s: "By any means necessary" because that seems to be their approach.

"Their" big thing is the claim golf courses pollute to dangerous, even toxic levels. Woodstock Golf Club is here since 1921. Windham for over 40 years. No dead fish, no shut downs. Myrtle Beach South Carolina has 110 courses within 10 square miles. With all the watchdog agencies looking at the Crossroads Ventures' project, I feel pollution is a straw dog—a fear tactic. "They" question the impact of a golf course on the esthetics of our community, this from people who daily drive by hundreds of abandoned or boarded-up places. They suggest other economic plans rather than tourism. They say we could become the craft center. They suggest a silicon valley of the Catskills. A joke.

All nonsense. Trumped up. A fiction.

Our kids can't stay here because there's no work. No economy. Not because of gentrification.

"They" turn out to be just a handful of very slick advertising types talking to each other for their own entertainment. Calling their opposition just "having some fun."

These beautiful mountains are 2-1/2 hours from New York City. We have a fabulous gift; fish laden streams, game laden woods, freshest water in America, pollen free, the Catskill Park, the snow belt, 50 million dollars worth of ski mountain infrastructure at Belleayre, millions more at surrounding ski areas, great restaurants, affordable properties (mostly steals).

The only thing we were missing was someone crazy enough or adventurous enough, or creative enough to invest millions here to directly impact us in attracting generations of taxpaying Shandakenites, utilizing all of our services and trades people.

I don't know if you remember the time when you were guaranteed an hour wait at Al's or the Little Bear or Rudi's Big Indian (closed), unless you were a regular and caught the eye of the owner. The Auberge de Quatre Saisons had dancing until 3:00 a.m. No more. The Shandaken Inn (closed), was booked 4 months in advance.

There is a small estate here with over 25 rooms, a stocked pond and 20 acres for less money than a one bedroom apartment on Central Park West. It's been on the market for over 3 years. No takers. No wonder.

We're dying a slow, colorless, almost painless death up here. The cavalry has arrived in the name of Crossroads Ventures. We should welcome them.

Governor Pataki, your commitment to helping this depressed area is evident in your freeing up 5 million for Belleayre. Clearly we need a continuing commitment to keep the momentum going. You have invited and nurtured private sector investment in N.Y.S., saying the State can't do it alone. This project works hand and glove with your philosophy.

Senator Clinton, the cornerstone of your successful campaign was helping the depressed upstate communities build healthy economies. This could be the perfect meld of government and the private sector. Your significant prestige and voice could achieve a phenomenal success for the people up here. We need an ombudsman. A supporter. I hope you can and will help.

I spent several days this winter in Florida in a community built on federal wetlands with a huge bird sanctuary. 600 families live there. The builder, working under stringent guidelines from the federal EPA, the local DEC, DEP, and Florida Department of Water, built a natural paradise with a beautiful state-of-the-art 27 hole golf course smack dab in the middle of it. Within eyesight of the golf course I saw hundreds of species of birds, eagles nesting with chicks 200 feet from the house, I caught and released 104 snook, 4 jacks, and 1 tarpon on a fly in a river that runs through the community. I saw gators, an armadillo, dolphins and manatees. The place is teeming with wildlife in what is normally the most fragile of eco-systems. Again, all within eyesight of a big, beautiful golf course.

In a careful and controlled way, it can and has been done thousands of times. (They're using re-claimed water throughout the community too.)

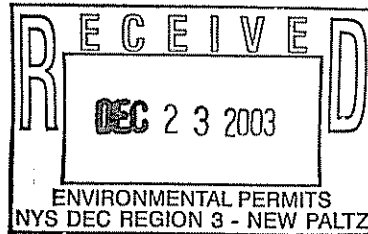
Is it possible that the opposition groups up here have better information about golf courses than the regulators of thousands of courses in Florida? I think not. Is it possible our government, our regulators are luring millions of unsuspecting people to Florida to expose them to toxins and carcinogens? If that's even remotely possible, God help us all.

The pressures to listen to the ones who yell the loudest is great. Don't be cowed by loud. Mr. Cresluk, you oversee the greatest potential plan this area has ever seen and if lost probably will never see again. Your wise shepherding will affect many people now and for generations to come. Regulate but please, see that this project gets done, for all of our sakes.

Sincerely,

Bob Nussbaum

Shandaken



December 18, 2002

I haven't had more than a 10 minute social chit-chat with Dean Gitter. I will not gain in any financial way from his resort project. I've no axe to grind.

However, the hard-line groups against his project are using outrageously unfair tactics that they must be called on and held accountable for.

Pro or con, for or against, mount your argument, then lobby hard, that's an American characteristic. Fairness is also an American core value, but this gang will stop at nothing, do anything, stretch any truth to win their point, much to the detriment of more than Gitter. They really don't seem to be interested in the good of the town, only in their private, personal, and very narrow agendas.

Gitter donates a soccer field to the town for the kids. He cuts the trees, grades the field, plants the grass, provides the equipment. The gang sues him for not providing a noise study (it's in an open field). He gets past that and moves forward. They then sue him for inadequate parking. Does their action benefit the town? The kids? The parents who have to transport their kids 14 miles each way to the reservoir playing field? I think not.

Gitter buys the unsafe, unhealthy, defunct Pine Hill Water Company. Fixes it up and under pressure and threats sells it to the town, which the town wants badly. The gang first sues for eminent domain. After they lose, they sue because he chose to keep a little piece of his own property. Does that benefit the town or their own narrow, selfish interests?

If Gitter's proposed golf course really kills as many fish, birds and people as they claim, we'd be knee deep in rotting corpses the world over. Golf courses don't kill, rational people know it, the gang just plain lies. They make it up, and put it out. The worst part... some people buy it.

Gitter's project will create 500 jobs. Say it slowly. 500 new jobs. In Shandaken. He'll spend 200 million dollars here mostly through local tradespeople. Tell me we can't use big time roofing, plumbing, bulldozing and landscaping contracts, to name but a few. He'll pay 50% more taxes than presently exists. He'll bring in thousands of spenders for local businesses.

The hard core of the opposition doesn't number 15 people (maybe 20). They don't make or need to make money here. They've spent thousands upon thousands to advance an ego driven agenda. They brought their money with them. They don't need a piece of the \$200 million influx of new money because they don't make a living here. I doubt if they have children here so there's no interest in the soccer field. But the rest of the citizens of Shandaken do need the jobs, do need the influx of huge fresh money, do need the soccer field. The vast majority of Pine Hillers were only interested in safe, reliable water. Nothing more. This gang made it more, and they're not done yet.

Aren't we all sick and tired of the manipulators, the spinners, the liars? Don't we all know what the definition of "is" "is"? Aren't we all horrified that people were told and sold on the idea to ignore the mountains of evidence and facts and believe the inanity "if the glove don't fit, you got to equit".

As citizens aren't we all diminished when we see our fellow citizens so bamboozled? So gullible? First we were all outraged Then embarrassed

We here in Shandaken are being bamboozled and spun by the gang everyday. I hear otherwise bright people spouting the stuff right out of the literature of the gangs. "This will become a Coney Island. Golf is only for the rich." "The traffic will be awful!"

Nonsense. Not true. Period

On a good day Belleayre has 2,500 skiers. They all arrive between 9:30 and 11:00. They all leave between 3:30 and 4:00. That's traffic. Nobody says a thing. In fact we cheer that Belleayre did so well. It's headline news in our newspapers.

On a good day a golf course pushes out 200 golfers. Tee times are scheduled all through the day at 20 minute intervals. Nice and steady, all through the day. Negligible traffic impact. The gang screams traffic jams. Not true. It simply won't happen.

"Coney Island?" Ludicrous. Gitter wants to build on 900 acres out of 186,000 acres of park. "Golf is for the rich." Class warfare of the ugliest kind. The New York State run Bethpage 4, 18 hole championship courses in one complex has people getting up at 4:00 a.m. for tee times. Thousands of cops, firemen, steam fitters, sanitation men. Rich? As compared to Bangledeshees, yes. As Americans, no way.

Beware the people from Catskill Heritage Alliance, Pine Hill Water District Coalition, and Manhattan Natural Resources Defense Council. I believe they're all the same people with different organizational names in order to look bigger. They don't need an economic uplift. You do. They like it that there's no longer a Phoenicia Plaza (10 stores), no Getty station, no Mobil station, no Rudi's, no Evonne's, no Auberge, no Owl's Nest. They like the "charming" look of over 100 abandoned, crumbling houses in Shandaken. Four years ago Hollywood's location producers had the pick of the entire United States in finding a down-and-out town. They picked Fleishman's. This gang wants it to stay just that way. I don't. Do you?

No brag. I can live anywhere I wish! I've chosen to live here for over 32 years because I love it, long before the Gitter project. But this place could be so much more, now and for our unborn posterity. Don't let this gang blow it for us.

Hey gang, win your point on the merits. Your tactics seem tacky, wacky and out of touch with what this town really needs. Systematic, well regulated growth ~~for us~~ for us and for our kids.

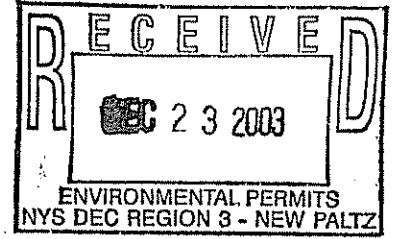
Sincerely,

Bob Nussbaum

Shandaken

Mr. Alexander Bresluk Jr.
Department of Environmental Conservation
Region 3
South Paltz Road
New Paltz, N.Y. 12561-169621

12/18/03



I enclose a letter I sent you 2 years ago and another ✓ addressed to our Shandaken community a year ago in support of the Crossroads Venture Project.

We need this project up here badly. It's very tough making a go of it in the past and without Crossroads, far into the future. There are just not enough people coming up here on a consistent and sustained basis to keep this community healthy.

The traffic we attract is minimal with few if any real connections to us except for a day of fishing or a day of skiing or a day of tubing. If it rains over a weekend, the month is wounded. If it snows too much the week suffers. If gas prices spike we feel the pain first and longest. Any blip and we're hurt and that's the way it's always been. Crossroads can change all that.

If you wanted to buy a restaurant up here I know of 5 you could steal for 50 cents on the dollar from owners who have tried to sell but can't as they struggle on marginally. Not enough people on a consistent and sustained basis, year round.

The perception is that things kind of ebb and flow up here. Things open. Things close. Not exactly true. More things close, never to be seen again, taking its toll on our quality of life. Taking our children to find lives elsewhere. When we do have good quality work for someone to do, there's very few left here to do it. Ask anyone, anyone who employ's people the difficulty they have finding someone. Crossroads will not do that.

Real Estate is ticking-up, but that's deceptive. With 5% interest rates it's booming everywhere. The bargain hunters seek out marginal areas.

All we have to offer here is tourism and related services and our tourism is a la carte. You sleep here, you go there, you eat somewhere else, if you're a family of 4 it's very hard and very expensive.

Crossroads could be the beginning of ending all that.

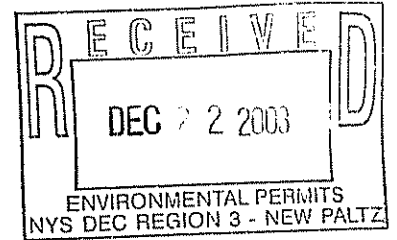
The town houses in the project will bring people here every week, rain or shine, using all of our enterprises and add to our desperately needed tax rolls.

I have no connection to Crossroads in any manner, way, shape or form. I love this project because I love Shandaken. The better, the more vibrant, the more successful we are individually the more successful we are as a community.

This past election in Shandaken was by no means a referendum for the people supporting the project but it was clear to all that the outgoing administration did everything within their power to garner forces to defeat the project. It's instructive that for all of their efforts and all of their ardor, they were defeated.

Thank you.

Sincerely
Robert Nussbaum



BY OVERNIGHT DELIVERY / RETURN RECEIPT

Adirondack Mountain Club Catskill Center for Conservation and Development

Natural Resources Defense Council N. Catskill Audubon NY-NJ Trials Conference

New York Public Interest Research Group Riverkeeper Sierra Club

December 19, 2003

Mr. Alexander Ciesluk, Jr.
Permit Administration
New York Department of Environmental Conservation
21 S. Putt Corners Road
New Paltz, New York 12561-1696

Re: Crossroads Ventures, LLP
The Belleayre Resort at Catskill Park
NYSDEC No. 3-9903-00059/0001

Dear Mr. Ciesluk:

We the undersigned community, civic and environmental organizations, hereby request that the public comment period for Crossroads Ventures, LLC's draft environmental impact statement (DEIS) be extended by 60 days to April 23, 2004. DEC has the legal authority to extend the comment period. 6 NYCRR 617.3(i). Our organizations have a statutory right to review and comment upon the draft EIS, and we strongly believe that such an extension is necessary for our organizations to participate meaningfully. This is the case for several reasons, including:

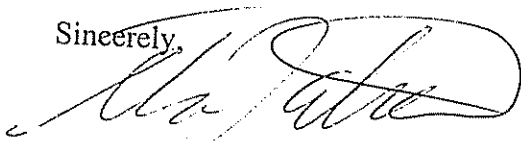
1. The proposed project is unprecedented in its nature and scale within the Catskill Region.
2. The project is located within the Catskill Park, an important natural resource of the people of the State of New York.
3. The project has the potential to significantly impact the New York City watershed, relied upon by 8 million people for clean drinking water.
4. The draft EIS is highly detailed and technical, with over 700 pages in the principal document and several thousand additional pages spread among the document's 36 appendices. The document's massive size is illustrated by the fact that it took one organization nearly two days to download it from the Internet and print it in its entirety.

5. The DEC, project sponsor, and its consultants have had many months to prepare the document. The public should be granted a reasonable time for review.
6. The comment period spans the holidays, a traditionally busy time for everyone, and therefore does not afford the public sufficient time to review the document.

In summary, due to the size, complexity, duration of construction, and the many potential environmental and economic impacts this project may have on the region, we believe our request for a 60-day extension is reasonable.

Thank you for your consideration of this important request. We look forward to hearing from you.

Sincerely,



Thomas J. Alworth
Executive Director
Catskill Center for Conservation and Development
Route 28 Arkville, 12406

Adirondack Mountain Club
Neil F. Woodworth, Counsel
301 Hamilton Street
Albany, New York 12210

Natural Resources Defense Council
Eric Goldstein, Counsel
40 west 20th Street
New York, New York 10011

Northern Catskills Audubon
Larry Federman, President
PO Box 68
Palenville, New York 12463

New York/New Jersey Trails Conference
Neil H. Zimmerman, Chair
Conservation and Advocacy Committee
156 Ramapo Valley Road, Mahwah N.J. 07430

N.Y.P.I.R.G.
Cathleen Breen
Watershed Protection Coordinator
9 Murray street
New York, New York 10007

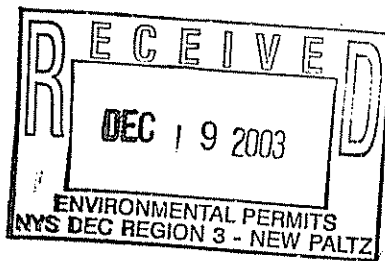
RiverKeeper
Marc Yaggi, Counsel
PO Box 130
Garrison, New York 10524

Sierra Club, Atlantic Chapter
James Mays, Chair, Catskill Committee
2545 County Route 3
Olive Bridge, New York 12461

Richard Wolff

125 Gates Av - 14

Montclair NJ 07042
973 746 7415
Rwolffnj@aol.com



December 11 2003

Dear Mr. Ciesluk

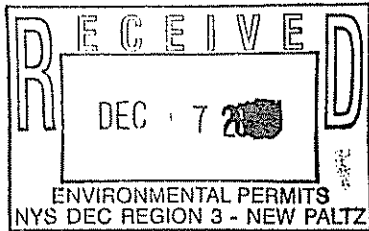
As a lover of, and a visitor to, the Catskills for more than 50 years, I would like to voice my disapproval of the megaresort planned for the Belleayre area.

This is right in the center of a still mostly pastoral area, where I and my fellow members of the Appalachian Mountain Club, 13,000 strong in New York Chapter, love to "get away from it all" in a setting only 2 to 3 hours from Manhattan.

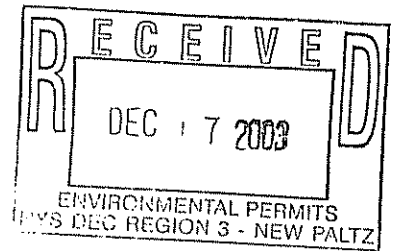
In every way conceivable this resort would be objectionable. Not only the esthetics of it being the proverbial "800pound gorilla" but what a development of this size must do to the environment in every way imaginable. The waste generated - the water used - the poisoning of the ground from all the chemicals used on golf courses - it boggles the mind to think about it.

I am sure there are many places in parts of the Catskills that are lower in altitude and do not have the many mountains on which there are hiking trails presently that would welcome a resort like this with open arms and be less damaging to the environment in the development.

Sincerely



December 15, 2003



Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Re: The Belleayre Resort Project at Catskill Park.

Dear Mr. Ciesluk,

We will not be available for the January 2004 Public Hearings, concerning Crossroads Ventures Development Program. However, as longtime residents and taxpayers of Shandaken, we want to express our feelings and concerns in this matter.

#1). This project offers the possibility for significant and positive economic development for the Shandaken area, and it is our feeling that the area is dying and needs to be redressed. (It should be obvious to anyone who has lived in this area for more than ten years.)

#2). This project also offers the distinct possibility of addressing an out-of-control tax situation on properties in the area. It is our opinion, at the current rate of decreasing taxable properties and increasing Town Budgets that a significant number of properties paying taxes will be taken out of the tax program. Thereby, increasing taxes for the remainder.

In conclusion, it seems to us that because of the fore-mentioned reasons, the Development should proceed with utmost haste, and that all permits required by the project should be issued without further delay.

Sincerely yours

James Teeple
Mady Teeple

James and Mady Teeple
8 Cruickshank Road
Big Indian, NY 12410



**Department of
Environmental
Protection**

59-17 Junction Boulevard
Flushing, New York
11373-5108

**Christopher O. Ward
Commissioner**

Bureau of Water Supply
465 Columbus Avenue
Valhalla, New York
10595-1336

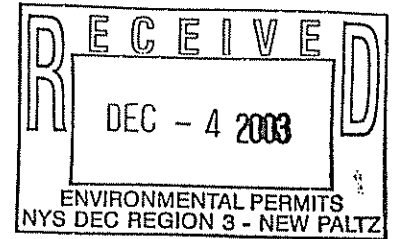
Michael A. Principe, Ph. D.
Deputy Commissioner

Tel 914-742-2001
c 914-741-0348

December 2, 2003

Mr Alexander Ciesluk, Jr.
Permit Administration
New York State Department of Environmental Conservation
21 S. Putt Corners Road
New Paltz, New York 12561-1696

Re: Crossroads Ventures, LLP
The Belleayre Resort at Catskill Park
NYSDEC No 3-9903-00059/0001



Dear Mr. Ciesluk,

I am writing on behalf of the New York City Department of Environmental Protection (DEP), which is an involved agency for the referenced project, pursuant to 6 NYCRR 617.2(s) and the March 20, 2000 New York State Department of Environmental Conservation (DEC) Commissioner's Determination of Lead Agency. DEP is constrained to formally object to DEC's failure to conduct a coordinated review among all involved agencies as to the adequacy of the Draft Environmental Impact Statement (DEIS) for this project, by proceeding with the circulation and public review and hearings on the project under the State Environmental Quality Review Act (SEQRA) as indicated by the Notice of Acceptance of Draft Environmental Impact Statement, dated November 26, 2003 (Notice)

DEP had requested, by my letter dated October 16, 2003, that prior to deeming the DEIS complete, DEC request that all involved agencies review and provide any comments on the revised document. DEC had done so with the previous draft of the DEIS, receiving comments from involved agencies, which resulted in the determination letter dated May 15, 2003. As noted in the DEC's own SEQR Handbook, the role of involved agencies includes assisting the Lead Agency in reviewing a proposed EIS for adequacy. As this assistance was requested of involved agencies with respect to the January 2002 draft, DEP believes that the principle of administrative *stare decisis* requires that DEC allow interested agencies to review the proposed DEIS and provide any comments before proceeding to publish the Notice and initiate the public review period under SEQRA.

Further, when DEC Commissioner Cahill issued the Determination of Lead Agency for this project, DEP was explicitly given responsibility to assist DEC with the scoping and review of the EIS. DEP believes that the Notice, if published without a prior review for adequacy by DEP, would violate this Order of the DEC Commissioner.



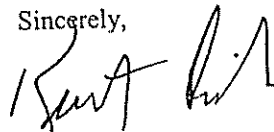
www.nyc.gov/dep

(718) DEP-HELP

This afternoon I accepted delivery from Crossroads Ventures of a 13-volume package – 10 books totaling approximately 40 inches in breadth and 3 rolls of drawings totaling 72 large-format pages – which constitutes the DEIS that is the subject of the Notice. My October 16 letter provided only a brief example of some issues that DEP recommends be updated and clarified before the SEQRA review period begins. That letter was based on two memoranda prepared by consultants retained by DEP, totaling 30 pages, dealing solely with regard to issues of the adequacy of the EIS. Although DEP is prepared to immediately review and comment to DEC on the adequacy of this proposed DEIS, there is not adequate time for even a cursory review of the new DEIS, given its sheer size (though wholly appropriate for a project of this potential environmental consequence) to ascertain to what degree the issues raised by these consultants have been addressed in the EIS before DEC publishes the Notice and initiates public review of what DEC is determining to be adequate under SEQRA, without the participation of involved agencies.

Please contact me if you have any questions. I may be reached by email at krieke@dep.nyc.gov or by phone at 914.742.2074, at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Rieke", written in a cursive style.

Kurt Rieke
Deputy Director

From: Ruzow
To: Bakner; Rosenthal
Date: 1/16/2004 10:25:57 AM
Subject: Fwd: Public email comments - Crossroads Ventures LLC

More fan mail

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 1/16/2004 10:25:49 AM >>>
Attached are the comments I received from 1/13 - 1/15/04.
I will provide each of you with copies of the written comments received
through 1/16/04 at the Hearing this coming Tuesday.

Rosi

*Crossroads Ventures
LLC Attn: D. Ruzow
Written comments
received through
1/16/04 afc*

Ros

From: <MinterRuff@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 2:59:25 AM
Subject: Opposition to Belleayre Resort

Dear Mr. Ciesluk,

I unfortunately cannot attend either meeting this week, as commitments out of town will take me away for the rest of the week, but I want to register my very great upsetment and opposition to the proposed resort. I live right on Route 128, and the traffic is already terrible (and, incidentally, considerably over the speed limit a great deal of the time.) It is already near impossible at busy hours to get out onto the road. I can't imagine how this would fare with a resort at the end of the rainbow.

Yours sincerely,

Drew Minter
3769 Main St.
Stone Ridge, NY 12484
(mailing address: P. O. Box 31)

From: "Mike and Ellen Preckel" <mpreckel@midtel.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 3:01:46 AM
Subject: propsed resort in the Catskills

Mr. Ciesluk,

I am writing you to express my concern over the proposed resort that will decimate a region of the Catskills that I frequent and adore. I feel very strongly that allowing this huge resort to be built would be a major mistake for our area of New York State.

I understand, for instance that this resort would affect not one but two towns, Shandaken and Middletown; not one but two counties, Ulster and Delaware; and not one but two watersheds the Ashokan and the Pepacton. I don't feel that our area needs 2 18-hole golf courses, 2 hotel complexes with more than 400 units, over 350 time-share units in 98 additional buildings, as well as all the restaurants, conference rooms, stores, recreational facilities, offices, roads, parking areas and extra traffic that these places bring with them...

And speaking of bringing with them I understand that workers would need to be brought in to fill many of the 872 full- and part-time resort jobs plus the 200 off-site jobs. Instead of seeing this as a blessing, as many have tried to make it out to be, I also understand that the developers state in their Draft Environmental Impact Statement (DEIS) that mid- and upper-management jobs would be filled by non-resident personnel who relocate to the resort area", which leaves hundreds of low-paying jobs for local people. Please understand the logic here, these jobs wouldn't help the local population! Low-paying jobs in the area don't get filled now! Adding these low-paying jobs to the area economy would cause the median income to drop not go up as the developers tries to say! The DEIS also states that the local construction sector is "not oriented" toward the needed specialties of resort construction and that "economic effects...would, to a large degree, not be localized". Well! What benefit then, to the people of the area? We arent good enough to fill the jobs of mid- and upper-level management. Our construction "sector" isn't geared toward their resort building needs. Gee - I guess our people will be good enough to be waiters, maids and janitors?! We are preparing to sell our collective soul to the devil.

The area in question is almost 2000 acres of beautiful wooded moountain top and side of which nearly a square mile would be clear cut, bulldozed and blasted away. I find the proposition saddening and I know that it will destroy a place my family has adored and vacationed in for many years. The character of the Central Catskills would change drastically if we allow this resort to go forward. Right now it's lovely and wonderful - a great place to raise kids and have a small country community to live in. These are disappearing fast enough from our area as it is! Where are the small villages, close communities, wild mountainous lands and clean water going to be found if the Bellayre resort goes forward? They will effectively destroy the area.

Thank you for your time and attention to this issue - I appreciate your concern and would like to hear what you have to say in response to my questions.

Ellen Preckel

Native New Yorker.

From: robert helfman <singinginthewires@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 11:34:49 AM
Subject: Belleayre Resort hearing

Dear Mr. Ciesluk: Concerning the environmental impact of the proposed resort: it happens that a study of history will show that the collapse of a civilization comes after the gap between the rich and the poor in society becomes exponentially widened, as is happening in our time. This, coupled with the environmental degradation that comes with ever increasing development places life on Earth on a cosmic endangered species list. Now, one may object that such speculation is similar to the cry of Chicken Little about the sky falling, but think again. Is there infinite space for the greedy to expand their horizons at the expense of us all, or is there in fact, a finite amount of space on Earth, let alone the Catskills? It is my contention that the conclusion one may draw from the evidence is clear. We may behave like fools, or behave in a way consistent with a sound and ethical distribution of economic and natural resources. I warn you that should the fools prevail we will eventually pay a great price for their folly. It is only a matter of time.

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From: Ellen Cronan <ecronana@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 11:44:52 AM
Subject: Belleayre Expansion Comment

Dear Mr. Ciesluk,

I am contacting you with regard to the Belleayre Resort expansion. I am a New Jersey resident who is a regular visitor to the Catskills. I hike, bike, ski and generally enjoy the area for rest and relaxation. The Catskill Park is a precious resource for all residents within a 100 miles of the park boundary. It provides for the needs of wildlife enthusiasts, hunters, fishermen, skiers, snowmobilers, hikers and more. The Catskill Park is also a tremendous water resource for a vast population.

I do not believe the proposed Belleayre expansion will be a benefit to any visiting user groups. As stated in the proposal, it will definitely NOT be a benefit to the local community. It will not provide jobs, it will degrade the environment and it will create a burden to the local community tax base.

I cannot comment on the success of such a plan except as it concerns myself. In the past I have skied at Belleayre twice a year. If this proposal is approved, I will never return to the resort. I could not support a resort that so blatantly degrades a community and environment with its expansion.

The scope of this project is far too large for the area. If the owners of Belleayre are interested in expanding in a manner that supports the local communities while also increasing their business, they should consider a smaller expansion. An expansion that meets community needs. I see only corporate greed in the present plan. Such a plan has no place within the Catskill Park, an area set aside for all New Yorkers.

Ellen Cronan
183 Grove Street
Somerville, NJ 08876

Do you Yahoo!?

Yahoo! Hotjobs: Enter the "Signing Bonus" Sweepstakes
<http://hotjobs.yahoo.com/signingbonus>

From: "Carol Shalaew" <sundance1031@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 12:06:45 PM

P.O. Box 299
Phoenicia, New York 12464
9 January, 2004

To the Editor,

If there are any doubts as to why we don't need ANOTHER hotel, golf course, restaurant, parking lot, thousand toilets, hundred tons of garbage, sewage, pesticides and pollutants, etc. etc. all emanating from the proposed "Belleayre Resort", all one need do is take a short drive over to the "illustrious" Concord Hotel and check out the surrounding town of Monticello to see the impact the Concord has had on that town. Or, try the "lovely" Nevele Hotel in Ellenville to gauge just what a resort hotel can do to a community.

Better yet, take a drive to Atlantic City and visit the glorious, magnificent hotels on the boardwalk, but avoid the surrounding slums that were supposed to benefit from these cash cows.

Right now there are plenty of hotels and golf courses in the Catskills, all of which are underused and of NO benefit to their communities. The only benefit they serve is to enrich their developers.

Make no mistake; Dean Gitter (Crossroad Ventures) is a real estate "developer" (see: Donald Trump). Okay, he's a peanut compared to Trump, but their goals are the same. Mr. Gitter is NOT an altruist. He is NOT interested in improving the lives of anyone in Shandaken or Middletown, with the exception of himself, his cronies, and his supporters. The proposed Belleayre Resort has one purpose, and one purpose ONLY, and that is to line the pockets of Mr. Gitter and company, to make him richer than he is already. By the way, there's nothing wrong with being rich, just in the way it's achieved. When it's at the expense of others and the environment, it is unconscionable.

We are extremely fortunate to be living in a "forest preserve" (Forest: as defined in Webster's dictionary; "A wood of native growth; A tract of woodland which has NEVER been cultivated") NOT a "resort, country club, or CONDO preserve". You want condos and country clubs... the Hamptons is an ideal choice. You want forest, natural beauty, clean air, pesticide-free land and water... choose the Catskill Forest Preserve, as it exists NOW.

Dean Gitter is not a Catskill native. Ironic, since he blasts the opponents of his Belleayre Resort as being "outsiders". Yet, he professes to "know what's best" for this community. As a further insult to the community, he selects friends who are also "outsiders" to serve on his "development" team: Richard B. Fisher, formerly of Morgan Stanley, now a senior advisor to Investcorp (one of the largest real estate developers in the world) and Kenneth D. Pasternak, CEO of the Knight/Trimark Group, both also NOT Catskill natives, to build this monstrosity so out-of-sync with the environment. Hello Dean... if this project is supposed to create jobs for locals, why are you hiring non-locals for the top spots? Let's get some local input on this travesty.

Page 2 of 2

We all agree our area could use a financial "shot in the arm". However, a project of this size and scope is ridiculous. Our fragile environment and eco-system cannot accommodate something of this magnitude. I'm sure, if we all search our hearts and our minds, instead of being swayed by the dollar signs dangled before our eyes, there's a compromise somewhere to be had. None of us wants to leave behind a legacy of concrete and steel where there used to be a mountain.

Joni Mitchell put it so aptly: "...don't it always seem to go that you don't know what you've got 'til it's gone.....THEY paved paradise and put up a parking lot....".

Sincerely,

Carol Shalaew
Phoenicia

From: Cate Woodruff <cate@catewoodruff.com>
To: <phoeniciatimes@aol.com>, <letters@freemanonline.com>, <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 1:38:14 PM
Subject: Edit of previous letter

Low Quality of Life and Higher Taxes with Belleayre Mega-Resort

Two and one half years ago I moved from NYC to West Hurley with my husband, composer and percussionist David Van Tieghem, my 5 year old daughter and my mother, a retired writer and painter. After moving, we discovered that in 1658 a great-great grandfather Jacob VanEtten came to Kingston and founded the Old Dutch Church. He must have loved the land as we do, coming all the way from Holland. Discovering this history gave me a sense of belonging and pride in what has been preserved here. What if the Old Dutch Church had been blasted, making way for an asbestos filled office building in the 60's?

My husband and daughter have asthma, so I wanted to get them out of NYC. Although we live on busy Rt.28, it is manageable now, and a good place to start my business, Woodstock Furniture Gallery. I make furniture out of antique wood, rescued from structures slated for demolition, preserving history in hand-made pieces.

As we shape the future of the Catskills, how do we want to live on this land, and present our area to visitors? Where does the greatest tourism potential exist in the long run? Heritage tourism is the fastest growing sector of the tourism industry. The drama of historic hamlets, the mystery of original buildings and the facts and folk lore of roads dating back to early days of settlement are everywhere in the Catskills, and are the kinds of places visitors want to explore.

Initiatives, museums and sites exist to preserve and share the Catskills' heritage. The Federal Government established the Hudson River Valley National Heritage Area, allocating 10 million dollars to protect and interpret the history of the valley, to encourage development respectful of this heritage.

The National Trust for Historic Preservation sees pilot programs carried out across America. When communities tell stories of their pasts, the places that embody those stories are protected and history comes alive. The Travel Industry Association of America reports, cultural and historic tourists stay longer and spend more money than other types of travelers.

Belleayre would have an horrific effect. Clear-cutting 529 acres of high elevation will cause erosion, siltation of streams, flooding of homes and roads, destroying trout fishing and wildlife habitat.

Barrons July 28th edition reads, "a glut of courses and a dearth of players are ruining the economics of golf...the golf boom has fizzled unambiguously in the past few years and threatens to become a king-sized bust." Pesticides, herbicides, fungicides and fertilizers from the golf course will be carried by wind and rain into ground and

surface water.

There is not enough water. Gitter acquired the Pine Hill Water Company, seeking official sanction of the fragmentation of the system, and wants to secure Pine Hill's third water source for the resort. Despite numerous letters explaining that fragmentation places the system below minimum health standards, the DEC approved the permit modification.

Belleayre will generate 500 vehicular trips per hour, thousands of trucks bringing construction materials for 8 years.

Our view of the night sky will be limited by lights of the mega-resort glowing over the area.

Taxpayers will experience a 9% increase in property taxes, a \$250,000 deficit, over-crowded schools, housing emergencies for Belleayre employees, police, fire, road, and maintenance services will be overwhelmed and Gitter admits he will offer only low paying jobs to residents.

It is still possible to preserve the beauty of our land, our wildlife, our history and our communities. We have control over the direction these issues take, if we take action now.

Cate Woodruff

From: Vicki Turbeville <turbeville@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 2:00:59 PM
Subject: Belleayre Mega-Development

Belleayre Mega- Development

View Current Signatures - Sign the Petition

To: To Governor George Pataki, NYSDEC Commissioner Erin Crotty, Local, County, State, and Federal Permitting Agencies

We, the undersigned, citizens concerned about the far-reaching and irreparable damage the proposed Belleayre Resort would do to our environment to the quality of our drinking water to the Catskill Park, one of two major state parks in New York to the character and social stability of our rural communities to wildlife habitat... and to the wilderness recreational activities pursued by so many, do hereby strongly declare our opposition to the development of this mega-resort in the heart of the Catskill Mountains.

We oppose the creation of what would effectively be a new city in the middle of the Catskill Park hotels, time-share units, luxury homes, clubhouses, restaurants, stores, activity centers, conference facilities, maintenance buildings, parking lots, access roads, etc. that would be wholly inconsonant with the surrounding hamlets, with the character of our community, and with the intimate hospitality the region has traditionally offered to visitors;

We oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and we oppose the loss of a pristine eco-system and the damage to its plant life and animal habitat;

We oppose the devastation this mega-resort would wreak on the magnificent view shed and night sky of these mountains, on the State Forest Preserve, and on the Catskill Park;

We oppose the compromising of our water resources which also supply water to New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses;

We oppose the negative consequences we believe this development would bring to our economy and our way of life: a sudden and disproportionate population growth exacerbating the current crisis in affordable housing, the potential for uncontrollable secondary growth, a spike in property taxes that could displace many homeowners, pressures on our property values, traffic congestion that would adversely affect business and commerce, rapid and radical change that could imperil the core strength of local communities;

We oppose the loss of a unique environment a prized asset for all the people of New York in order to provide financial gain for a few.

We therefore petition Governor George E. Pataki, NYSDEC Commissioner Erin Crotty, and all local, county, state, and Federal permitting agencies to reject and deny all applications relating to the proposed Belleayre Resort.

Sincerely,

Vicki Turbeville

The Belleayre Mega- Development Petition to To Governor George Pataki, NYSDEC Commissioner Erin Crotty, Local, County, State, and Federal Permitting Agencies was created by and written by Maureen Millar. This petition is hosted here at www.PetitionOnline.com as a public service. There is no endorsement of this petition, express or implied, by Artifice, Inc. or our sponsors. For technical support please use our simple Petition Help form.

<http://www.PetitionOnline.com/Mega/petition.html>

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From: "John Mann" <johnmann@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 2:13:11 PM
Subject: Belleayre Resort

Dear Mr. Ciesluk:

I have been a property owner in Ulster County for the last 26 years and am an immediate neighbor of the proposed Belleayre Resort at Catskill Park Project.

I am writing to you at this time to say that the project has my whole-hearted support and I am delighted that it has received draft approval by the DEC.

Very Sincerely,

John H. Mann

126 Lost Clove Road
Big Indian, N.Y.

From: "bbreck" <bbreck@citlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 2:39:59 PM
Subject: Belleayre Resort

Dear Mr. Ciesluk:

>

> I write to register my opposition to the proposed Belleayre
> Resort/Crossroads Ventures development project.
> As the steward of land designated Forever Wild, government has a particular
> responsibility to ensure the integrity of designated wilderness areas. The
> proposed mega-resort development, set down in the middle of the Catskill
> State Park, would make a mockery of that constitutional protection.
> The development would: compromise the purity of the water table that serves
> both the region and New York City; erode Belleayre Mountain through
> clear-cutting and blasting (thus also further muddying of the waters);
> destroy the unique attraction the area has always held for tourists-hikers,
> fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure
> expenses to the tax burden carried by local property-owners; constitute a
> city unto itself that is out of synch with traditional values, out of step
> with the unique rhythm of the place, out of keeping with local communities
> and their way of life.
> I urge you to reject and deny any and all applications for the development
> of the Belleayre Resort.
> Sincerely,
Bonnie Breckenridge
15 Center St. Franklin, NY 13775

From: "shakti" <shakti@hvi.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 3:53:53 PM
Subject: proposed belleayre resort

i am totally against this huge undertaking that has no connection ecologically , nor aesthetically to the environment in catskill park, and thereabouts. i live in olivebridge and travel a great deal on route 28. as is, there is too much traffic, especially those that drive too fast and especially large trucks. pine hill is a sweet town . we visit it in the summer to go swimming and have lunch. we always admire the quiet. i love the naural soft sounds of trees, birds, streams, children's voices. i think that those of us who live in this area are so fortunate for the air, the calm, the beauty, the animals. please don't ruin it all. i never can understand how one man, or a few men can just go into the natural beauty we have, and feel fine about destroying it. for what? golf courses? resorts? for whom? not people who live here. not for people who would want to live here. the jobs will be for outsiders and too low for residents of the area. no....no....no!as it is , many people are now having a difficult time living where the cost of living has risen. it used to be easy for a simple person, a carpenter, a dancer, a person who wanted to be useful to the community, but wanted to live the simple life, could move here and buy a small piece of property , or some land and build a reasonable life, living close to the land. this plan sounds like its for the rich. the price of everything goes up, as it has, when one elite group grows . is this what the future of the area is to be? i hope not if. you make this to be a westchester county type suburb.....you will lose the creative spirit of the place....and it will be boring....locals ,whose great grand parents first were here decades ago can no longer afford to build on their own land. left to them by their ancestors..... it ain't fair...., sincerely yours, suzanne kossoy ps...i sit and listen to the quiet in these woods that god has allowed me to enjoy. let the guy build a little hotel on 35 acres and one golf course and one restaurant. let's not be piggy, now.

From: "Brasko, Andrew M (Andy), ALABS" <brasko@att.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 3:55:00 PM
Subject: Developemnt in the Catskills

I am unable to attend this meeting, I am truly sorry about this. I have written a little polite speech for the meeting. I have also signed the petition and will shortly write Governor Patacki. I hope this little bit I have done helps.

<<Catskill doc>>

Thank You

Andrew M. Brasko

From: "Cassidy, Virginia L" <Virginia.Cassidy@unisys.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 4:04:27 PM
Subject: Catskill Park, NY

Dear Mr. Ciesluk,

The catskills are a glorious natural beauty, magnificent mountains, clean waterways, abundant wildlife, and communities with character, history and an exceptional quality of life. The impact of building a 2,000 acre resort on water quality - from increased run-off and siltation would affect both the world-renowned trout fishing and the drinking water of millions of New York City residents, whose water supply originates here. The development would also fragment wildlife habitats, and diminish scenic views.

Please reconsider building this resort.

Thank you,

Virginia Cassidy
1772 Hendricks Station Road
Harleysville, PA 19438

From: <BushekD33@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 7:28:52 PM
Subject: Re: Would you please help save the Catskills?

Please don't develope the track along Highway 28 in the Catskills near the NYC watershed. Douglas N. Bushek

From: Sherrie Bartholomew <sbarthol@midtel.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 11:27:50 PM
Subject: Crossroads Ventures Belleayre Resort

Dear Mr. Alexander Ciesluk, Jr.,

Regarding the proposed Crossroads Ventures Belleayre Resort, the eloquent, but sad commentary on imprudent development and rapacious land usage offered by Alf Evers on pages 719-729 of "The Catskills" is both prophetic and frightening. Writing in 1972, Mr. Evers penned these words that are very relevant in 2004.

"It seems reasonable to suppose that as newer gadgets come on the market, for use in moving human beings quickly on the earth and in the air, their makers will be able to bring about their welcome to the preserve. A process like this, continued for a few decades, cannot help reducing the Catskills to the state of slovenly disorder that marks so much of the American landscape. Already owners of ski centers have shockingly scarred the Catskills by sweeping away forests and dynamiting cliffs and ledges in order to provide more and better skiing terrain. Pressures are unrelenting for building new and broader highways leading to commercial recreational attractions--some of the highways being promoted would seriously compromise the integrity of scenic values like those of the Katterskill Clove. Yet there is some reason for hope.

The Catskills have taken much punishment in the past from land speculators, absentee landlords, tanlords, quarrymen, charcoal makers, and others. After each assault the mountains have had enough vitality left to bounce back and become covered again with healthy living things. The Catskills bungled their way into the protection of the Constitution as part of the State Forest Preserve. Now there are signs that they may be bungling their way toward joining the devastated regions of America in which market values have been allowed to override all others. At the same time, Americans--and especially young Americans--have shown an awakening unmatched anywhere else on earth to the necessity of defending their environment against further deterioration. Ninety years ago people of many kinds joined in battling to save the Adirondacks. The people of our own generation, if they make the effort, may still save the Catskills."

Shortsightedness, avarice, apathy and indifference are traits that have plagued humanity for countless generations. We like to think of ourselves in the 21st century as more enlightened and informed than those who went before us in previous centuries. How ironic and tragic it would be if the integrity of the Catskill Forest Preserve, a creation of 19th century thinking, were to be sacrificed at the altar of 21st century mammon, hedonism and expediency.

Quote: Evers, Alf. "The Catskills, From Wilderness to Woodstock", NY, 1972, pgs. 719-720.

Sincerely,
Howard Roger Bartholomew
POBox 986
Middleburgh, NY 12122-0986
(518)827-4643

From: Roger Bobley <rib@catskill.net>
To: "Alexander Ciesluk, Jr." <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 9:08:59 PM
Subject: [Maybe Spam] Belleayre Resort at Catskill Park

Dear Mr. Ciesluk:

As a resident of Margaretville, I want to express my opinion to the DEC that I favor the construction of the Belleayre Resort at Catskill Park, as long as it meets every requirement of every official agency that oversees the control of air and water pollution, traffic, and related matters.

My reason for favoring the project is to economically invigorate our poverty-stricken area. The addition of tastefully designed hotels, golf courses, housing, shops, theaters and restaurants will not only attract people of means to these facilities, but will attract them to the larger area, as well. That is, a certain percentage of people with money will buy or build homes near, but not in, the new resort, knowing that they will be moving to an area where, unlike today, they don't have to travel an hour or more to see a movie, buy high-quality produce, dine at a fine restaurant, or find other amenities, because they will be available at the resort. This will be a boon, as well, to people like me, who already live in the area but would like to see more convenient shopping and entertainment venues.

In addition — and contrary to the beliefs of some well-meaning people — I am convinced that a good percentage of the new people (those who have moved to the resort, as well as those who have moved to the areas around the resort) will visit our existing local establishments, simply because it is human nature to seek diverse experiences. People will not spend their money only at the resort.

Furthermore, people of "means" not only have more money, but more education, more business contacts, and more creative ideas. Consequently, they will foster the development of other businesses plus theatrical, artistic, and educational endeavors that will only add to the richness (in every sense) of the area.

Respectfully,

Roger Bobley

CC: Gary Gailes <worldbridgellc@usa.net>

From: "pamela holland" <pah668@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/14/2004 6:40:30 PM
Subject: Belleayre Mountain

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,
I was just made aware of a proposed project for Belleayre Mountain. As a New York City resident, I have several concerns regarding this project:

1) The golf courses will result in significant herbicide and pesticide run-off into the watershed, which is the source of much of New York City's water. NYS Attorney General Elliot Spitzer has said "This project would guarantee filtration of the water supply west of the Hudson", which will cost 6 to 9 billion dollars, to be paid for by New York City residents. The drinking water supply for all New York residents is something that must be protected at all costs - this development will require spending billions of dollars by taxpayers to protect our water supply. There are many ways today that we can spend this money to support on-going local efforts, such as education and fire and police services.

2) Traffic volume will increase along Route 28 (the main road through the area) by hundreds of vehicles per hour during peak use. Between guests and staff, the roads will have to be expanded in order to contain traffic. The busy road will divide the Catskill Park in half, preventing the wildlife from safely crossing from one side of the park to the other. Route 28 is already statistically the most dangerous road in New York State.

3) This area of the country is still pristine, used as a refuge by humans and wildlife. It is free from sprawl and over-development. And it's the heart of the New York City Watershed.

Please do not approve this project. Protect New York's natural habitat and water supply.

Sincerely,
Pamela Holland

Find out everything you need to know about Las Vegas here for that getaway.
<http://special.msn.com/msnbc/vivalasvegas.armx>

From: "Anita Wetzel" <anita@wsworkshop.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/14/2004 9:31:16 PM
Subject: Proposed Belleayre REsort

Jan. 14th

Mr. Ciesluk,

I am writing to express my concerns and my opposition to the proposed Belleayre development project. I am a long time resident of this area, living in Rosendale. I have lived in Mt. Tremper in the past, know the area well, and go often to hike in the Catskill Mountains.

When I hear the level of development planned for the Belleayre Resort I am astounded. It breaks my; heart. There can be no reason to have such a huge number of housing units, hotel units and golf courses and other amenities in this area. It is completely inconsistent with the area and will cause a rupture for the neighborhood in so many ways.

My concerns are the actual citizens who live in this area because they love its beauty and tranquility. My concerns are for the wildlife which will be displaced. My concerns are for the viewshed and the trees and the demand on the water and the NYC watershed. The increase in traffic will affect us even here in Rosendale as 209 will be overburdened as will route 28.

This is an unreasonable scale development which will be too great a leap for the area.

I wanted to register my opposition to this project going forward.

Thank you for your time and consideration of my views.

Anita Wetzel

PO Box 332

Rosendale, NY 12472

From: marina braun <aquamarina@speakeasy.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/14/2004 6:58:16 PM
Subject: Belleayre Resort

Strongly opposing the proposed Belleayre Resort.

Marina Braun

From: "charles elmer" <cnkelmer>
To: <afcieslu@gw.dec.state.ny.us >
Date: 1/14/2004 7:42:07 PM
Subject: Belleayre Resort

I would just like to let you know that i am not fore the Belleayre Resort being built. I believe it would have a negative impact on the area.

Thank you fore taking the time to listen. Chareles K Elmer

From: <EKassirer@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/14/2004 7:47:05 PM
Subject: Belleayre mega-project

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

I am absolutely opposed to the proposed development plan for Belleayre Mountain.

The area needs to be kept as UNDEVELOPED as possible. With all of the rapid development of this entire region, we need to keep as much open space as undeveloped as possible. The proposed plan would have a terribly negative effect on the quality of life in the area. Air and traffic pollution will increase, open space will be lost, ground water will be compromised, toxic chemicals for the golf course will be introduced, and countless forms of plant and animal wildlife will be disrupted, endangered or eliminated.

I urge you NOT to approve any plans that will have such far reaching negative consequences. Thank you for taking my comments into consideration.

Yours,

Eli Kassirer
New Paltz, NY

From: Larry Lawrence <llc@bestweb.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/15/2004 9:57:52 AM
Subject: Belleayre Resort by Dinner Train

A different way to view the Belleayre dilemma.

Imagine allowing for a level of development in the Catskills that increases jobs while decreasing even existing auto traffic and all its related problems.

Imagine Belleayre Resort accessible primarily by Train. More specifically "Cruise Trains". Many parts of the country already have been successfully operating these trains. Links and much more info at:

<http://www.villagegreenbb.com/Imagine.html>

-
Larry Lawrence
12 Tinker Street
Woodstock

C.C. to:

the board of Woodstock Chamber of Commerce & Arts

woodstocktimes@ulsterpublishing.com

toby@hvc.rr.com

afcieslu@gw.dec.state.ny.us

phoeniciatimes@aol.com

news@catskillmountainnews.com

letters@freemanonline.com

From: Douglas McGilvray <dmcg@ulster.net>
To: <gov.pataki@chamber.state.ny.us>
Date: 1/15/2004 11:14:43 AM
Subject: Dean Gitter's proposed development in the Catskills

As a full time resident of the Catskill Park, I urge you to take a very close look at proposed Belleayre Resort now under consideration. This proposal is huge beyond all imagination. The size and scope of this project dwarfs the surrounding communities and will bury them economically. This resort is of a size that will lead to self-sufficiency and will deter, not add to the small economic base that is here. All to be replaced with minimum wage jobs. Could someone please tell me why this has to be so huge? Why do the local residents have to pay such a high price in traffic, environment, quality employment, and quality of life so that a few people can make a lot of amount of money?

I fear that we are on the same path that Sullivan County went down so long ago. It is a breathtakingly beautiful area and is covered in old, decaying hotels left over from the 50's. It is a sad example of individual greed that took precedent over the welfare of the community. The question is, do we take the boom that our area is currently experiencing and treat it wisely, or do we just sell it off to the highest and most tenacious bidder? In considering important issues such as size, who calls the shots, the developer or the local people? I urge you to support us in scaling back this development to a size that is compatible with the surrounding landscape and communities.

Sincerely,
Nancy April
Olivebridge

CC: <afcieslu@gw.dec.state.ny.us>

From: "Virginia Castrogiovanni" <vcastrogiovanni@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/15/2004 3:31:03 PM

BlankDear Mr. Ciesluk: We are residents of Olivebridge. We moved here to enjoy the quiet beauty and splendor of the Catskills. We strongly oppose the proposed Belleayre Resort which would have an enormously negative impact on the environment. We feel that we must do all that is necessary to prevent a development of this scale in the mountains.

Nearby Kingston has been trying to revitalize itself. They might be receptive to development there. But please, leave the mountains, streams, trees, flora and fauna alone. 2,000 acres for a resort complete with golf courses? It is unconscionable.

Sincerely,

Virginia Castrogiovanni, RN
Anthony Castrogiovanni, PhD
13 Kelder Road
Olivebridge, N.Y. 12461

From: "Therese Fernandez" <TFernandez@woodstockny.org>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/15/2004 3:34:19 PM
Subject: Opposition to proposed Bellayre Resort

The following comments represent my feelings about the proposed resort development:

I am a member of one of the first families to settle this area in the 1700s, my oldest relative being a land agent for Robert Livingston, with subsequent family members being conscientious land stewards and timber harvesters. I am very familiar with the history of the area including the "resort days" of the 1800s-1900s. I often hike in the few remaining wilderness areas of the Catskills, swim in the Esopus Creek and own cabin property on Dunkerbark Mountain surrounded by mostly state lands. In my lifetime of 49 years, I've witnessed encroaching development in my hometown and that of surrounding townships which has contributed to a sharp rise in property taxes and real estate costs making it nearly impossible for me to continue to afford to live in the place of my birth and my ancestral home. I often thank my lucky stars that with foresight, areas of the Catskills have been designated as Forever Wild, but of late, it seems this important concept is a dwindling puff of smoke. Bit by bit our wilderness is eroding. It belongs to us, the citizens of the state, most especially, the citizens of the Catskills, not special interest groups or politicians. The proposed resort plans are way, way out of scale for the region. Witness the financial difficulties Bellayre Ski Center has had, the demise of Highmount, over the past 20 years. Also recall all the old Victorian resorts that no longer exist. Consider why they no longer exist. A huge development is planned in the Shawangunks - how much can our regional environment take? Just where are these massive hoards of big spenders coming from? I can envision, during a period of economic hard times (just like has happened in the past), the resort owners pleading for a bail-out from the State when they can't fill their rooms. I can't help but think of the numerous old mountain houses that didn't survive the off-seasons. Like we need two golf courses when even the local smaller ones barely survive. Is Catskill Corners that lucrative that the owners expect a huge overflow to an even larger mega-venture? I doubt it. I see plenty of empty parking spaces and turnovers of businesses. Can't we learn from the past (the Borscht Belt) so we don't make the mistake for the future? Keep the Catskills Forever Wild. Our grandchildren and their grandchildren will thank us for it. The here today, gone tomorrow people could care less but those of us who appreciate and benefit most from having woods and open spaces to escape to, to breathe freely in, to preserve what makes the Catskills the joy and beauty they are, must take priority over any meager economic advantages that may be gained in building a resort community to be utilized by people who do not live or have roots here. Thank you.

From: Curry Rinzler <crinzler@netstep.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/15/2004 4:49:40 PM
Subject: I oppose the Belleayre Resort

Curry Rinzler, Architect
2359 Glasco Turnpike, Woodstock, NY 12498
crinzler@hvc.rr.com 845 679 8668

The Belleayre Resort is a terrible idea,
and would have a strong negative effect on the region.
Only misguided and greedy business interests support it.
We are doing fine in this area without a humongous,
environmentally destructive resort, thank you.....

From: Lydia <wolfclan4@attglobal.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/15/2004 4:54:32 PM
Subject: Belleayre resort

After reading the arguments on both sides, the one thing I feel that stands out is that it will not enhance this area at all.
I really dont see evidence that it will bring any advantages to us residents, maybe to some golfers, and a couple of businesses, maybe, but it will create big environmental problems, disturb the beauty of these mountains and be predominantly self serving.
We would both like to add our names to the people protesting the project.
Jack and Lydia DeJohnette

From: BrendaSeldin <BrendaSeldin@nyc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/15/2004 11:48:44 PM
Subject: Re: Against Bellayre Resort Project

Mr. Ciesluk,

I am against the building of such a large resort in Catskills Park. As a landowner in Sullivan County, I enjoy the wildness of the area. The building of the Bellayre Resort would detrimentally impact the character of the park and will endanger its fragile ecosystem. Please decide against it.

Sincerely,

Brenda Seldin

From: "Ed Pheil" <epheil@nycap.rr.com>
To: "Cindy Rosenthal" <croenthal@woh.com>
Date: 1/13/2004 8:55:11 AM
Subject: FW: Proposed Belleayre Resort -public comment

This one goes in the binder with all the others.

-----Original Message-----

From: Ruzow [mailto:druzow@woh.com]
Sent: Monday, January 12, 2004 7:42 PM
To: Rosenthal; Bakner
Subject: Fwd: Proposed Belleayre Resort -public comment

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 1/12/2004 5:41:48 PM >>>

I missed this one on earlier transmittal to you

>>> "Russ Clune" <russ@bdel.com> 01/09/04 08:10AM >>>

I am writing to OPPOSE the above project. The proposed resort will negatively effect the Catskills and residents of the area in major, life altering ways. Increased traffic will clog rural roads. The construction of the resort will result in high levels of tree cutting, soil erosion and stream pollution. Views from historic wilderness vistas will be forever lost. Local water resources will be highly tested if the resort is built. Jobs created by the resort will not help locals as they will be menial jobs at the lowest pay levels.

Please do NOT allow this to be built. It is a perfect example of what the Catskill region does not want or need.

Regards,

Russ Clune
PO Box 39
New Paltz, NY 12561

From: ME <dharmagirl108@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 8:47:59 AM
Subject: Please Say NO to Development in Catskill Park

TO: Alexander Ciesluk, Jr.
NYSDEC

Deputy Regional Permit Administrator

Dear Sir,

I am writing this letter regarding the proposed development in Catskill Park near and on Bellayre Mountain. I am not sure of your feelings about this development, but I myself am appalled at the proposal. I grew up in this area my whole life (34 years) and am now raising my child here as well. Having lived mostly in Woodstock, I did live in Pine Hill and Fleischmans as well. Recently I took a drive out that way and was overjoyed to see that there has been little development in the past years. I would far rather see permits and financial aid going to the existing towns to come up to speed, but the idea of clear cutting the mountain, adding Hotels and golf courses? This makes no sense to our community, and the wildlife in the area will suffer greatly. We already have problems with bear being forced out of the mountains and into our backyards. The deer have nowhere to go either. This is a gross request and I hope and pray that you will consider the severity of this proposed development. I trust that if you are the Permit Administrator, you will take into consideration the amount of people opposed to this project, and all of the wildlife who do not have a say. We need to take responsibility for them, and be responsible humans. These times are crucial. Nature is telling us a lot and if we do not listen, we will live to see many ancient prophecies come to pass. Let's change fate in every little way we can by turning the tides. We do not need to allow the raping of our land and it's natural resources do we?

Thank You Kindly for your time and consideration,

Rachel Marco

Woodstock Resident

Do you Yahoo!?

Yahoo! Hotjobs: Enter the "Signing Bonus" Sweepstakes

From: caldwell irene <ivcaldwell@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 12:08:56 PM
Subject: bellaire

Dear Sir,

I have a Master's in Environmental Studies from the College of Environmental Science and Forestry, '87. I am a teacher of Earth Science and Biology. I am a dreamer and an optimist.

I understand the difficult decision you must make regarding this development project.

Like King Solomon, your decision has grave consequences.

I only know once you have opened up the Catskill Mountain Park to this kind of development, the mountains as a wildlife fortress will no longer exist, if indeed it exists now.

The blight of light from this project will forever end the the view of the nightscape as we know it.

This oasis from modern development deserves continued protection.

Sincerely,

Irene Caldwell

PS If there is any work that you need done to gather facts, or information, data collecting, inside or out, please let me know, I am at your service. I have a few weeks available, before my next project, please let me know. (other volunteer jobs, Writer, Historical Perspective Unit Management Plan, Indian Head-Plattekill-Wilderness Area.)

Do you Yahoo!?

Yahoo! Hotjobs: Enter the "Signing Bonus" Sweepstakes

From: "Edward Laine" <ewlaine@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 1:21:26 PM
Subject: Proposed Bellayre Resort Project

Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620

Re: The Proposed Bellayre Resort.

Dear Sir:

I cannot imagine anything the Catskills need LESS than another massive resort hotel complex. There are literally dozens of such hotels scattered all across the Catskills right now. The few remaining decent sized parcels of land left that actually reflect the beauty of those ancient mountains should be left alone.

Swimming pools, golf courses, floor shows, cocktail lounges, restaurants and the parking lots and roads to service them are a damned poor swap for the mountains as there now are. I won't even get into the pollution of the air, soil, groundwater and the surrounding rivers and streams, you'll already have that data in hand.

I urge that this request to destroy even more of the Catskill Mountain area be denied. The region doesn't need it and the woodlands, mountains and streams lost will never return.

Sincerely,

Edward W. Laine

From: catewoodruff@hvc.rr.com
To: <letters@freemanonline.com>, <afcieslu@gw.dec.state.ny.us>, <news@catskillmountainnews.com>, <woodstocktimes@ulsterpublishing.com>, <phoeniciatimes@aol.com>
Date: 6/17/2083 3:19:11 AM
Subject: Stop the Mega-Resort

Two and one half years ago I moved from NYC to West Hurley. We bought a beautiful piece of land on Rt. 28 from a wonderful couple who had lived there for 30 years.

I live in West Hurley with my husband, composer and percussionist David Van Tieghem, my 5 year old daughter and my mother, who moved here from St Louis to retire and paint. We have a special affinity for the area and the land here. We were drawn here by a kind of mysterious passion, an undefinable joy in the presence of the mountains and admiration for the people who live here. A few months after the first summer we were here, my mother happened to open a family genealogy book to the first page, to find that in 1658 Jacob Van Etten moved here and was one of the founders of the Old Dutch Church in Kingston. He was the first one in my family to come to this country, he is my ancestor, a great-grandfather. He must have loved the land as we do, to come all the way from Holland, to choose this place to live, die and be buried in. To discover this history gives me a sense of belonging and a pride in what has been preserved here. What if the Old Dutch Church had been blasted down to make way for an asbestos filled office building in the 60's?

I moved my family here because I fell in love with the magical topography and the quality of life. I remember being shocked that I could actually carry on an interesting conversation with the insurance guy (Scott Hastie). Here I didn't just make fast, faceless transactions, I met and got to know people in the community.

My husband and daughter both have asthma, and I wanted to get them out of the pollution in NYC. Although we live on busy 28, it is manageable as it is now. It was also a good place to start my new business, Woodstock Furniture Gallery. I make furniture out of antique wood. Out of boards that I rescue from old and fallen structures set for demolition to be buried or burned. I preserve the history of our great-great-great grandparents forests by building with 18th century wood, some of the first trees to be cut and milled on our land. Each board tells a story, each piece of furniture has integrity and history in the wood.

I believe as individuals, we do not have true ownership of our lands with out a communion with other people, animals and our natural surroundings. The development of the Belleayre mega-resort is not part of our community. Dean Gitter intends to use and abuse our communities for selfish profit. Belleayre mega-resort will not bring positive growth, happiness, prosperity or integrity to our lives. It will strip us of our continuity, our heritage, and the beauty and value of our earth will be severely compromised.

Here in the Catskills, we are giving shape to the regions future. How do we want to live on this land, and how do we present our communities and our area to visitors? Where does the greatest tourism potential lie

in the long term? What do we emphasize? In the travel industry the buzzword is sustainable tourism, an approach that encourages tourism while protecting the assets that attract people in the first place.

This is heritage tourism, a fast growing sector of the tourism industry. Historic hamlets, original buildings and roads dating back to the early days of settlement are everywhere in the Catskills and these are the types of places visitors want to see and explore.

Efforts already abound; initiatives, museums and sites devoted to preservation and sharing the Catskills' heritage. The Federal Government has established the Hudson River Valley National Heritage Area, earmarking 10 million dollars over the next 10 years to protect and interpret the history of the valley and to encourage development respectful of this heritage.

The National Trust for Historic Preservation has found pilot programs carried out in Indiana, Tennessee, Texas and Wisconsin. Communities reveal the real stories of their pasts, to protect the places that embody them and to make this history come alive. Travelers experience the places and activities that authentically represent the stories and people of the past. The Travel Industry association of America found that cultural and historic tourists stay longer and spend more money than other types of travelers.

The impact Belleayre mega-resort would have on us is horrific. Clear-cutting 529 Acres of high elevation forest. These slopes are steep and the soil is shallow. Once disturbed the soil will not stay on the mountain. Even with multiple layers of stormwater controls, this construction will cause erosion and siltation of streams, flooding of homes and roads, destruction of fish and wildlife habitat.

Pesticides, herbicides, fungicides and fertilizers would be in constant use on a golf course, which the golf industry calls obsolete. The July 28th edition of Barrons reads, "a glut of courses and a dearth of players are ruining the economics of golf...the golf boom has fizzled unambiguously in the past few years and threatens to become a king-sized bust." These toxic substances used to create this ghost course will be carried by wind and rain into ground and surface water threatening our water quality, putting an end to trout fishing, and killing birds that eat insects riddled with toxins.

There is not enough water to service and sustain the surrounding villages and the mega-resort. Gitter with the help of a Pine Hill Town Representative has acquired the Pine Hill Water Company. Gitter has filed a water supply permit modification application seeking official sanction of the fragmentation of the system and to secure Pine Hill's third water source for the resort project. Despite having received numerous letters arguing that the fragmentation had placed the system below minimum health standards and that a review of the application should be a part of the resort project review, the DEC approved the permit modification. Does anyone know who is paying off the DEC?

Traffic will become a nightmare. The resort would generate up to 500 vehicular trips per hour. Delivery trucks, supply trucks, trash trucks, service trucks, busses and thousands of trucks bringing in construction

materials for 8 years. This along with the resort clientel traffic, will degrade our environment making it unpleasant and unsafe for people and animals.

Our view of the night sky would be gone, with the lights of the mega-resort glowing over the area.

Gitter lies and tries to put a spin on the development as something that will benefit our economy. In fact it will cost taxpayers a 9% increase in property taxes and create a \$250,000 deficit. There is not enough housing to handle the employees for Belleayre. The schools will be over-crowded. And Gitter has said only the low-paying jobs will be available to present residents. He will bring in people for the high-paying jobs. The area can't support a development this large. The police, fire, road-building, maintenance and supplying services will be overwhelmed.

If Dean Gitter were to ask me to make every stick of furniture on this proposed resort, I would say to him, I am not interested in profit at the loss and usuary of other human beings. I am not interested in making more and more money regardless of the impact it has on my surroundings or on anyone elses surroundings. We do not need Gitter and his uninteresting, unimaginative, self-inflated, shameful ambitions.

When I was a little girl, just my daughters age. For a little while I was lucky enough to live on a beautiful Island. There was not anyone with-in 500 miles of us. The beach was across the sand and shell road from our little house. We had alligators in the swamps in our back yard and the most amazing colored lizards running up and down our out door shower pipe. I found my soul, as I ran freely on these beaches with my little brother, in endless days of making up adventures and exploring nature. In moving to the Catskills I had hoped to come to a place where my daughter could discover her self, grow confident and find her own soul in nature. I wish you could see the astonishingly beautiful island where my soul flurished, but it has been lost forever. It is Hilton head Island in South Carolina. It began there as it is beginning here, one resort at a time, and it's beauty is only a distant memory.

I implore you all to take hold of this opportunity to preserve the great and irreplaceable beauty of our land, our wildlife, our history and our communities. Let's evolve with dignity and integrity and come together with respect for the natural growth and preservation of our heritage. Please do not let this soulless endeavor, Belleayre, steel the joy that you and future generations will find here. We will not be able to recover from this atrocity if it is allowed to take hold.

Cate Woodruff

From: "Ken Waldie" <kwald@nycap.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 3:52:53 PM
Subject: please protect the esopus creek

Mr. Ciesluk,

Please do not support the proposed 2000 acre complex/golf course in the park. On December 5th, my son Noah was born, and I plan on introducing him to the wonders of fishing for wild rainbow trout in the Esopus as well as it's tributaries such as Woodland Valley Creek, Little Beaverkill, etc... I have great respect for the many fine people within the DEC who have labored hard over the years to protect the few places left within NYS that support healthy populations of wild, self sustaining trout. The Esopus and it's tributaries is but one of a handful of such places within the state. I am opposed to anything that threatens this, and would be deeply disappointed to hear of anyone within the DEC that does not feel the same. One only need to look to other areas of the Catskills that have had development over the past 50 years to see that rarely do developments of this type have the promised effect of good jobs for the local population, with minimal impact on the surrounding landscape. One can find many many examples of old run down places all up and down route 17, places that have fallen into deep economic troubles. Simply put, don't deforest a mountain to make a golf course, go fix up an already deforested area instead.

Ken Waldie

Area Director
Apple North Inc
518.573.4799 mobile
518.664.0872 fax
kwald@nycap.rr.com

From: surf-net <surf-net@usa.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 4:37:51 PM
Subject: Oppose Bellearye Mtn Development in Catskill Park

Dear Mr. Ciesluk,

I strongly oppose the proposed development planned at Bellearye Mtn. Catskill Park is critical wildlife habitat for many species of wildlife. In addition, it provides clean drinking water for many New Yorkers far from the mountain. It should not be despoiled for commercial interests. Increased traffic, pollution of groundwater, and commercialism will result if the project goes through. The park should be kept natural for passive recreation like hiking, walking, and bird and animal watching.

Please do what you can to stop the project.

Sincerely,

Julie Garber
PO Box 326
Landing, NJ 07850

From: Joe Chiffriller <chiffj@urbancom.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 6:20:33 PM
Subject: Reject the Belleayre Resort Development Project

Dear Sir,

We write to register our opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with

traditional values, out of step with the unique rhythm of the place, out

of keeping with local communities and their way of life.

We urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Joe and Margaret Chiffriller
575 Second Avenue
New York NY 10016

CC: <cathmac@juno.com>

From: <NYFISHRMAN@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 7:47:32 PM
Subject: re: permit #NY0270679

When considering The Belleayre Resort at Catskill Park project, you should insist that a project of this magnitude build and maintain their own water treatment facility.

If they do not do this, it will seriously impair both the trout streams and the New York City reservoirs

From: <Jmprmedia@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 8:13:20 PM
Subject: Belleayre Resort//Crossroads misadventure

Dear Mr. Ciesluk,

The plan Belleayre Resort seeks to build on top of "our" mountain is so ridiculously out of scale I never dreamed that it would be allowed to get this far. I have deep fears for the quality of life, affordability, community resources and small business character of our community if it is allowed to go forward.

Some of my concerns:

1. Our property and school taxes went up startlingly last year due to the state deficit. I imagine they will be going up again this year. What has happened to the property and school taxes in other locales which have had resorts of this scale plopped on them? Some have suggested we may be priced out of our homes!
2. What is the real need for TWO 18 hole golf courses? Is this really the best use of scarce high elevation forested land?
3. What will happen to all the little local motels, shops and restaurants which cater to the visitors and second home owners? It's possible they will be mostly replaced by the new "city on the hill" described as the size of 7 Pine Hill Villages.
4. What will happen to the traffic on our back roads and who will pay to maintain them? Route 28 will not be the only road impacted by the construction or the stream of employees and visitors.
5. What will happen to our beautiful, dark starry sky? We have planned a night sky observation deck next to our bedroom to take advantage of this vanishing luxury. Already we can see the glow from Belleayre when they are making snow.
6. How much new water runoff will cascade downhill to wash out our gardens and roads due to logging off the high elevation forest on top of Belleayre Mountain?
7. Where will the trash, sewage etc., generated by all these proposed visitors and the low-pay workers imported to service them, go?
8. How will the little local hospital cope with this huge added population? Visit the emergency room on any ski or bicycling weekend day to see how easily its capabilities are overwhelmed.
9. When these developers get around to bringing gambling in, will local residents have anything to say about it?
10. How much noise, dust and disruption should a community have to bear to satisfy the Trump Tower scale of this project?

Most Importantly:

Why in the world would we allow this ridiculous project to alter FOREVER the character of one of the two world famous, New York STATE Forever Wild parks? We have been so proud of the farseeing decisions creating Catskill and Adirondack. How can you let this happen?

My husband and I live a scant 5 miles from the entrance to Belleayre Ski Center on a quiet road in Hardenburgh Township. After searching many other places we have worked and sacrificed over a dozen years to buy and put back together 4 "camps" which with several others had been subdivided by the original farming family. It has been our dream to help protect and enjoy the rural character of our little neighborhood set within the confines of this beautiful wild place for the rest of our lives. Our son hoped to do the same someday. Now we are afraid we may have to begin that search all over again and that we will lose the quality of living we love.

Julie McQuain Carney
Rider Hollow Rd. (Hardenburgh Township)

Foot

From: "Deb Izzo" <dizzo@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 3:26:14 PM
Subject: Bellayre Development

Dear Sir,

Please do not consider such a venture. This is not a good thing for the people of the surrounding areas. We, the people, have the big hotels nearby in other Catskill locations, why do we need more? Our area need not be developed to this degree and if this it it, our area need not be developed at all. Just seems greedy. Please don't allow the ruination of our quaint little towns. My family and I love it just the way it is...out of the way, but beautiful and uncrowded.

Thank you for your time and consideration,

Deborah (Izzo) Jasinski

John Jasinski

James Jasinski

From: "robert axelrod" <baxelrod@nyc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 8:27:21 PM
Subject: Proposed development on Bellayre

Dear Mr Ciesluk, Jr.,

I would like to register my opposition the the proposed Golf Course development on Bellayre Mountain. Since first hearing of this scheme several years ago, I am convinced it is a hare-brained idea that would make money for a few, contribute nothing to the local economy, erode part of a wonderful natural heritage that belongs to all citizens in the State and beyond, compromise the quality of the water resources the area offers, put a burden on the residents of the region.
If you have any influence, please use it for the long term benefit of NYS.

Thank you,

Robert G. Axelrod
Halcott Center

From: Esther Frances Schrank <estherfrances@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 8:55:00 PM
Subject: Dean Gitter's Catskill proposal

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620
E-Mail: afcieslu@gw.dec.state.ny.us

Dear Mr. Ciesluk,

We firmly oppose the construction of Dean Gitter's proposed projects in the Catskill Mountains. Those of us that have chosen to live here cherish a life style that respects nature. I love the quiet, relatively slow, non-commercial quality of life here. Although I'm not against economic development for the region, this proposal is not appropriate for or conducive to the well being of the local population. Ecologically, it makes no sense to put golf courses and concentrated population clusters of new building on mountaintops. The light, air and water all would be compromised. An unfair burden would be put on local taxes and services such as medical, educational, firemen and police.

Route 28 has already increased in traffic as a result of more people living in the area. the impact of a project this size would crowd the road with traffic, making our commutes to Woodstock and Kingston more difficult and dangerous. I see no advantage to the local populace, only to the owners and those that might enjoy at the expense of the native land and people.

Sincerely,

Esther Frances & Michael Aguirre

941 Samsonville Road
Kerhonkson, NY12446

From: <HBridgeCtr@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 9:16:20 PM
Subject: Re:NO to Belleayre Resort

Dear Mr. Ciesluk:

As a full time resident of west Shokan, Town of Olive, NY I wish to register my protest against this site in Belleayre. It is a disgrace to "sell" this land for development to Mr. Gitter to further destroy our beloved Catskill mountains. Some development may be necessary for our area but NOT the RAPE of 2000 Wooded acres that makes us what we are, The CATSKILL MOUNTAINS, not the Belleayre new city.

Thank you for recording my opinion.

Very Truly Yours,

Sharami Kerr

50 Bell Lane

West Shokan, NY 12494

From: "Alan Adelson" <aadelson@jps.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 10:48:24 PM
Subject: Belleayre Resort

My wife and I are utterly opposed to the Belleayre Resort, which would be five miles from our home and which would end forever the level of peacefulness we so value in our Catskill hollow.
Please help preserve our way of life.
Alan Adelson and Kathryn Taverna
207 Turk Hollow Rd.
Halcott Center, NY 12430

From: "Mark Romero" <markflies99@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/12/2004 11:09:23 PM
Subject: [Maybe Spam] NO to this development

From: <MinterRuff@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 2:59:25 AM
Subject: Opposition to Belleayre Resort

Dear Mr. Ciesluk,

I unfortunately cannot attend either meeting this week, as commitments out of town will take me away for the rest of the week, but I want to register my very great upsetment and opposition to the proposed resort. I live right on Route 128, and the traffic is already terrible (and, incidentally, considerably over the speed limit a great deal of the time.) It is already near impossible at busy hours to get out onto the road. I can't imagine how this would fare with a resort at the end of the rainbow.

Yours sincerely,

Drew Minter
3769 Main St.
Stone Ridge, NY 12484
(mailing address: P.O. Box 31)

From: "Mike and Ellen Preckel" <mpreckel@midtel.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/13/2004 3:01:46 AM
Subject: propped resort in the Catskills

Mr. Ciesluk,

I am writing you to express my concern over the proposed resort that will decimate a region of the Catskills that I frequent and adore. I feel very strongly that allowing this huge resort to be built would be a major mistake for our area of New York State.

I understand, for instance that this resort would affect not one but two towns, Shandaken and Middletown; not one but two counties, Ulster and Delaware; and not one but two watersheds the Ashokan and the Pepacton. I don't feel that our area needs 2 18-hole golf courses, 2 hotel complexes with more than 400 units, over 350 time-share units in 98 additional buildings, as well as all the restaurants, conference rooms, stores, recreational facilities, offices, roads, parking areas and extra traffic that these places bring with them...

And speaking of bringing with them I understand that workers would need to be brought in to fill many of the 872 full- and part-time resort jobs plus the 200 off-site jobs. Instead of seeing this as a blessing, as many have tried to make it out to be, I also understand that the developers state in their Draft Environmental Impact Statement (DEIS) that mid- and upper-management jobs would be filled by non-resident personnel who relocate to the resort area", which leaves hundreds of low-paying jobs for local people. Please understand the logic here, these jobs wouldn't help the local population! Low-paying jobs in the area don't get filled now! Adding these low-paying jobs to the area economy would cause the median income to drop not go up as the developers tries to say! The DEIS also states that the local construction sector is "not oriented" toward the needed specialties of resort construction and that "economic effects...would, to a large degree, not be localized". Well! What benefit then, to the people of the area? We aren't good enough to fill the jobs of mid- and upper-level management. Our construction "sector" isn't geared toward their resort building needs. Gee - I guess our people will be good enough to be waiters, maids and janitors?! We are preparing to sell our collective soul to the devil.

The area in question is almost 2000 acres of beautiful wooded mountain top and side of which nearly a square mile would be clear cut, bulldozed and blasted away. I find the proposition saddening and I know that it will destroy a place my family has adored and vacationed in for many years. The character of the Central Catskills would change drastically if we allow this resort to go forward. Right now it's lovely and wonderful - a great place to raise kids and have a small country community to live in. These are disappearing fast enough from our area as it is! Where are the small villages, close communities, wild mountainous lands and clean water going to be found if the Bellayre resort goes forward? They will effectively destroy the area.

Thank you for your time and attention to this issue - I appreciate your concern and would like to hear what you have to say in response to my questions.

Ellen Preckel

Native New Yorker.

From: Ruzow
To: Bakner; Rosenthal
Date: 1/12/2004 7:41:52 PM
Subject: Fwd: Proposed Belleayre Resort -public comment

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 1/12/2004 5:41:48 PM >>>
I missed this one on earlier transmittal to you

>>> "Russ Clune" <russ@bdel.com> 01/09/04 08:10AM >>>
I am writing to OPPOSE the above project. The proposed resort will negatively effect the Catskills and residents of the area in major, life altering ways. Increased traffic will clog rural roads. The construction of the resort will result in high levels of tree cutting, soil erosion and stream pollution. Views from historic wilderness vistas will be forever lost. Local water resources will be highly tested if the resort is built. Jobs created by the resort will not help locals as they will be menial jobs at the lowest pay levels.

Please do NOT allow this to be built. It is a perfect example of what the Catskill region does not want or need.

Regards,

Russ Clune
PO Box 39
New Paltz, NY 12561

From: Cate Woodruff <cate@catewoodruff.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/11/2004 12:59:44 PM
Subject: [Fwd: Put up a huge sign disclosing truth about Crossroads]

Oops. I mean 1 million dollars worth of land.

Cate

Cate Woodruff wrote:

- >
- > Alexander Ciesluk, Jr.
- >
- > I live at 1498 and 1496 Rt.28. I own the Woodstock Furniture Gallery.
- > We will be coming to the meeting on Thursday at 7:00.
- >
- > I am thinking about putting a sign on our property. I think it
- > might be helpful to say on a very BIG sign:
- >
- > The new proposed Belleayre Resort is not Belleayre Ski Resort.
- >
- > This new mega-resort will destroy
- > Catskill Park,
- > Belleayre Ridge
- > Belleayre Mountain,
- > our water quality
- > our quality of life.
- >
- > We do not want
- > deforestation on 2000 acres,
- > eight years of construction,
- > blasting,
- > toxic substances entering our rivers, reservoirs and ground water.
- > higher property taxes,
- > traffic congestion
- > loss of small businesses.
- >
- > These businessmen are not our friends.
- >
- > We have a large visible field on 28 on which we might put the sign.
- >
- > Cate Woodruff
- >
- > PS. Did you know David Bowie just bought about 1 million acres of land
- > in the Catskill Park area. I don't think he knows about all this, but I
- > will make sure he does.

From: Cate Woodruff <cate@catewoodruff.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/11/2004 12:57:00 PM
Subject: Put up a huge sign disclosing truth about Crossroads

Alexander Ciesluk, Jr.

I live at 1498 and 1496 Rt 28. I own the Woodstock Furniture Gallery.
We will be coming to the meeting on Thursday at 7:00.

I am thinking about putting a sign on our property. I think it
might be helpful to say on a very BIG sign:

Re: The new proposed Belleayre Resort is not Belleayre Ski Resort.

This new mega-resort will destroy
Catskill Park,
Belleayre Ridge
Belleayre Mountain,
our water quality
our quality of life.

We do not want
deforestation on 2000 acres,
eight years of construction,
blasting,
toxic substances entering our rivers, reservoirs and ground water.
higher property taxes,
traffic congestion
loss of small businesses.

These businessmen are not our friends.

We have a large visible field on 28 on which we might put the sign.

Cate Woodruff

PS. Did you know David Bowie just bought about 1 million acres of land
in the Catskill Park area. I don't think he knows about all this, but I
will make sure he does.

From: Marcie Woodruff <mwoodruff@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/11/2004 12:20:12 PM
Subject: Opposed to Crossroads

Under the State Environmental Quality Review Act (SEQRA), the potential environmental impacts of major projects must be evaluated and adverse impacts must be minimized and mitigated. For the proposed resort project, DEC has accepted a Draft Environmental Impact Statement (DEIS) that describes and analyzes the proposed project and potential impacts on the environment.

Dear Mr. Ciesluk,

I pose questions regarding adverse impacts [of the Crossroads Venture that] must be minimized and mitigated at our residential property at 1496-1498 State Route 28 in Hurley.

- 1) What steps will be taken regarding the enormously increased truck volume and highly polluting construction vehicles that seem not to fall under emission regulations or to be subject to noise regulations?
 - a) Will most of these vehicles be using SR 28?
 - b) If so, from which points?
 - c) During what hours?
 - d) Will each vehicle be obliged to meet emission and noise standards throughout the entire construction process?
- 2) What protection will homes and people have from noise and pollution?
 - a) What obligation does the developer have to maintain the quality of life along Route 28? Will DEC enforce that obligation?
 - b) Will the DEC authorize sound barriers for affected properties?
 - c) Will the developer, the DEC and the State of New York cooperate in the construction and payment for these barriers?

I fervently hope that approval for the Crossroads Venture will be denied. However, if it is approved, I sincerely hope that the developer, the DEC and the State will meet their obligation to minimize and mitigate its deleterious effects.

I look forward to hearing from you and meeting with you if necessary to resolve the environmental impact of this project on our quality of life.

Sincerely,

Marcia S. Woodruff
West Hurley, NY 12491
(845) 679-6571

cc to Maurice Hinchey

From: <CBenham730@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/11/2004 11:15:50 AM
Subject: Belleayre Mega Resort

WATER - it should be the biggest concern here ... how to get it without killing our other communities or fishing opportunities, and then what to do with all that sewage and gray-water after consumption.... I think this project is entirely too big... a project in this area with eco-tourism in mind would be great but this is not a well thought out plan. Let's look to the West coast states to see the overwhelming issues caused by overdevelopment and the fight for water.

Please weigh these considerations very carefully - you have our future in your hands.

Thanks, Cathy Benham, Kingston.

PS - Who will provide emergency services for all these tourists? The fire and ambulance squads in the proposed resort area are volunteer services that are low in new recruits and at their limits already.

From: "E Mark Smith" <MSmith2@HVC.RR.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/11/2004 12:28:06 AM
Subject: Oppose the Belleayre Resort

I am vehemently opposed to the proposed Belleayre Resort Mega-development. In my opinion, a complex of this magnitude will have a huge negative impact on the total Catskill Park area.

E. Mark Smith
173 Stoll Rd
Saugerties, NY 12477
845-246-1337
email: msmith2@hvc.rr.com

From: <Zoolanders@aol.com>
To: <afcieslu@gw.dec.state.ny.us.>
Date: 1/10/2004 10:55:03 PM
Subject: Crossroad Ventures

Dear Mr. Ciesluk,

I would like to state my opposition to the proposed resort project at Belleayre.

I think it is insane to build a resort of this scale here in the mountains. When will it stop? This area is a park. The attraction to this area for tourists and home buyers is that it doesn't look like Westchester or Fairfield County. You don't live right on top of your neighbors. There are plenty of golf courses in surrounding areas for people to go to. Not to mention this is a watershed. How can the DEP let this happen? It can't be possible. The traffic is tough enough on Rt 28. Our volunteer services are already overtaxed, and under manned (EMS, fire department). The motivation is greed.

Please don't let this happen.

Sincerely, Greg Meola
Olivebridge
Olive Fire Department member

From: "Eva Kresic" <markeva@worldnet.att.net>
To: "Alexander Ciesluk, Jr." <afcieslu@gw.dec.state.ny.us>
Date: 1/10/2004 5:56:57 PM
Subject: Public Hearing

Dear Mr Ciesluk, Jr.,

Thank you for the opportunity to voice our opinion on Crossroads Venture project - the Belleayre Resort

We own property in Fleischmanns for 28 years; we originally used it as our weekend retreat, mostly during the winter while the skiing season is on. However, since both of us are retired we tend to use it more often. During the past years we didn't see any major improvement to the area. Some stores and motels were open and some closed and yet the area stayed basically the same, offering very little to the occasional visitor and to residents as well. Long gone is the time when there were numerous large hotels offering much more than an overnight accommodation and when tourism was booming.

It is time to wake up! Let's be realistic, are we preserving 'the pristine beauty' of the area or 'pristine poverty'?

We are glad that the project for 'Belleayre Resort at Catskill Park' has passed DEC review and hopeful that it will pass additional scrutiny by the public and special interest groups. A golf course, hotel facilities and a well managed open space will attract tourists and thus help local businesses and residents. Together with the already well managed Belleayre ski area the Belleayre Resort will contribute to the progress of the Northern Catskills! We call this progress!

In conclusion we would like to remind all those against the project, that in the last 100 years or so many so called interest groups were against electricity, communication, transportation, computers etc. in general and yet we cannot imagine today's life without these modern conveniences. Where would we be without radio, TV, telephone, cell phones, cars etc. We call this progress. Would anyone want to revert back to the candle light and horse and buggy? We doubt it!

We hope Crossroad Ventures persistence will finally pay off and they will succeed in their efforts to make the Belleayre Resort project a reality.

Eva and Mark Kresic

CC: Crossroad Ventures

CC: "Ventures Crossroads llc" <worldbridgellc@usa.net>

From: Susan Sermoneta <ss668@columbia.edu>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/10/2004 4:24:28 PM
Subject: [Maybe Spam] opposition to Resort

Dear Alexander Ciesluk Jr

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,
Susan Sermoneta
200 Cabrini Blvd
New York NY 10033

From: "Marc Neves" <mneves@pranainvestments.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/10/2004 1:55:55 PM
Subject: Comments on Proposed Belleayre Resort

Dear Mr. Ciesluk,

I am writing to share my views for the public hearing on the proposed Belleayre Resort. I am a resident of nearby Halcott Center just north of the project proposed for Fleischmanns Heights at the sight of the old Highmount ski area.

I find it dispiriting and sad that this project has managed to make it this far without sensible minds in the New York City and state governments putting it to rest permanently with rulings that will end this project permanently and, with it, end the anxiety and worry for residents who see the Belleayre project for what it is: a private speculative money grab at the expense of the people of the region, state and country.

Many logical arguments against this project have already been put forward, including the impact on the watershed, damage to wildlife, traffic, economic detriment to local businesses, strain on local services, etc., etc. And I am pleased to see an increasing number of voices-local and national-speak up on on these issues. My question is why opposition to this project even had to resort to this long list of feasibility concerns.

When one steps back from the the minutiae of the debate and just looks at what is being proposed-a 2,000 acre commercial development with limited benefit to the broad populace in the middle of a treasure of a state park system-the project should be D.O.A. Areas like the Catskills are becoming very rare and deserve the uncompromising protection of our government officials. Virgin mountaintops, clean water, and dark night skies represent an endangered environment whose preservation far outweighs any economic justification much less a pursuit of personal greed.

When future generations look back at this watershed (no pun intended) decision, which will they appreciate more? A large unspoiled contiguous park area with clean streams, limited commercial development, virgin forests, and protected wildlife? Or just another dime-a-dozen hotel golf resort? As the discussion on this project nears a final decision, please try and keep perspective. This is probably the most inappropriate, unwanted and grotesque proposal that this area could face and the residents here rely on the stewardship of people like you to protect the broad interests against the individual moneyed ones. Thank you for your attention.

Sincerely,

Marc Neves
1009 County Rte. 3
Halcott Center, NY 12430
845-254-4272

From: "Jill Keefe" <jillkeefe@pipeline.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/10/2004 11:25:18 AM
Subject: [Maybe Spam]

Dear Alexander Ciesluk, Jr.

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project. As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection. The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc ; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,
Jill Keefe
15 Blyth Court
Portland, ME 04102
207-773-0499

From: jacque hunt <jcash7@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/9/2004 9:59:04 PM
Subject: : Online Petition: please sign

this is to give our permission to include signatures
for us against the new development. if all of nature
is developed, we will destroy our own enviornment. we
say no!
doug and jacque hunt

Do you Yahoo?
Yahoo! Hotjobs: Enter the "Signing Bonus" Sweepstakes
<http://hotjobs.sweepstakes.yahoo.com/signingbonus>

From: "Richard Gallagher" <richard.gallagher3@worldnet.att.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/9/2004 8:25:18 PM
Subject: Crossroads Ventures proposed Belleayre Resort at Catskill Park

This development is a terrible idea. It is completely out of character for the area and will forever change it for the worse. The Catskill Park should be preserved, not turned into the Poconos.

Sincerely,
Richard G.R. Gallagher

CC: <richard.gallagher3@worldnet.att.net>

From: amy pickering <amy@13x.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/9/2004 7:30:18 PM
Subject: Proposed Belleayre Resort

I am writing to OPPOSE the above project. The proposed resort will negatively effect the Catskills and residents of the area in major, life altering ways. Increased traffic will clog rural roads. The construction of the resort will result in high levels of tree cutting, soil erosion and stream pollution. Views from historic wilderness vistas will be forever lost. Local water resources will be highly tested if the resort is built. Jobs created by the resort will not help locals as they will be menial jobs at the lowest pay levels.

Please do NOT allow this to be built. It is a perfect example of what the Catskill region does not want or need.

Thank you for you time and attention,
Amy Pickering

--

90 Bruynswick Road
New Paltz, NY 12561

From: "Ann B. Osmond" <abomail@juno.com>
To: <lauriego@yahoo.com>
Date: 1/9/2004 5:45:51 PM
Subject: Re: Bellayre Resort Proposal

You tell 'em!

On Thu, 8 Jan 2004 14:25:12 -0800 (PST) Laurie Osmond <lauriego@yahoo.com> writes:

> Dear Alexander,
>
> I'm writing to you to voice my opposition to the
> proposed Bellayre Resort. I'm unable to attend any of
> the meetings, as I am out of state, but would like to
> make my voice heard.
>
> Something of this size just should not be allowed to
> happen. All over Ulster County, towns are in the
> process of being revitalized, and most importantly,
> restored with their original charm intact. People are
> drawn to the Catskills to escape the very congestion
> and glut that this resort would cause.
>
> 500-plus more cars per hour on Route 28 is
> unthinkable. As someone who lives on Route 212, and
> has to put up with traffic well over the speed limit,
> the thought of more people overflowing due to traffic
> on Route 28, is just awful.
>
> The dark night sky is what speaks to people of nature
> and unspoilt wilderness. Brighten it with the glare
> of a massive development, and we might just as well be
> living near Woodbury Commons.
>
> The Catskill region needs to be carefully preserved,
> and development in and around it carefully managed.
> We must keep the feel of "forever wild", or forever
> lose the very thing that makes our area special.
>
> Sincerely,
>
> Laurie Osmond
> 4988 Route 212
> Willow, NY 12495
>
>
> _____
> Do you Yahoo!?
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> <http://hotjobs.sweepstakes.yahoo.com/signingbonus>
>
>

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CC: <afcieslu@gw.dec.state.ny.us>

Ros

From: mary davin <mdavin2000@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/9/2004 3:35:37 PM
Subject: Proposed Belleayre Resort

Dear Mr. Ciesluk:

Please do not let this proposed resort in Belleayre happen!

It would damage the environment and permanently change the phenomenally unique character of the area's rural communities.

Does this area, this state, this country really need another mega-resort (or mega anything for that matter)? I live in Mt. Tremper, not too far from the site of the proposed resort. I treasure the beauty and quiet every day. Right now I am visiting my father (who is sick) in suburban Maryland. I find myself recoiling from the multiple strip malls and fast food outlets that are literally on every block of the six to eight lane highway/streets. So sterile! So beyond human scale! It is alienating and disorienting.

Most of America really has become an ugly place. What have we done? There are only small pockets (like the Catskill park area in question) left of developed areas that have preserved a small-scale, human and nature-centered type of development pattern. We need to preserve these areas.

The proposed resort would effectively be a new city in the middle of the Catskill Park hotels, time-share units, luxury homes, clubhouses, restaurants, stores, activity centers, conference facilities, maintenance buildings, parking lots, access roads, etc. that would be wholly inconsonant with the surrounding hamlets, with the character of our community, and with the intimate hospitality the region has traditionally offered to visitors.

I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and I oppose the loss of a pristine eco-system and the damage to its plant life and animal habitat.

I believe this development will bring many negative consequences to our economy and our way of life beyond the obvious. For example, there will be a sudden and disproportionate population growth exacerbating the current crisis in affordable housing, the potential for uncontrollable secondary growth, a spike in property taxes that could displace many homeowners,

pressures on our property values, traffic congestion that would adversely affect business and commerce, rapid and radical change that could imperil the core strength of local communities.

Thank you for considering my point of view. Please help!

Mary Davin
Mt. Tremper, NY

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<http://hotjobs.sweepstakes.yahoo.com/signingbonus>

From: Helen Hyatt <K7outfit@copper.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/9/2004 1:16:05 PM
Subject: CATSKILL STATE PARK

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists--hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

I lived in Manhattan for over 20 years and always enjoyed driving thru Catskill State Park and not seeing one McDonalds, one WalMart or a totally wasteful golf course.

Sincerely,

Helen K. Hyatt
8317 NE 39th Street
Spencer, OK 73084

From: Janice Baker <senjub@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 8:14:15 PM
Subject: Requesting your consideration: nature, heritage, development and values.

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk,

This e-mail is to respectfully express my concern regarding the proposed resort complex within the environs of the Catskill wilderness.

It is true that during an earlier time, now almost unrecognizable to us in its simplicity, small resorts were an important part of the way of life in the Catskills.

Our own era is one of unbridled sprawl and of the degradation of local culture and the environment that characterizes unwise development. It is disingenuous to hold the position that a commercial complex of the scale intended here would not do damage to the heritage and nature of our rural communities.

Conversely, the Department and those it represents have the chance to be part of the emerging movement of enlightened thinkers who honor that which we hold for ourselves and future generations as "commons"; we should not be on the wrong side of history in coming to understand the concept of "smart" development.

I recognize that the burden of responsibility on yourself and your colleagues is considerable, and that a wide range of points of view bring pressure to your deliberations. I consider it my own responsibility to remind those involved in adjudicating this situation that mistakes of the magnitude proposed cannot be undone.

As a person who has thrived on the rare tranquility to be found in the Catskills, and who has also traveled in this country and throughout the world photographing architecture for the N.Y. Times and other prominent publications, I can bear witness to both the glory and devastation that can be the legacy of the impulse to build. The proposed complex does not grow out of the unique blessings of our area, it imposes itself in a way that should be seen as exploitative in its essence.

"Forever wild" was a noble concept at its inception; I

respectfully ask you and the Department to represent that which is truly noble, prudent and wise -- for us, for future generations and for the living environment which cannot speak for its own survival and wellbeing in the matter before you, and whose very beauty is that which attracts those who would threaten it.

Submitted with respect, by a genuinely concerned citizen,

Steven Horvath

Ros

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<http://hotjobs.sweepstakes.yahoo.com/signingbonus>

Ros

From: Laurie Osmond <lauriego@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 5:25:12 PM
Subject: Bellayre Resort Proposal

Dear Alexander,

I'm writing to you to voice my opposition to the proposed Bellayre Resort. I'm unable to attend any of the meetings, as I am out of state, but would like to make my voice heard.

Something of this size just should not be allowed to happen. All over Ulster County, towns are in the process of being revitalized, and most importantly, restored with their original charm intact. People are drawn to the Catskills to escape the very congestion and glut that this resort would cause.

500-plus more cars per hour on Route 28 is unthinkable. As someone who lives on Route 212, and has to put up with traffic well over the speed limit, the thought of more people overflowing due to traffic on Route 28, is just awful.

The dark night sky is what speaks to people of nature and unspoilt wilderness. Brighten it with the glare of a massive development, and we might just as well be living near Woodbury Commons.

The Catskill region needs to be carefully preserved, and development in and around it carefully managed. We must keep the feel of "forever wild", or forever lose the very thing that makes our area special.

Sincerely,

Laurie Osmond
4988 Route 212
Willow, NY 12495

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<http://hotjobs.sweepstakes.yahoo.com/signingbonus>

From: William Johnston <wjohnston@wesleyan.edu>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 4:44:53 PM
Subject: Belleayre Development

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620
E-Mail: afcieslu@gw.dec.state.ny.us

Dear Mr. Ciesluk,

Re: I am writing in opposition to the proposed development of Belleayre Ridge and Belleayre Mountain as it now stands. This is not an issue of development versus radical environmentalists.

It is an issue of a promise made to keep this area forever wild. Are the promises of the American Government always conditional?

It is an issue of what unspoiled land means to future generations. Once roads have been built, energy lines connected, parking lots paved, and buildings constructed, there is no turning back the clock. That ecological space will never be the same, to its detriment.

It is an issue of advancing development in a reasonable and balanced manner, not in one that simply has short-term profits in mind without considering the costs that developers see as external to themselves, and thus off the balance sheet. Developers should be required to pay the costs necessary to minimize environmental degradation that results from their activities, as well as the costs of cleanups.

Some might say that added tax revenues will offset the burdens of added population and infrastructure. But that is not the point: the point is one of keeping a promise made over 150 years ago for reasons, such as clean water for New York City, that are important today.

Please do not allow this development project to go forward.

Yours sincerely,

William Johnston
14 Bretton Road
Middletown, CT 06457

(860) 347-4475

From: Janine Cirincione <janine@possibleworlds.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 12:19:01 PM
Subject: [Maybe Spam] opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

Dear Sirs

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists—hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Janine Cirincione
1401 Rt. 7 Ancram NY

From: "Eric Wedemeyer" <coldwell@catskill.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 12:14:02 PM
Subject: Fw: Crossroads Ventures Public Hearings

To Whom It May Concern: I have forwarded to you an email sent to all agents of Coldwell Banker Timberland Properties in support of the Belleayre Resort Project. I am hope you will make it a part of your records. We believe this project to be a vital element for quality of life in the Catskill Region.
 Eric Wedemeyer President /Principal Broker Coldwell Banker Timberland Properties

----- Original Message -----

From: "Eric Wedemeyer" <coldwell@catskill.net>
 To: "Eric Wedemeyer" <coldwell@catskill.net>; "Reginald Oberlag" <Oberlag@aol.com>; "Chris Ingvordsen" <cingvordsen@timberlandproperties.net>; "Melissa Wakin" <mjwakin@timberlandproperties.net>; "John Tufillaro" <jtufillaro@timberlandproperties.net>; "susan doig" <sdoig@timberlandproperties.net>; "Stacy Keck" <stacykck@catskill.net>; "ray pucci" <rpucci@timberlandproperties.net>; "Kevin Valk" <appleshaw@catskill.net>; "joseph massa" <jmassa@timberlandproperties.net>; "jonathan korn" <jkorn@timberlandproperties.net>; "carol spinelli" <djalkower@aol.com>; "adam doig" <adoig@timberlandproperties.net>; "sarah constable" <sconstable@timberlandproperties.net>; "ed ludde" <eludde@timberlandproperties.net>
 Cc: "joan bauer" <bdgroup@catskill.net>
 Sent: Thursday, January 08, 2004 10:40 AM
 Subject: Fw: Crossroads Ventures Public Hearings

> I am forwarding this email to all the Coldwell Banker Timberland Properties
 > agents. I am in favor of the Belleayre resort project. As most of you know,
 > I have been a proponent long before they became popular of subdivision and
 > zoning regulations to help protect these beautiful Catskill Mountains that we
 > all love so dearly. Timberland Properties has supported many environmental
 > organizations as well as the preservation of historic community districts.
 > Our commitment to the Catskill region is well known. I believe that the
 > Belleayre Resort project is crucial in order to continue the quality of
 > growth we are now experiencing. We are no longer threatened with extensive
 > development. In fact, with New York City purchasing some of our finest
 > properties and the enforcement of strict environmental standards, I believe
 > we have more to be concerned about with maintaining our communities
 > infrastructure. This resort project, in my opinion, will be of overall
 > benefit to our area and the generations to follow. I have always erred on
 > the side of caution what support is given to various enterprises. I believe
 > this is a moment in time to be heard. I will be speaking in favor of this
 > project at the next public hearing. I hope you are able to attend. I am sure
 > it will be lively and worth your time. Eric
 > ----- Original Message -----
 > From: "Joan Lawrence-Bauer" <bdgroup@catskill.net>

> To: "Eric Wedemeyer" <coldwell@catskill.net>
> Sent: Thursday, January 08, 2004 5:46 AM
> Subject: Re: Crossroads Ventures Public Hearings
>
>
>> Hi Eric
>>
>> I KNOW you'll be at these public hearings. Hope you'll get friends,
>> colleagues and associates out too.
>>
>> The DEC has declared the Draft Environmental Impact Statement for the
>> Crossroads Ventures project "complete" and has issued provisional
permits
>> needed to break ground. This is one of the last hurdles for this
project
>> which has been studied since 1998.
>>
>> Our last and perhaps greatest hurdle is the public comment period now
>> underway and the Sierra Club has joined our small group of local
opponents
>> in a loud and vicious last ditch effort to stop the project. We are in
>> desperate need now for more moderate voices to speak out - in person or
in
>> writing. The information on the public hearing process follows. It
will
> be
>> deeply appreciated (and good for every business in Ulster County) if you
> go
>> to one of the hearings and make a statement - or at the very least, send
>> supportive written comments to the DEC.
>>
>> This project is a direct investment of \$240 million that will create
\$451
>> million in economic activity. It will:
>> pay \$600,000 per year in State and County taxes
>> pay nearly \$1 million a year in sales taxes to Ulster and Delaware
> Counties
>> pay \$1.2 million in sales tax to New York State
>> create more than 800 full & part time jobs
>> have payroll of \$20.5 million a year
>> pay more than \$2 million in property tax
>> create \$28.4 million in annual visitor spending in this and neighboring
>> Delaware County
>> It's clean, non-polluting economic development that will not
significantly
>> add to the permanent population and will not put significant numbers of
>> children in our schools.
>>
>> Please tell the DEC (and the local media) that if the DEC and DEP find
no
>> fatal environmental flaws, the project should be allowed to go forward.
>> Numbers of letters and comments matter, so please pass this on to your
>> colleagues and associates and ask them to comment as well. There will
be
>> group support from Chambers of Commerce etc., but we must have
individual

P.33

P.34

> > support as well.
> >
> > Again, if you scroll down, you'll have all the details on how to respond.
> > Please help
> >
> > Thanks
> >
> > Joan Lawrence-Bauer
> >
> > 845-532-2313
> > bdgroun@catskill.net
> > 845-254-5981 - Fax
> >
> > Belleayre Resort at Catskill Park Project
> >
> >
> >
> > Public Hearings:
> >
> >
> > Date: Wednesday, January 14, 2004
> >
> > Place: Margaretville Central School
> > 415 Main Street
> > Margaretville, NY
> >
> > Time: 4:00 - 5:30 PM
> > 7:00 - after last speaker
> >
> >
> >
> > Date: Thursday, January 15, 2004
> >
> > Place: Onteora Central School
> > 4166 State Highway 28
> > Boiceville, NY
> >
> > Time: 4:00 - 5:30 PM
> > 7:00 - after last speaker
> >
> >
> > Written comments should be mailed by February 14, 2003 to:
> >
> > Alexander Ciesluk Jr.
> > Deputy Regional Permit Administrator
> > NYSDEC
> > 21 South Putt Corners Rd.
> > New Paltz, NY 12561-1620
> >
> > Or by email to:
> >
> > afcieslu@gw.dec.state.ny.us
> >
> > Please send me a copy of anything you mail in! Thanks again.
> > Joan

> > J Lawrence Bauer
> > Business Development Group
> > 579 Oliverea Road
> > Big Indian, NY 12410
> > 845-254-5553
> > bdgroup@catskill.net
> >
> >
> >
> >
> >
> > ---
> > Outgoing mail is certified Virus Free.
> > Checked by AVG anti-virus system (<http://www.grisoft.com>).
> > Version: 6.0.558 / Virus Database: 350 - Release Date: 1/2/04
> >
> >
>

CC: "joan bauer" <bdgroup@catskill.net>

From: "Donald Laufer" <donauldlafer@frolaw.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 11:15:02 AM

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, New York 12561-1620

Dear Mr. Ciesluk:

Ros I have owned a vacation home in Shandaken for more than twenty-five years and appreciate the improvements at Catskill Corners developed by Mr. Gitter and his associates. I believe the area desperately needs additional business activity of whatever type so long as the environment is protected.

On the basis of everything I heard about the proposed Belleayre development, I think that a golf course and hotel would certainly be beneficial to the Route 28 corridor. The precise scale and scope of development (whether one or two courses and how many hotel rooms) should be subject to review by the zoning authorities on the basis of reasonableness, but in view of the paucity of new business activities over the past quarter century, I think something should be approved at this time.

Very truly yours,

Donald L. Laufer
425 Broadstreet Hollow Rd.
Shandaken, New York 12480

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FAUST RABBACH & OPPENHEIM, LLP

488 Madison Avenue, 10th Floor
New York, New York 10022
Attn: Judy

Tel: 212-751-7700
Fax:212-371-8410
e-mail: fro@frolaw.com

Kos

100

From: Douglas Hinkley <mtcdh@catskill.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/8/2004 11:21:54 AM
Subject: support letter

Attached is letter which was mailed yesterday. Thanks for the opportunity to express our opinion.

Doug Hinkley

--

Doug Hinkley
Margaretville Telephone Company
845-586-3311

From: "Mary Thom" <mthomnyc@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/7/2004 1:48:26 PM
Subject: Belleayre

Dear Alexander Ciesluk, Jr.

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

The development would: compromise the purity of the water table that serves both the region and New York City; erode Belleayre Mountain through clear-cutting and blasting (thus also further muddying of the waters); destroy the unique attraction the area has always held for tourists-hikers, fishermen, hunters, cyclists, nature-lovers, etc.; add costly infrastructure expenses to the tax burden carried by local property-owners; constitute a city unto itself that is out of synch with traditional values, out of step with the unique rhythm of the place, out of keeping with local communities and their way of life.

I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Mary Thom

771 West End Avenue 8A

New York, NY 10025

From: "Gluck, Tereze" <tereze.gluck@citigroup.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/7/2004 12:13:56 PM
Subject: [Maybe Spam] Against the Belleayre Resort

Dear Mr. Ciesluk:

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

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I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Tereze Gluck
333 E 69th Street
New York, NY 10021

From: "Dunlop, Julia" <jdunlop@law.uconn.edu>
To: "afcieslu@gw.dec.state.ny.us" <afcieslu@gw.dec.state.ny.us>
Date: 1/7/2004 11:28:56 AM
Subject: [Maybe Spam] Belleayre Resort/Crossroads Ventures development project

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

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I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Julia B. Dunlop

178 Mountain Road

West Hartford, CT 06107

From: "Denker, Elenor" <EDenker@harman.com>
To: "afcieslu@gw.dec.state.ny.us" <afcieslu@gw.dec.state.ny.us>
Date: 1/7/2004 11:35:04 AM
Subject: Belleayre Resort/Crossroads Ventures

Dear Mr. Ciesluk,

I write to register my opposition to the proposed Belleayre Resort/Crossroads Ventures development project.

As the steward of land designated Forever Wild, government has a particular responsibility to ensure the integrity of designated wilderness areas. The proposed mega-resort development, set down in the middle of the Catskill State Park, would make a mockery of that constitutional protection.

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I urge you to reject and deny any and all applications for the development of the Belleayre Resort.

Sincerely,

Elenor Rubin Denker, PhD
Woodside, New York

From: <Keeveez@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/6/2004 9:34:48 PM
Subject: letter

The following is a letter that I have written regarding the Belleayre Mega Development;
I give you permission to sign it. Thank you for your effort! I will try to e mail the petitio to friends and family.

1/6/04

Dear Gov. George Pataki and NYSDEC Comissioner Erin Crotty,

I am writing to you to oppose the mega development at Belleayre. I live in Ulster county and I am very concerned that our roads and wild life will be gravely subjected to the proposed development. I am concerned about the safety of human life as well. Route 28 is one of the most dangerous roads in New York State. We must protect the land from over development for our grandchildren to enjoy in peace without fearing that big business is in control of our environment. I am concerned that money will be the deciding factor and not the well being of our precious resource which is nature.
Thank You for your time,

Kevin Strauss
169 Upper Grand Street
Highland, NY 12528

From: Peter Koch <peterkoch701@juno.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/6/2004 2:56:58 PM
Subject: Belleayre resort

Dear Mr. Ciesluk:

I am a longtime Ulster County resident and have an academic background in ecology and the natural sciences. At this point, I strongly urge you to reject the proposal for the giant development planned for the Belleayre area. This kind of mega-development is simply not in keeping with the idea behind the creation of the Catskill Park.

The sheer size of this project is terrifying. Its effects on the relatively pristine upper Esopus can be nothing less than appalling. Acres of parking lots, miles of new roads and full-size golf courses make no sense here in this mountainous region perfectly suited to low-impact recreation such as hiking and fishing. No need to go on and on about the certainty of air, water, noise and visual pollution as well as serious traffic problems and the disruption of the lives of many who come here to seek peace and quiet.

The golf courses alone are a disaster from an environmental standpoint. It doesn't take much to imagine the severe erosion that will occur when the forest is removed and this hilly land bulldozed. And then there is the unavoidable heavy use of fertilizers and pesticides that will contaminate the groundwater and compromise the water supply for people as far away as New York City.

Again, this thing is not appropriate. It will set a dangerous precedent and begin the destruction of what makes the Catskills so special as a nearby haven for sportsmen and city dwellers alike. Thank you for taking the time to hear me out.

Sincerely,

Peter Koch (peterkoch701@juno.com)

P.O. Box 701
Woodstock, NY 12498
845 679 9006

From: "Stephanie Kristal" <yogamom@mybizz.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/7/2004 2:28:57 PM
Subject: viva las vegas?

January 6, 2004

I have been living in the Woodstock/West Hurley area for almost 14 years. I was drawn to this area for several reasons. The foremost being the beauty and serenity of the land - the mountains, fields, waterfalls, creeks and streams. The second is the community - small town and yet culturally rich. These communities exist all throughout this region - Woodstock, Phoenicia, Big Indian, Shandaken, Saugerties.

The idea of two large resorts and golf courses built here is appalling - the traffic, the influx of tourists, the pesticides used to maintain golf courses, the lights obscuring the night sky, the integrity of communities destroyed. The people living here including myself do not want this type of development. I have to question Dean Gitter's motives.

The kaleidoscope was a novel and creative idea but the expansion into Catskill Corners with glitzy shops made a creative idea into a tourist trap. I have to admit the Emerson Inn and Spa is beautiful and unobtrusive but until recently most of the employees there have not been local folks. They are all very nice people but let's face it he wanted to create a little bit of Europe here and that's what he did. A friend of mine asked him about this and he replied the people from Europe are more highly trained. With all the wonderful massage and body/energy workers right here locally, I find that excuse hard to swallow.

I think Dean Gitter has made enough money off of this area. Let him find another place to build his resort and golf courses - perhaps there are a few inches of space in Las Vegas. Please leave our beautiful countryside and communities alone.

Stephanie Kristal

From: "David Genkyu Bassano" <genkyub@hotmail.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/6/2004 12:42:24 PM
Subject: Comment on Crossroads Development

From: <tremperskill@catskill.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/6/2004 12:31:06 PM

Alexander Ciesluk Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Rd.
New Paltz, New York 12561-1620

Dear Mr. Ciesluk,

As a small business owner in the west-central Catskill region, I support Dean Gitter's new Belleayre Resort Project. This project should demonstrate a trickle down effect for small businesses as well as creating jobs for many area residents. My business is in Delaware County where jobs (or rather, lack of jobs) is a major concern. I believe that this new project should be beneficial to everyone.

There are some people who condemn his work. These same people hide behind words like "Environmentalism" "Conservation" or "Heritage". They are the same people who are content to keep the status quo. Some would even like to see a revival of the "Good Old Days"

Dean Gitter has come under strict scrutiny by the state of New York, with the DEC in the forefront. His DEIS has passed muster. I cannot understand why many people criticize and condemn every move of the new Belleayre project when it will increase the value of all property from Kingston to Margaretville and beyond.

The outcome for the Catskill tourism industry is obvious. Small businesses should flourish again due to the residual effects of this project.

I have been involved in the tourism industry for 27 years. I have been a licensed guide for almost 20 years and a former director of the N.Y.S. Outdoor Guides Association for 15 years. There is no hidden agenda here other than this being a sound idea for everyone in the area. My business is not on the "Route 28 Corridor". I'm located 27 miles away and I look forward to an increase in business due to an increase in prosperity from this project.

Mr. Gitter's project is inevitable. If he is not allowed to follow through, someone else will. No one wants to stop progress. Progress tempered with common sense is always in the best interests of tourism.

Very truly yours,
Charles "Sonny" Somelofski - Tremperskill Country
Store
Tremperskill Country Store

CC: <news@catskillmountainnews.com>

From: "d_m_m_" <d_m_m_@prodigy.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/6/2004 1:37:18 AM
Subject: Proposed Belleayre Crossroads Resort Development

= Confidential =

Erin M. Crotty, Commissioner
NYS Department of Environmental Conservation
625 Broadway
Albany, NY 12233-1011
(via e-mail)

Subject: Proposed Belleayre Crossroads Resort Development

Dear Erin,

I wanted to let you know how profoundly inconsistent with the Catskill park and impactful both to the ecology of the forest and the broader watershed of the area this unreasonable, out-of-scale and out-of-touch proposed resort is in my opinion. DEC as the conservator and steward of New York State's environmental resources must listen and act carefully on this one. This development is not about what is good for the Catskill Park or the people of the region; it's about a blatant disregard for the Park, its ecosystem(s) and it's residents in a attempt to create a wholly out-of-scale city-sized economic engine to extract as much profit as possible from the region by greedy people and organizations having little or no regard for and no allegiance to the region, let alone the proper stewardship of one of New York's crown jewels -- the Catskill Park -- all under the guise of a banner of economic benefit for the area.

This development must not be permitted to proceed and NYS DEC must be particularly vigilant and forthright in its review of this project because of the potential impact on and/or synergy with NYS's Belleayre Ski facility and how self-serving this project might appear. To do otherwise would be to invite scrutiny at a federal or congressional level that could further tarnish NYSDEC's reputation. Past instances where DEC's due diligence seemed certainly and deliberately neglected, like permitting Hunter mountain to irresponsibly and excessively overdraw (by any reasonable measure -- commonsense or environmental) local water resources for the economic benefit of Hunter's snowmaking program among other transgressions of good judgment, have not been forgotten by those who care deeply for the environmental health and well-being of the area, and brings the handling of the proposed Belleayre Crossroads Resort review process under sharper public scrutiny.

Already, the door for an environmental justice lawsuit for failure to provide reasonable notice of hearings in areas where low-income citizens are less likely to know about proposed environmental-impact activities coming up for review would seem to be wide open on the Belleayre Crossroads Resort. For one, the information I've seen for the January 14 and 15 hearings has been thin to non-existent (I saw much more in the newspapers on the vacation-home development in the Shawangunks). Further, there is much (mis)information on the meetings being circulated, e.g. are there two autonomous meetings each of those dates at 4pm and 7pm, or one meeting each date at 4pm, breaking at 5:30 and resuming at 7pm. The wording I've seen published in various places is ambiguous, imprecise and easily misinterpreted (my understanding from the NYS DEC website is that there are two separate meetings each of those dates at 4pm and 7pm -- an excerpt from the NYS DEC site appears below*). If there's one meeting each of those dates as circulating (mis)information states, it would seem incredibly inconsiderate to and impactful upon the potential participation of interested low-income working residents to hold the only local hearings at 4pm -- impossible for most working people to attend. But what's worse is low-income working locals believing the meetings are at 4pm will just not attend at all. How hard can it be to accurately disseminate the date, time and purpose of a meeting? Yet I've seen no fewer than three variations, all conflicting and/or stated in ways that could impact the potential for full and active participation of the local working public. I don't mean to imply that DEC is the source of the conflicting/inscrutable information out there, but DEC must be mindful that it is occurring, possibly not by accident, and make sure it proactively

disseminates accurate information about these meetings, their purpose, dates and times -- unambiguously and well in advance -- in local newspapers and various publication's 'calendars'. If this has been done, it has not made my radar.

In closing, let me make it clear that I fully appreciate and support Governor Pataki's proactive environmental actions over the last decade and I applaud his personal drive and involvement in the myriad land conservation acquisitions in the adirondacks and elsewhere around the state. I also understand DEC's decade-long drive toward reincarnation as a non-combative environmental steward attempting to be as transparent to the economic engine of development as good sense will permit. And while I do not fully agree with that approach, it is, nevertheless, forcing your agency to walk an ever narrowing hair-line -- a line which can render even the agency's best efforts impotent in its sincere and earnest intent to protect and conserve both the health of the ecosystems and wealth of natural beauty that the good people of this state have placed, in good faith, in your agency's ongoing custody.

Re: I urge you to take discharge of those profound responsibilities as if the care of this state's natural systems and splendor were the care of your very own children and grandchildren -- for, ultimately, both their care and care of the environment are inextricably bound at least and, more clearly every day, symbiotically interdependent.

Only those who would foist such projects as the Belleayre Crossroads Resort Development upon us can rationalize that such a project can possibly be on the right side of that line.

Sincerely,
Dan Marazita
236 Dutchtown Raod
Saugerties, NY 12477
d_m_m_@prodigy.net

* . Wednesday, January 14, 2004, at the Margaretville Central School, 415 Main Street, Margaretville, from 4 p.m. to 5:30 p.m., and again at 7 p.m.

. Thursday, January 15, 2004, at the Onteora Central School, 4166 State Highway 28, Boiceville, from 4 p.m. to 5:30 p.m., and again at 7 p.m.

cc:

Honorable George E. Pataki, Governor
State Capitol
Albany, NY 12224
(vie e-mail)

Alexander Ciesluk, Jr.
21 South Putt Corners Rd
New Paltz, NY 12561-1620
(via e-mail)

From: <Prabuvasan@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 10:19:17 PM
Subject: Proposed development on Belleayre Mountain

Dear Mr. Ciesluk,

I am writing to urge you to reconsider permitting the proposed development of Belleayre Mountain.

The gargantuan size of the proposed development will permanently disfigure one of the most pristine and ecologically sound areas of the country. The repercussions on the community, the wildlife, and the spirit of the Adirondaks will be severe and irrevocable.

Of course, the people of the area need jobs. Of course, there are economic incentives to permit such a development. Of course, there are pressing human needs that must be met. But to reduce the Catskill forest to a commodity that can be clear-cut and defaced in the name of economics is tragic. There must be a way to satisfy the economic concerns of the region, while still maintaining the integrity of the region itself.

Again, I implore you to preserve the natural vitality of the Catskills by opposing the proposed development. Thank you for your consideration.

Sincerely,

Prabu Vasan

From: "Ronald H. Every" <rhevery@ulster.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 3:43:29 PM
Subject: Belleayre Resort at Catskill Park Project

Gentlemen - I am emailing you to advise that I am in favor of the subject project. My understanding is that the Department of Environmental Conservation has passed the initial review and issued the required SPDES permit in draft form. I am a native of Ulster County and have lived my entire life (68 years) in West Hurley. I honestly believe that most people are truly Environmentalist at heart and are concerned about uncontrolled growth and its effect on open space. I also want future generations to be able to enjoy our area with its beauty, but also know that the combination of economic progress and environmental concerns must be combined to best benefit all concerned. I am sorry I will not be able to attend either of the scheduled public hearings and decided to email you my response. Ronald H. Every, 85 Wall Street, West Hurley, New York 12491.

CC: "Dean Gitter" <worldbridgellc@usa.net>

Rus

From: <Lindablu195@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 3:42:41 PM
Subject: Gitter's dream

To whom it may concern:

I am a 24 1/2 year resident of Woodstock but am currently in Arizona settling my mother's estate. I am unable to attend meetings to voice my disapproval of the resort proposal for Bellayre mountain so I am hoping this email will suffice.

I believe one of the advantages of living in the Hudson Valley is the beauty of the natural surroundings. Route 28 is a major thoroughfare but it is not capable of supporting the extra traffic and congestion this project would create. Besides the traffic, there would be additional pollution, noise and the extra lights that would all have a negative impact on our environment.

Dean Gitter has already done enough damage. I'm in support of stopping this project.

Linda Fisher-Luther
Woodstock, NY 12498

From: "S Plant&Z.Sklar" <plantsklar@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 3:29:30 PM
Subject: Belleayre Mega-development Opposed

Please note our new e-mail address as of 12/15/02:
plantsklar@hvc.rr.com

From: juan@mountainlink.net
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 10:21:00 AM
Subject: Belleayre Mountain resort plan

Alexander Ciesluk, Jr.
Deputy Regional Permit Administrator
NYSDEC
21 South Putt Corners Road
New Paltz, NY 12561-1620

Dear Mr. Ciesluk:

I am resident of Mount Tremper, NY and I oppose the Belleayre Mountain resort plan. The reason I oppose it is because of its negative impact on the environment including:

1. Dramatic increases of water pollution to NYC watershed
2. Increase of hundreds of more automobile accidents to humans.
3. Destruction of 529 acres of high elevation forest

Thank you,
Juan B. Pena

From: claire ciliotta <ccili@comcast.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 9:57:21 AM
Subject: re: the destruction of public lands for yet ANOTHER resort

Dear Sir:

Haven't we/you learned anything? The only jewel left in the crown of the United States is public, undeveloped, free-from-construction land. New York State's pristine Catskills and Adirondacks and Finger Lakes - all of "upstate" are better than diamonds and gold, and yet you are considering granting a developer the right to trash, destroy, uproot, dig, and murder the land for what? I smell GREED, not thoughtfulness. I smell DEALS, not concern. I smell MONEY, not the forest. Please don't do this. It is NOT NECESSARY. It benefits no one but the developers and the few backers who will take the profits and run. Look at Atlantic City - once you leave the casinos, the poverty and decay are RIGHT THERE - nothing has helped the local people.

Please vote nay or vetoe this developmental murder.

Sincerely,

Claire A. Ciliotta PhD
279 Park St.
Montclair, NJ

and
144 W. 86th St.
NY NY 10026

From: "Alfred Peavy" <apeavy@hvc.rr.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/5/2004 12:45:46 PM
Subject: Crossroads Ventures Project

Dear Mr. Ciesluk,

Let me begin by stating that my wife and I are thirty two year residents of Phoenicia and we are both in favor of the resort project with certain reservations which are:

1. All DEP, DEC requirements are to be met both in spirit and in fact.
2. If possible there should be a strict prohibition of any future gambling casino.
3. Reasonable and timely laws are implemented by the various towns to allow for esthetically appropriate limited future development along the Route 28 corridor to effectively prevent it from becoming similar to the first ten miles west of the Thruway traffic circle.
4. The entire project be approved in its entirety with no future hidden build out possibilities.

Sincerely,

Alfred and Jane Peavy

From: "Cary Kittner" <caryk@dstoys.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/4/2004 9:18:46 PM
Subject: PROPOSED BELLEAYRE RESORT

Alexander Ciesluk, Jr.
21 south Putt Corners Rd.
New Paltz, NY 12561-1620
email: afcieslu@gw.dec.state.ny.us
Phone: 845 256-3014

PROPOSED BELLEAYRE RESORT

Dear Mr. Ciesluk,

I am writing in regards to my opposition to the proposed resort. As much as there might be benefit for some (those who would make a profit) the drawbacks for the local community and it surrounding area far outweigh the benefits. This is a clear case of the wealthy few taking advantage of the natural recourses of a local area and actually destroying the living conditions and the recourses of the many less wealthy residents. I am sure you are aware of the reasons for the loud opposition to this proposal and I agree with what has already been stated about environmental impact including traffic, pollution, soil damage, scenic view damage and reduction of forest land. It is not fair that a few people with some money can ruin life for so many people and other creatures and plants who live in this area. I would like to see the whole projects stopped.

Sincerely,

Cary Kittner
54 Station Hill Road
Barrytown, NY 12507
845-758-6053

RCS

From: "Barbara Farabaugh" <farabaugh66@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us >
Date: 1/4/2004 6:29:31 PM
Subject: Say no to Belleayre Resort

To Alexander Ciesluk:

I am writing in opposition to the proposed Belleayre Resort--a monstrous project that would break up one of the few large unspoiled areas we have left. We need these large areas for wildlife habitat, watershed protection, and just for places where people can get away from their hectic lives.

Open land is being paved over in our state at a really alarming rate. It's time to take a stand, before the Catskills lose their rural character and get filled up with parking lots and franchised businesses whose only purpose is to enrich the stockholders.

Barbara Farabaugh
24 Cornwall Ave.
Cornwall-on-Hudson, NY 12520

From: <BHallerman@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/4/2004 2:13:32 PM
Subject: Public Hearings on Proposed Bellayre Resort

Hi, I just emailed you and then looked at the website so here is some additional information:

To whom it may concern:

I am a part-time resident of the area -- here Thursday through Monday nights. Over the past 20 years I have been a frequent visitor to the area, and was fortunate to have been able to purchase a beautiful house in Samsonville almost 4 years ago. I am a canoer, hiker, skier, snowshoer, etc. and therefore I have a vested interest in the maintaining the sanctity of these mountains. I am deeply committed to preserving their precious resources of this area.

I feel that it is imperative that we preserve the fragile balance between the Catskill Park, the NYS Forest Preserve, the NYC Watershed and the existing village communities which currently co-exist harmoniously and serve a wide range of needs throughout the state.

I believe that a massive mountaintop resort and its impact on the area are contrary to my vision for the park, the forest preserve, the local communities, the Central Catskills region as a whole, and the watershed which serves millions of people.

A massive development such as this one would wreak havoc on the area, creating heavy traffic, noise, pollution, and destroy our beautiful night sky. For me, I would organize my life to preclude using Route 28 as much as possible.

Please let me know what I can do to help prevent this mistake from becoming a reality!

Sincerely,
Betsy Hallerman

From: <BHallerman@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/4/2004 1:55:34 PM
Subject: Public Hearings on the Proposed Bellayre Resort

Unfortunately I will not be able to attend the public hearings on the proposed Bellayre Resort but I would like to voice my opinion on the subject: I am strongly against this development because it will threaten the serenity and beauty of these amazing mountains. I know that many others share my view that a massive resort will destroy rather than develop the area. Thank you. Sincerely, Betsy Hallerman

From: "Nick" <nickwon@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/3/2004 6:52:35 AM
Subject: Pine Hill water District

Can you please direct me to an online map of the Pine Hill Water District in the Town of Shandaken in Ulster County.
Thank you.

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From: <Castlewalter@aol.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 1/3/2004 12:33:29 AM
Subject: I Oppose the plan

The plan is not in keeping with the preservation of the wonderful park area, The damage to the quality of life to both humans as well as all other life forms. Nearby Sullivan county abounds with other Golf Course and underused resorts that would be wonderful to restore. The pristine forest between terre and Margretville will ad to this revitalization. Planed rebuild of route 17 would not threaten the watershed as greater use of 28 would.

Protect the wildernes, protect the water, shed Say No
Very turely yours
Walter Castle
Beacon N.Y.

CC: <Waltercastle@hotmail.com>

From: Virginia Luppino <vluppino@earthlink.net>
To: <afcieslu@gw.dec.state.ny.us>
Date: 12/28/2003 2:28:21 PM
Subject: proposed Belleayre Resort

To: Alexander Ciesluk, Jr.

I oppose the creation of what would effectively be a new city in the middle of the Catskill Park hotels, time-share units, luxury homes, clubhouses, restaurants, stores, activity centers, conference facilities, maintenance buildings, parking lots, access roads, etc. that would be wholly inconsonant with the surrounding hamlets, with the character of our community, and with the intimate hospitality the region has traditionally offered to visitors;

I oppose the destruction of Belleayre Ridge and Belleayre Mountain through the clear-cutting, bulldozing, and blasting that would take place during the construction of this mega-resort, and we oppose the loss of a pristine eco-system and the damage to its plant life and animal habitat;

I oppose the devastation this mega-resort would wreak on the magnificent view shed and night sky of these mountains, on the State Forest Preserve, and on the Catskill Park;

I oppose the compromising of our water resources which also supply water to New York City through deforestation, erosion, eight years of construction activity (including blasting), and the risk of toxic substances entering surface and ground water through use in golf courses;

I oppose the negative consequences we believe this development would bring to our economy and our way of life: a sudden and disproportionate population growth exacerbating the current crisis in affordable housing, the potential for uncontrollable secondary growth, a spike in property taxes that could displace many homeowners, pressures on our property values, traffic congestion that would adversely affect business and commerce, rapid and radical change that could imperil the core strength of local communities;

I oppose the loss of a unique environment a prized asset for all the people of New York in order to provide financial gain for a few.

Virginia Luppino
225 Krumville Road
Olivebridge, New York 12461
phone/fax 845 657-7064

From: alfonse palumbo <alandenid@yahoo.com>
To: <afcieslu@gw.dec.state.ny.us>
Date: 12/27/2003 7:51:10 AM

DEAR MR CIESLUK,

PLEASE DON'T LET THE BEAUTIFULL CATSKILLS BE CARVED
AND MUTILATED BECAUSE OF GREED. AREN'T THERE ENOUGH
GOLF COURSES AND MALLS TO SATISFY US? DO WE HAVE TO
GOUGE THIS MOUNTAIN? PLEASE LEAVE THIS LAND WILD AND
FREE.

SINCERELY,
AL PALUMBO
139 SPRING STREET
NYC 10012
212-925-9529

Do you Yahoo!?
Free Pop-Up Blocker - Get it now
<http://companion.yahoo.com/>

From: Ruzow
To: Bakner; dlgitter@aol.com; jegeorge@usa.net; kfranke@thelagroup.com; Rosenthal; Worldbridgellc@usa.net
Date: 1/9/2004 4:50:48 PM
Subject: Fwd: public email comments - Crossroads Ventures LLC

Folks,

I have not read all these yet but the first half dozen offer no substantive comment. We need to develop an index and tracking system for these. Dan

>>> "Alexander Ciesluk" <afcieslu@gw.dec.state.ny.us> 1/9/2004 9:02:18 AM >>>
Dan,

Attached are the comments on DEIS I have received through Jan. 8, 2004.

Comments on Belleagre Resort Project

1. The lead agency and municipality are relying very heavily on Mr. Gitter and his development team. A flip clause is therefore an indispensable condition of his approval. It should be provided that if Mr. Gitter's development entity does not retain control of at least 51% of the project than the EIS would have to be reopened and the application reprocessed.
2. A major residential component is conspicuously absent in Mr. Gitter's grandiose resort plan. Once his project is approved and the market established, the immediate market area will be inundated with applications adding up to 1-to several thousand new residential units. So far as I know, none of the multiplier effects for these additional and foreseeable impacts have been addressed by Mr. Gitter. It is imperative that this be done.

*Barbara Silver
118 California Quarry Road
Woodstock, New York 12498*

As a local property owner and business owner, my concern is the raising of my taxes through the stress on local resources. All the members on the Planning Board and the Zoning Board of Appeals are volunteers. To my knowledge, none of these people has experience with large commercial buildings. Neither in reading blueprints, structural stress loads, water needs, employee housing, parking, security, fire protection, lighting, road maintenance, energy needs, etc., for buildings of this magnitude. Shandaken has no building inspector. I know that when Target was being built in Ulster it was difficult for the home owner to get an appointment to have the building inspector approve home improvement plans.

These boards will be overloaded without the resources to either approve or deny plans. How long will a person have to wait to build a simple deck? Until the developer's project is finished? Eight years? Twelve Years? Since Shandaken relies on the County Building Inspector to approve building now, who will be inspecting this massive project and inspecting local housing projects? With just one zoning officer, who will ensure that all zoning laws are upheld? How many people will Shandaken have to hire to ensure a project follows the plans? How many people will Ulster County have to hire? Where is this money suppose to come from? Certainly not from the developers with the business tax incentives they will receive. Certainly not from Shovel Ready Funds. Certainly not from HUD. This strain on our resources, isn't even considering raised school taxes from the influx of workers children. This is just town property taxes. At the expense of one man's folly? Why? There is no justification for this project on any level.

Thank you Peter D. Scalfani
5355 Rte 212, Mt Tremper 12457

Bird, Reptile and Amphibian Surveys

My name is Dennis Reil. I'm a resident of Mt. Tremper. My address is P O Box 197, Mt Tremper. I wish to speak today on Appendix 20 of Crossroads Venture's DEIS. As an avid hiker and amateur naturalist I am concerned about the proposed impact of the project on the native flora and fauna of Belleayre mountain and the surrounding area. Others have spoke eloquently on other concerns such as water quality, traffic, social, and economic impacts; so I needn't repeat what has been said. I don't believe that anyone has addressed the wildlife surveys of this document.

From careful reading of the document, there are three main points that need to be addressed.

First, the information given in Appendix 20 on threatened or endangered species is not sufficient. The document makes the same three points for both its bird survey and reptile/amphibian surveys. The first is a letter from Mark W Clough of the US Fish and Wildlife Service. In it he stated that "there are no known federally-listed or proposed endangered or threatened species under the jurisdiction of the USFWS in the project impact area." Yet the project area is private land; not federal property. The USFWS has no jurisdiction in the project area. Also there are differences between federal and state lists of endangered and threatened species. For example, the timber rattlesnake is not listed as protected under federal regulations but is listed as threatened by the state of New York. The Appendix clearly states that the timber rattler is a species that could be found in the project area.

The second letter is from Betty A Ketcham of the New York Natural Heritage Program. In it she indicates that "no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of [the project sight.]" While the New

York Natural Heritage Program is a worthy organization, it depends on all its data from volunteer sightings. Its use in environmental review is dubious at best. The words "immediate vicinity of the project site" have significance as there are reports of rare or state listed animals and plants in the surrounding areas. For example, a timber rattler was reported in Phoenicia, which is not even prime rattlesnake habitat.

These two letters which form two thirds of the documents presentation on threatened and endangered species aren't even provided in the appendix. They should be provided to avoid the danger of any statement in the letters being taken out of context.

The document's last point on threatened and endangered species is the field surveys themselves. They found no endangered or threatened species. Were they adequate and done at the proper times of the year? This will be addressed later during my third main point.

My second main point is the questionable sources cited by The DEIS to support their findings. Throughout the document they use the NYS Herp. Atlas to support their conclusions in the reptile and amphibian surveys. In fact this atlas alone was used to decide what potential species would be encountered in the project area. It was even quoted erroneously as stating that there are no rattlesnakes in the project area. The problem with using the Herp. Atlas is actually printed in the beginning of the Herp. Atlas itself. It states on its cover page: "The Maps on this page reflect the current distribution of species based on data collected for the Atlas through 1998. Data from the Atlas should be carefully considered before it is used for environmental review purposes. The data collection phase ended on December 31, 1999. The most recent data are not reflected in these interim maps." Looking at the Atlas, one finds only lists of species with little or no information on each. The maps are on such a large scale that is impossible to pinpoint where species were specifically located or seen. The 7.5 minute quadrangles on the map are merely shaded yellow to indicate that a species was seen

in the entire area. The Atlas is a work in progress as the quote cited freely admits, yet this was the primary, almost exclusive source cited for the reptile/amphibian surveys.

The document uses the NYS Natural Heritage Program to defend its claim of no threatened and endangered in the project area. Yet its database relies totally on volunteer information. Its value in an environmental review is limited.

The sources cited for the Bird Survey are all dated information. The list of species was again compiled using a single source. In this case; "The Atlas of Breeding Birds in New York State"(1988) Other books cited range in dates from 1976 to 1990. That 14 years old for the latest book. While these are fine resources they are dated.

The last main point deals with the field surveys themselves. Only general information is given on how the searches were carried out. Data recorded for each siting is not presented in the document itself (e.g. weather, temperature, time of day, behavior) and only rudimentary information was given on location. There were no maps showing locations of species when discovered so as to show concentrations of species in the project area.

The survey dates were May 5,10,11,12; June 7,8,9; and July 6. May 12th was specifically for the bird survey and July 6th for the reptile/amphibian survey. On only four of the eight survey days were there an early morning start (6am) six of the eight days were split with the bird survey in the morning and late afternoon and the reptile/amphibian survey around midday. Was adequate time given to both surveys?

Appendix 20 doesn't tell us how many people were involved in the surveys. Careful reading of the document suggests one person only. There are numerous references that mention the observer/searcher in the singular. If this is true, was one person sufficient to conduct both surveys properly in the time allotted?

I'd like to address both surveys individually; First the bird survey: As has been mentioned there were four 6am starts. On the

other three days starts were later. Yet the optimum time to record bird species is right after sunrise. Even the 6am starts are well after sunrise on those days. At what time in the morning did the surveys on May 5, 10 and June 7th start?

Also, the dates for the bird survey precluded seeing a large amount of migrant species. I repeat an Audubon Society request that independent, adequate surveys be done at the proper times of the year.

There are unfortunately many problems with the reptile/amphibian survey. First, the weather was cool and dry during the survey period as the document freely states. The text states it thus limited the searches to one nocturnal survey. It doesn't say what effect such weather had on the daytime survey. Such weather conditions are significant as most snake and reptile species would be inactive and under shelter at such a time. In fact all four snake species were found during the one day of good weather (July 6). Surely, additional days of good weather were needed to do an adequate survey.

Second, the areas of survey concentration need to be questioned. There are five areas cited. (1) In brooks flowing through upland forests, (2) Along brook borders, (3) Along old logging roads and hiking trails, (4) Around old buildings, and (5) in targeted areas off logging trails where the observer went to nearby habitats such as rock outcrops that could be potential denning areas for certain species of snakes. These areas suggest that searching was done only along water courses, trails and roads. Only the 5th area in question, were off trail searches done and then only in specific areas nearby to logging trails. It seems that little "bushwhacking" was done. This is important as it is in these rock outcrops that the most likely threatened species, the timber rattlesnake is to be found.

The Appendix states that because of bad weather, only one nocturnal survey was conducted. Here I quote: "The night-time survey took place in order to encounter migrating or foraging amphibians or snakes that would likely be encountered on

roadways, and to make chance observations of road-killed specimens. The survey was conducted by road-cruising at low speeds through the few sections of the project site that contain roads.” Are we to believe that an adequate survey can be conducted by car? If this is acceptable what does it say about the other surveys thoroughness? One look at the few sections of road in the project sight is enough to tell one that little of the project area was covered in the nocturnal survey.

The text states that no vernal pools or areas of standing water were found; (and therefore no wood frogs or spotted salamanders) This is a common habitat in the area due to the large amount of clay in the soil. All that is needed is a small depression in the forest floor. These pools tend to be seasonal and dry up in less humid weather. (Such as that encountered during the surveys)

February 1, 2004

Brief DEIS Review - Cross Roads

By Lance Hoffman

I'm a Civil and Environmental Engineer who specializes in Water, Wastewater, Hazardous Wastes, and Alternative Energies. As my Forefathers, my wife and I live in Shandaken. From my home we will be able to view the Cross Roads project. In my lifetime I have already observed the decline of fish and animals in and around the Catskill Park. Over the years, as I have piloted an airplane over the Catskill Park and surrounding areas, I have observed the ever-constant changing landscape from beautiful majestic mountains to sporadic urban sprawl. I have observed that the Fox Hollow Crick has become intermittent in several recent years, the thick spongy "carpet" of moss that used to cover the stream bed, gone forever, do primarily to development and a waning water table. This project must be appropriate for^{the} area, be of Environmental and Economic soundness, and meet all Regulatory criteria without exception. More detail must be required in this DEIS, and a "harder look" at the potentially significant environmental impacts must be demanded. An alternative such as eminent domain, as previously suggested by Professor Chase, who presented a statement about this project earlier in the review process, must be considered as an alternative that would feasible avoid the environmental impacts and take into account the social and economic circumstances.

I have performed a brief review of about 900 pages of the DEIS. It was very difficult and not user friendly. It differed from past Statements I have had the opportunity to review. For example, the description of the project was repeated in every section that I looked at; in other impact statements I have found the description in the introduction and is stated only once. The data seemed difficult for me to interoperate, and I saw no definitive conclusion at the end of each section. It leaves one searching for a conclusion as to the real impact that each section of the project would have on the environment and economy. There were aspects of the data that seemed to contradict each other, and still other data was based on an improper source for that application. Though a good effort was put into the Engineering aspects of the DEIS, it appears to me, and is of my opinion as well as other engineers, that some things may have been inadvertently overlooked. Some items in the DEIS don't seem to hold paramount the safety, health, and welfare of the public and don't appear to strive to comply with the principles of sustainable development (Defined as the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development)¹.

I discovered a study by Cornell Cooperative Extension that shows the draw from large volume wells is sufficient to begin a plume of toxic chemicals from a "Super Fund Site" and hasten their migration through our most precious and valuable commodity on earth, pure clean ground water, possibly to the very wells that the Town's of Middletown and

¹ American Society of Engineers, Standards of Professional Conduct

Shandaken residents draw their water. Imagine the immense draw on our water table if this project is permitted by the Town of Shandaken to be constructed at even one-hundredth of its design scale? Could this contamination happen in this project? What do you think would happen to our ground water if the equivalent of 800 wells were drilled on this project? What toxins would be drawn in? What is the concentration of minerals now? Will we have hard water? Will our water table re-charge from our rains? Will we have enough water during the dry season? Once it is gone or polluted, we can't bring it back. According to the EPA, "polluted runoff is the greatest source of water quality problems in the United States", will this toxic mix enter our ground water or run into our streams, endangering the health and welfare of over 9 million people and countless other living organisms, causing another great expense of a "Micro-Filtration Plant". Recently I had to perform a runoff model for a small project off of Route 28, in the same area of the Cross Roads project. NYSDOT Engineers dictated that I use a 100 year 24 hour storm event. Why does the DEIS base their study on a 10 year storm event? What assurances can be shown that a 100-year storm won't occur? What studies have been done in regards to the protection of Villages, Bridges, Roads, Schools, People, and others down stream? What if the detention ponds were to overflow/fail? I see that the U.S. Natural Resources Conservation Service (NRCS) Technical Release 20 (TR-20) was used to calculate the Runoff, but what happened to the "Sheet Flow"? This is usually shown along with the "Shallow and Channel Flow". I reference "Water Resources Engineering by Chin, Prentice Hall 2000, Chapter 6, Section 6.4, page 353. I see a high CN number used but no provisions of the severe erosion caused from the huge amount of Runoff on this barren soil. Will all the turbidity flow into the detention ponds, or will a large amount flow into the stream? Joe Habib a fellow Engineer, also has problems with some of the Data presented in the DEIS. How are they permitted to clear such large areas? There are so many Technical flaws throughout many of the sections of this DEIS I have looked at, I reason the DEIS does not hold paramount the safety, health, and welfare of the public.

Why did NYS re-build the Friendship Lake? Wasn't there a concern that if it were made larger (about one-tenth of the size of one of the proposed Cross Roads detention ponds) there would be a potential flooding problem downstream? Wasn't that to make snow? If the water table drops because of this project, did we just waste tax dollars again? Will the supply be enough for snow making 15 years from now? Should we be concerned about the size of the detention ponds? Will they accumulate toxins from runoff on the golf course? I hope we don't wind up in the dire straights of financial ruin that Vail and other sky centers are beginning to suffer.

The massive excavation will create mass dewatering. How is this addressed and de-contaminated? When the Margaretville STP was built in the late 90's such massive dewatering was performed that neighboring ponds waned to mere mud puddles. The entire water table was drawn down during this construction phase. What happens if an impervious clay layer is broken through when you are blowing up the entire mountain? Will toxic runoff flow directly into the water table? How do you plan to treat the nitrate-laden runoff? Explosives cause many environmental problems, just ask the EPA about "Super Fund Sites" and how many of our tax dollars have been spent to attempt to make these areas less toxic.

It is usual and standard construction practice to perform what Engineers call “Cut and Fill” when working on a construction site. Cut and Fill means you simply remove material from where it is high and fill in a low spot with the excess burden. It appears that allot of material is to be removed and allot of suitable material must be trucked in to this project. You don’t need me to do the math for you to figure out how many truckloads will have to be trucked off site to some unknown location. How many miles away will this need to be trucked? How will this stock piled material be protected from precipitation, causing yet another runoff problem? How much suitable material will be trucked in and from where? Will our highways withstand this extra burden of all these vehicles? Ask the State DOT Engineers what traffic loads the roads and bridges are designed for. I have to wait at 6:15 am every workday morning just to get out on to Route 28, if this project is allowed to go any further, do we then need the expense of traffic lights? What about this additional “Tire Rutting” of our highways? There are too many cars now! How many entrances go in and out of this project? Are there enough for a terrorist evacuation? Who will pay for the repair of the roads once they have been worn out and pot holed due to the unanticipated burden of heavy construction vehicles and construction personnel? Once the Mountain is destroyed, there won’t be any putting it back! The State wants to make nice trails and recreation on one side of the mountain and blow up the other side. This doesn’t make any sense.

What about the “Wetlands”? How is the Army Corps of Engineers letting this one go by? If anyone else, except Catskill Ventures or Silk or whatever you call your devastating selves tried this, they would not be granted a permit to virtually ruin the wetlands. It is said because these Wetlands are isolated? What’s with that? Maybe we should ask John Stossal?

What about the DEC decision and denial of the Golf Course in the Wittenberg State Park when that was being planned a few years ago? There is more water running in that area than at the head of the watershed where Catskill Ventures is proposed. But... What did the DEC site for the reason for not putting a Golf Course there in Wittenberg? Wasn’t it lack of adequate water supply? How many people can play golf in the less than four-month season and how many courses do we need? Isn’t there enough now?

Are the Fire Protection plans detailed enough? Who is buying the pump and ladder trucks? Ask our local Firemen, “What size of a truck will we need to reach the center of those huge stadium size buildings?”. The equipment must be in place and full crews trained before any thoughts of construction could possibly be entertained. Where do we find the time for volunteers to train? Where do we house this free equipment when Cross Roads delivers it? What happens in the winter when the detention ponds are frozen solid and the temperatures are below freezing? Will the fire hydrants be able to provide enough water? How much and how far will 5” hose be needed to supply adequate water flow on the fire? Where do the additional police and ambulance come from? NOT MY TAX DOLLARS! Tax dollars are going to be generated by this development, eventually, but, what assurances that amount of money will be enough. What about those tax breaks that Cross Roads has been offered? Assurances must be made that our taxes will not be increased, but rather decreased by this project.

I am concerned with noise pollution. What about when Gitter/ Cross Roads said they must put a fence by the Emerson Fiasco in Mt. Tremper to keep out the current noise generated by the present traffic. I don't want a fence, but I sure do agree about the huge amount of noise pollution already produced on Route 28. What will this huge fence do for the scenic beauty of the Route 28 Corridor? Who is going to pay for 60 miles or more of fence if the resort is allowed to go in at even one-hundredth of the proposed scale? We surely need protection so that as Gitter said "We may sleep".

I briefly analyzed the hydraulic loading presented in the DEIS. In Appendix 8, Section 2.1, I found the total average daily loading to be .108465MGD using the Ten State Standards of only 100 Gallons per Capita per Day. If only 2000 people use this part of the facility in one day, one could do the math and realize that .2MGD is more realistic. Reading further along the DEIS states this is based on an average population of 500. Did they did mean 5000? There is also mention of connecting to the current Pine Hill WWTP. Will that then restrict the growth of the Village, or was that the plan all along? This project will cause additional runoff that may flow into the Village. What about a Storm Water Runoff Plan for the village of Pine Hill?

What about Lights? Will anyone remember what the night sky will look like? Will our tax dollars have to pay for these streetlights in 10 years from now when all the streets and roads are turned over to the towns for maintenance? We have far too many streetlights that our tax dollars pay for now, this is supposed to be the country, use a flashlight or see by the moonlight. The snowmaking lights on Belleayre are bad enough! Shandaken Zoning regulations restrict lighting. Will we have to pay to maintain these roads once three or more houses are built on them?

Air emissions? Buildings this large must have a big boiler. Are there coolers and scrubbers on the stacks? We do not need anymore acid rain, as we already get enough. We also have enough particulate in the air. The emissions from the cars and trucks currently are terrible enough.

Perhaps we could ask Donald Trump if he sees any potential for some competition of a casino, or is he already looking at the Catskills with Catskillantic City in mind? We can't afford to gamble on the chance, especially if we don't have the money to back it up if it does inevitably fail.

Where will all the trash go? This is the size of Shandaken in population, but will probably produce a larger amount of trash. Where will this be trucked? Who will do the recycle sorting at the resort? Our landfills are getting full, as they do the price for everyone goes up. Why make the trash expense go up faster? Will this affect the current trash pick-up?

I suggest a Pilot Plan Study. All plans should be put on hold until at least a two-year study of a similar facility, though substantially smaller in size, the Hannah Country Club be undertaken. Though Hannah is not located on as steep of slope, and far less earth was displaced, this is at least, is the closest model we may observe. The results should be multiplied exponentially to accommodate the size difference, as well as a safety and growth

factor calculated in. Then, a more complete realistic model may be carefully reviewed. We would be able to study the effects of the Golf course toxins in this pilot study as well. During Hannah's construction, I observed, during an ordinary rainfall event, the high turbidity of the water that flowed down the mountain stream into the Delaware, "chocolate" colored and laced with unknown amounts of heavy metals, arsenic, silts, sands, phosphorus, nitrogen, pathogens, mercury, lead, and a multitude of toxic compounds that poured into NYCDEP Reservoir. This would surely spell disaster to safety, health, and welfare of the public should a similar situation occur on Cross Roads.

For additional information to protect our safety, health, and welfare, I will quote a news brief from "Environmental Protection Magazine", it states, "The EPA has issued a new policy that provides guidance on liability protection under the Comprehensive Environmental Response, Compensation and Liability Act (also known as Superfund) for landowners who own property that is or MAY be contaminated by a neighbor's action", "To meet the contiguous property owner liability protection requirement, a landowner must meet the statutory criteria that include but are not limited to: demonstrating that he did not cause, contribute or consent to the release of hazardous substances; is not affiliated with a liable party in any way (familial, financial, contractual); and has taken reasonable steps to stop any continuing release, and prevent or limit human and environmental exposure to the hazardous substances". This policy, is one of many that I have discovered, that Cross Roads should prove to the governing agencies that they are or would not be in violation there of, before issue of any permit. It is available on EPA's Web site at: www.epa.gov/compliance/resources/policies. Water is our most valuable resource. The American Water Works Association states less than 1% of the world's freshwater resources are actually accessible for human use. There are over one billion people, or roughly one-sixth of the world's population, lacking access to safe drinking water. By 2025, shortly after this project is predicted to be fully functioning, half of the world's population, or 3.5 billion people will face series water shortages as groundwater supplies are consumed faster than they are replenished. In conclusion, I ask that these and a multitude of other concerns be fully addressed.

Carolyn S. Konheim
P. O. Box 864
Margaretville, NY 12455

January 4, 2004

Mailbag
Catskill Mountain News
Arkville, NY 12406

To the Editor:

Since it is difficult for most people to get access to the voluminous draft environmental impact statement (DEIS) for Crossroads Ventures Belleayre Resort, available locally only on cumbersome computer discs at a few libraries, I request a waiver from the usual 300 word limit to share what I have learned from a close reading of the economic sections of the DEIS:

- 1) It will take until 2025 before the full \$2 million in annual property taxes paid by the Resort to the two towns occurs. This is primarily due to a business investment exemption that is applied to each property as it is reassessed after development, scheduled to be completed in 2014. The assessed value is reduced by 50% in the first year and increased by 5% a year over the subsequent 10 years. At that point, 22 years from now, the \$538,000 contribution by the Resort will represent 8% of the total property tax levy, assuming the current \$5.2 million tax base of the Town of Middletown grows by just 1% a year. At recent 7-8% growth rates, Resort taxes would add 2%. I have not yet obtained the total tax levy for Shandaken. Nor have I attempted to judge the effect of the Resort contribution on tax rates.
- 2) Off-site sales in the Route 28 corridor from Bovina to Ashokan could increase as much as 10% by 2022, which is the time it is expected to take from the mid-point of construction to sell out time-share and country club memberships, the source of 78% of off-site business. This assumes that "visitor parties" with a median income of \$71,000 spend half of \$170/day for non-Resort food and merchandise.
- 3) Construction would have a "marginal" effect on the local economy within the Route 28 corridor "because the existing construction sector of the local economy is relatively small."
- 4) The 876 full time equivalent Resort-generated jobs on and off-site represent 1% of 1999 employment in the Tri-County area and somewhat less of future employment when the Resort full number of jobs occurs sometime between 2018 and 2022.
- 5) The Resort is expected to "compete head on" with existing lodging, leading to a "decrease in demand for existing lodging" and stimulating them to upgrade or serve those visitors who "find the cost of lodging at the Resort too expensive and choose less luxurious motels and bed & breakfasts."
- 6) Commercial and retail businesses in the corridor are "unlikely to experience substantial amounts of goods and services bought by the Resort as much of this would occur beyond the Route 28 corridor."
- 7) The impacts on the ski center are not analyzed because "while Resort guests will utilize the Ski Center on weekends, it is anticipated that the largest increase in the percentage of skiers as a result of the project will be during the week when attendance is lowest." In other parts of the DEIS, the planned ski center expansion is central to market studies that expect Belleayre to develop the features of the 25 premium destination mountain resorts that form the basis of demand forecasts. The Resort is seen as filling a shortfall that in lodging that will grow from 500 now to 1,000 with the ski center growth.
- 8) Thus, rather than inducing growth, the Resort is expected to "absorb demand for off-site lodging and second-home ownership and reduce the ski area's growth-inducing effects" in the corridor.

I have not examined the underlying assumptions, such as that existing community services can accommodate the effect of the Resort, except to note that Margaretville Memorial Hospital is missing from the assessment of local facilities, which may be significant in view of the dozen ambulance and other trips made from the Ski Center on a recent day. The omission is surprising considering the recent generous grant to the Hospital from the Crossroads Foundation.

Carolyn Konheim 845-586-1506; 718-330-0550

The author is an environmental consultant, a former Regional Director of NYSDEC and has researched mountain resorts for a State revitalization plan for Lake Placid working with the firms that prepared the DEIS.

STUART D. ROOT
Comments – February 19, 2004 Hearing on Crossroads

My name is Stuart D. Root. I have lived in the Catskills for over 30 years, and have spent many of those years in water quality preservation activities.

In my other incarnations I have been President of The Bowery Savings Bank when it was the second largest in New York State, with 5.5 billion dollars in assets, and prior to that counsel for the bank when it was the largest savings bank in the United States. I also was counsel for establishing the real estate programs of the Federal Home Loan Mortgage Corporation, known now as Freddie Mac, and in 1988 served as the last Executive Director of The Federal Savings and Loan Insurance Corporation where my mission was to maintain public confidence in one trillion dollars of insured deposits.

My comments today are certainly influenced by those cumulative experiences.

I believe that the development proposed by Mr. Gitter is fundamentally flawed and environmentally dangerous **for reasons not previously addressed**. These reasons have to do with the lack of information about basic financing requirements for large development activities.

Usual development is financed by institutional sources in the financial marketplace. Those sources use “other people’s money,” and institutional lenders are constrained to avoid unsafe and unsound lending practices.

One element of safety and soundness is to require “completion bonding” when embarking on a large project where lack of completion can spell ruin for the loan or development. That is to say, lenders require financial assurance from a recognized source that the lenders will not be left with a hole in the ground, raw land, concrete foundations, and skeletal frames for buildings, or worse.

In the case of Crossroads, I have read of people having substantial resources backing this project. I have looked in vain for anything of substance to support those assertions. Who has committed to provide financing? What are the conditions, limitations, exceptions and constraints on such commitments, if any commitments exist? Are they written and enforceable? If the project is allowed to commence, but then later fails because it is so at odds with other well-known failures in this area, and in indeed – if I read the

New York Times correctly -- Mr. Gitter's own experiences with other large scale developments, *who* will have the right to compel completion?

Suppose for example that Mr. Gitter obtains his approvals from the environmental authorities, but does not have assurances of *bonded* completion financing, what then? In the normal course if the project encountered difficulties we would expect him to declare bankruptcy and to seek reorganization under the protection of the bankruptcy laws. Where would that leave the people of Shandaken? For starters, it would leave them with hosts of unemployed workers who would become public charges against the Town's meager resources -- and as I understand it, without any State resources for assistance.

And where would such an event, without verified "bonded completion financing" leave the rest of us? It would leave us with a scarred and torn-up mountainside, possibly with concrete foundations dotting the landscape, and a landscape itself which would bleed erosion and detritus into the watershed.

Frankly, I am completely underwhelmed by assertions that Mr. Gitter has the backing of some people of considerable means. This suggests to me that the project *lacks* the normal institutional safeguards and validation provided by the crucible of the financial marketplace. Further, in the case of the Concord Hotel reorganization about 4 years ago, the newspapers were full of stories about the Murphy group which was going to restore and rehabilitate the Concord and its golf courses. Mr. Murphy, with normal developer bravado, claimed he had the resources for his plans to benefit the economy. However, when push came to shove, in hearing after hearing in the Federal District Court in White Plains, many of which I attended, Mr. Murphy was unable to provide credible evidence that he had financing for his promises. He was long on newsprint, but short on actual commitments. In short, his plan was dismissed as not feasible -- for lack of *verifiable* financing.

Who is there to assure that Mr. Gitter's plans are *feasible*? Who is to *verify* the existence of completion financing credible enough to be supported by an institutional completion bond? In other words, who is to protect the Catskills against Crossroads becoming an ill-conceived, ill-financed, and ill-managed construction project that is pregnant with environmental disasters?

Thank you.

Model is out of scale

Judith Wyman
PO Box 44
Chickadee, NY 12416

Comments for Public Hearing on Jan 14, 2004

My name is Judith Wyman. I have been a resident of Shandaken for 22 years.

Process

- Time limits are short for the size and scope of the project as well as the length of the DEIS. Deeming the DEIS complete just before the holidays shortchanges the public since it effectively cut a good three weeks out of the limited time allotted for the review.
- Having the hearings during the week excludes second homeowners who pay taxes, have a stake in the area, often retire here and are an essential part of the local economy
- The DEIS does not contain alternatives of the project including alternate locations and scaled-down versions of the project, as required by SEQRA. The document should not be considered complete until those requirements are filled.
- The DEIS is available electronically, but is very difficult to navigate and is impossibly slow for anyone with a dial up connection. There is no search capability, so someone must wade through the document and wait for page after slow page to load up to find the information they are seeking. The DEIS discs in the libraries cannot be taken out so the public is limited to library hours. Hard copies are not available so people who do not use computers are left out of the process completely. (I have heard that there is one hard copy in the library in Fleischmanns which is not enough to service the impact area.)
- The DEC has a direct conflict of interest in being the lead agency reviewing this project. Their job is to be stewards of the Catskill Park and forest preserve and protect the public interest, yet they are in a unique position because the project is adjacent to the state-owned Belleayre Ski Center. It remains to be seen whether DEC will fully honor it's roll as protector of the Park and the Forest Preserve or whether they will see an economic opportunity for the Belleayre Ski Center and lower the bar for environmental protections in the process.

Job Mythology - Labor Force

The towns for which the resort is proposed (Shandaken and Middletown) encompass a wide radius around the resort and have a combined population of just over 7000 people.

According to the most recent census figures, the combined total of unemployed people in both towns is just over 200. There are no other population centers nearby (within 30 to 40 miles) with an abundance of unemployed people.

The developers are claiming the resort would require a total of 872 full- and part-time workers, mostly in service positions. They also say the resort would generate 211 off-site positions through secondary or indirect impact. That's a total of 1083 jobs in an area with a fraction of that in available labor.

The developers have claimed that they would employ the winter workers from Belleayre Ski Center yet this could only supply a limited amount of workers. Many local people work at Belleayre in the winter so they and their families can ski and are not interested in summer work at a golf resort. Other workers are year-round employees of the DEC who serve in other state facilities during the spring, summer and fall seasons.

Where would the labor force come from? The developers don't provide a credible answer in the DEIS, yet the numbers suggest that if the Belleayre Resort were built, it would go the way of many large, corporate resorts in the country, it would have to bring in workers from out of the area and/or from out of the country. Bringing in workers on work visas is common practice in the corporate resort industry because many will work for very low pay and the industry takes advantage of that.

The majority of employees in large resort complexes are paid from \$6 to \$8 per hour which is not close to being a living wage in this area. Furthermore, employers in our area are already having difficulty finding workers to fill low-paying jobs. There are constant 'help-wanted' signs in the local convenience store and gas station, the supermarket and a small bread-making company. A small embroidery factory brings in workers in vans from outside the area. Mr. Gitter's *Emerson* has workers here on work visas.

By the developers' own admission in the DEIS, "mid and upper-management jobs would probably be filled by non-resident personnel who relocate to the resort area", which leaves literally hundreds of low paying jobs as an offering to local people. Not only are the jobs poorly paid, but there are nowhere near the workers available to fill them.

This would not fill any local need. In fact, it would create far more problems locally than it could possibly solve.

If we had a local workforce that was abundant and available for just such jobs, and the jobs paid enough so that people working them could pay for their needs and have some quality to their lives, then, yes, it would serve a local need. But that scenario doesn't exist in this area.

It is inevitable that workers, perhaps hundreds of them, would need to be brought in to the area to service the resort and they would need affordable housing (which doesn't currently Shandaken), education for their children, police and fire protection, social services and more -- the cost of which would most likely fall to local taxpayers. → *working poor*

What's more, the DEIS claims that the local construction sector is "not oriented" toward the needed specialties of resort construction and that "economic effects...would, to a large degree, not be localized"--this despite the projection that the eight years of construction would require 2,114 person-years of employees.

Again, where would the workers come from and would the area become a boomtown during construction? What would the cost be to the local communities in both taxes and quality of life?

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COSTS TO THE COMMUNITY

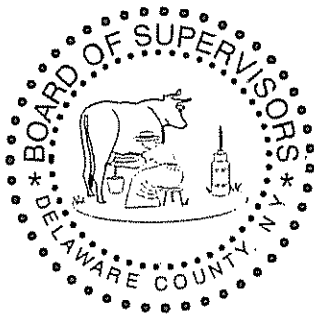
We do not believe that when tax breaks and costs to the community are taken into full account, that the resort would pay for itself. The importation of perhaps hundreds of new workers would be a costly proposition for the taxpayers when you add up the need for services, housing and education for their children.

There would be expenses associated with increased visitation and residency such as police and fire protection, road-building and maintenance, and supplying services and housing. In addition, there are nearly always unforeseen needs and accompanying costs. Induced rapid growth destabilizes communities and when remediation is required, it falls to the taxpayers and the local communities.

NEED FOR THE PROJECT

We do not feel that the project would serve the needs of the area for many of the previously mentioned reasons. We believe it would cost the environment and the community in both quality of life and taxes. There have also been several articles and news stories (NY Times, Wall ST Journal, Business Weekly, National Public Radio) reporting that golf course resorts and accompanying housing developments are being built at an unsustainable rate and the number of new golfers is decreasing. The 2000 census figures show that our area is growing organically. Per capita income in Shandaken almost doubled, the median household income is up substantially and unemployment is very low. As the developer's DEIS makes clear, during the years 1990 to 1999, the services sector in our tri-county region experienced a 19.6% increase in job growth, higher than the state's 16.8%; jobs in retail trade grew at 8.6%, far higher than the state's 3.1% increase. Manufacturing and public administration, the other major economic sectors in the region, had employment rates that were also higher than the state percentages. We could always benefit from quality jobs that are desirable to local people and pay at least a living wage, but we do not need a development that would cost so much and offer so little to the majority of residents.

I will make the rest of my statement at tomorrow's hearing. Thank you.



DELAWARE COUNTY BOARD OF SUPERVISORS

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James E. Eisel, Sr., Chairman
Christa M. Schafer, Clerk

Good evening ladies and gentlemen. My name is Jim Eisel. I am the current Chairman of the Delaware County Board of Supervisors. This Board and myself represent 48,000 citizens in the fourth poorest rural county in the State of New York.

To the best of my knowledge and I'll stand corrected, no where in the State of New York is there a tourism capitol project going on of this magnitude. Crossroads Venture Inc. and Dean Gitter & Co., with Mr. Gitter's financial supporters, has put together a project - a development of a sustainable four season tourism industry which will revitalize this region's hamlets and villages in Delaware & Ulster Counties.

The Draft Environmental Impact Statement (DEIS) for this project is volumes, several feet high, and at a cost of 4 million dollars. That is unbelievable! This environmental impact statement has been years in the making with a thorough study analysis to try and satisfy all the concerns of the environmental community and yet everyday environmentalists come with more concerns and what ifs. This must be a nightmare. Had all these regs been in place 50 years ago with many of these concerns there probably would not be a Cannonsville or Pepacton reservoirs - imagine that!

I hear the environmentalists - what about degradation of the water supply, increase in secondary homes and tremendous traffic jams? All bogus tactics to stop this project. I hope the lead agency, the DEC, will see through this.

It is truly a sad commentary when the largest employer is government at all levels. According to US census data, medium family income in the town of Middletown and most of

Delaware County is more than 40% less than the state wide average.

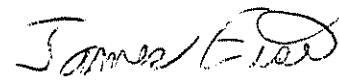
The entrepreneurs at Crossroads want to bring a tremendous economic opportunity to our area - no government - private sector financing, two hotels, two golf courses - on 1,250 acres, and their own modern sewer plant and best of all 542 permanent local jobs with a dollar spin-off that will invigorate most of the communities in that area.

This is not manufacturing, this is not smoke stack industries. This project is environmentally friendly, huge tracks of green areas. If we can't get approval for this project, no one will ever attempt to come and locate a business in this area in the future. There are people within the environmental community that want just that. They hide behind stringent regulations and paper laws that they have helped put in place with the expressed purpose of stopping everything and anything that does not conform to their anti-growth visions. There are many environmental groups that will try through every imaginable regulation to kill this project.

The MOA cannot succeed if it merely imposes the burden of compliance upon a minority without providing them with the means and financial support to obtain a decent quality of life.

I believe for all of us to exist in this beautiful Catskill Mountain area we need jobs. Our young people need opportunity and according to the HR&A report, this is exactly the type of project that is recommended - environmentally sound and promoting this area for tourists which will have a tremendous economic impact to the region. I submit to you - with all these regulations - we have to make Crossroads Venture a reality because it is the right thing to do, it will give the region an unparalleled economic boost and will give us the added ability to survive.

Dated: January 14, 2004



James E. Eisel, Sr., Chairman
Delaware County Board of Supervisors

DELAWARE COUNTY DEPARTMENT OF WATERSHED AFFAIRS

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DEAN C. FRAZIER, COMMISSIONER
THOMAS J. HILSON, ASST. TO COMMISSIONER
KELLY L. BLAKESLEE, GRANTS MANAGER
CATHERINE ARMSTRONG, ADMIN. AIDE

January 14, 2004
Margaretville School
Margaretville, New York

Legislative Hearing statement regarding The Bellayre Resort at Catskill Park.

Dean Frazier, Commissioner Delaware County Department of Watershed Affairs. Thank you for the opportunity to make comments regarding this project.

This project is consistent with the spirit of the Memorandum of Agreement, economic studies commissioned and approved by all Watershed Partners, the Economic Development plans of Delaware County and the Delaware County Action Plan (DCAP); a voluntary watershed management plan applauded by all watershed partners who have taken the time to become informed. The DCAP mission is to protect the interests of Delaware County and the New York City water supply. Our primary county interests are our local economy, communities and home rule. The rights of home rule and the needs of local economic development require premier importance and respect in this process. Local comments pertaining to community character, secondary growth, socioeconomic issues, traffic and air pollution are the only ones that merit consideration.

Viable communities are a must for water quality protection. You need jobs for that. Numerous opponents, many with no vested economic interests here, have said that there are better jobs than offered by this project. This project is abiding by the standing environmental rules and regulations to bring an environmentally friendly project to fruition which will support tourism. How then can it be said that these aren't good jobs? Any job right now is a good job. Our social service budgets are bursting at the seams and unemployment is still too high. The jobs this project offers, hold the potential to alleviate the budgetary pressure of municipalities and give some people a chance to get back to work.

Water Quality Protection.

1. Unique stormwater and water management practices.

- a. Reuse of sewer water as irrigation water for the golf course;
- b. Flocculent within the stormwater catch basins to improve treatment;

- c. Limiting construction of the golf course to an extended period of time and limiting the disturbed area to less than 25 acres in either watershed during any one period of time.
- d. Limiting the use of pesticides to a curative versus a preventative basis (i.e., only apply pesticides when there is an outbreak);
- e. Underground parking;
- f. All fill from earth work, cuts will be used within each portion of the project to avoid over the road transfer;
- g. No streams or other surface waters are being utilized for irrigation or potable water purposes;
- h. Where feasible, porous pavement has been specified

2. Total Maximum Daily Loads (TMDLs)

Everyone agrees that the Pepacton is a very high quality water body that needs protection. The Natural Resources Defense Council sued to have Phosphorus (P) TMDLs established for every NYC water body. The DEP developed the P TMDLs under an agreement with NYSDEC a process, by the way that did not receive any local input. I therefore conclude that TMDLs are critical regulatory thresholds or millions would not have been spent to get them established. The P TMDL for the Pepacton is 79,167 kg/yr. That is the load of P that the reservoir can handle and still maintain high water quality. The Existing Load is 37,327kgs/yr (*). The combined load from Crossroads project between its WWTP [(WLA)78kg/yr] and non point sources [(LA)2.3 kg/yr] is 80.3 kgs/yr. This combined load is an increase of .2% of the existing load and .1% of the TMDL. There is no threat to the P TMDL standard required by law. After reviewing the Ashokan TMDL, WLA, LA and Existing load data it would seem that there would be very little if any impact on the Ashokan phosphorus TMDL either. The annual variation in P load is very likely much greater than the anticipated load from this project.

3. Future growth.

Concerns pertaining to future water quality impacts related directly or indirectly to this project are subject to standing watershed rules and regulations and local municipal land use regulations. Delaware County communities and individuals are voluntarily adopting DCAP initiatives. Isn't that what everyone is seeking - cooperative local stewardship! This project is making every effort to comply with water quality rules and regulations.

In closing, home rule and local economic development must be respected in this process. There may be local issues that need attention, but in our view the DEIS is complete having addressed the critical issues pertaining to protection of the New York City water supply while at the same time providing an opportunity for economic benefit.

(*) The reservoir Waste Load Allocation (WLA) is at 386kg/yr, the Load Allocation (LA) is at 70,864 kg/yr.

Model is out of scale

Judith Wyman
PO Box 44
Chidester, NY 12416

Comments for Public Hearing on Jan 14, 2004

My name is Judith Wyman. I have been a resident of Shandaken for 22 years.

Process

- Time limits are short for the size and scope of the project as well as the length of the DEIS. Deeming the DEIS complete just before the holidays shortchanges the public since it effectively cut a good three weeks out of the limited time allotted for the review.
- Having the hearings during the week excludes second homeowners who pay taxes, have a stake in the area, often retire here and are an essential part of the local economy
- The DEIS does not contain alternatives of the project including alternate locations and scaled-down versions of the project, as required by SEQRA. The document should not be considered complete until those requirements are filled.
- The DEIS is available electronically, but is very difficult to navigate and is impossibly slow for anyone with a dial up connection. There is no search capability, so someone must wade through the document and wait for page after slow page to load up to find the information they are seeking. The DEIS discs in the libraries cannot be taken out so the public is limited to library hours. Hard copies are not available so people who do not use computers are left out of the process completely. (I have heard that there is one hard copy in the library in Fleischmanns which is not enough to service the impact area.)
- The DEC has a direct conflict of interest in being the lead agency reviewing this project. Their job is to be stewards of the Catskill Park and forest preserve and protect the public interest, yet they are in a unique position because the project is adjacent to the state-owned Belleayre Ski Center. It remains to be seen whether DEC will fully honor it's roll as protector of the Park and the Forest Preserve or whether they will see an economic opportunity for the Belleayre Ski Center and lower the bar for environmental protections in the process.

Job Mythology - Labor Force

The towns for which the resort is proposed (Shandaken and Middletown) encompass a wide radius around the resort and have a combined population of just over 7000 people.

According to the most recent census figures, the combined total of unemployed people in both towns is just over 200. There are no other population centers nearby (within 30 to 40 miles) with an abundance of unemployed people.

The developers are claiming the resort would require a total of 872 full- and part-time workers, mostly in service positions. They also say the resort would generate 211 off-site positions through secondary or indirect impact. That's a total of 1083 jobs in an area with a fraction of that in available labor.

The developers have claimed that they would employ the winter workers from Belleayre Ski Center yet this could only supply a limited amount of workers. Many local people work at Belleayre in the winter so they and their families can ski and are not interested in summer work at a golf resort. Other workers are year-round employees of the DEC who serve in other state facilities during the spring, summer and fall seasons.

Where would the labor force come from? The developers don't provide a credible answer in the DEIS, yet the numbers suggest that if the Belleayre Resort were built, it would go the way of many large, corporate resorts in the country, it would have to bring in workers from out of the area and/or from out of the country. Bringing in workers on work visas is common practice in the corporate resort industry because many will work for very low pay and the industry takes advantage of that.

The majority of employees in large resort complexes are paid from \$6 to \$8 per hour which is not close to being a living wage in this area. Furthermore, employers in our area are already having difficulty finding workers to fill low-paying jobs. There are constant 'help-wanted' signs in the local convenience store and gas station, the supermarket and a small bread-making company. A small embroidery factory brings in workers in vans from outside the area. Mr. Gitter's *Emerson* has workers here on work visas.

By the developers' own admission in the DEIS, "mid and upper-management jobs would probably be filled by non-resident personnel who relocate to the resort area", which leaves literally hundreds of low paying jobs as an offering to local people. Not only are the jobs poorly paid, but there are nowhere near the workers available to fill them.

This would not fill any local need. In fact, it would create far more problems locally than it could possibly solve.

If we had a local workforce that was abundant and available for just such jobs, and the jobs paid enough so that people working them could pay for their needs and have some quality to their lives, then, yes, it would serve a local need. But that scenario doesn't exist in this area.

It is inevitable that workers, perhaps hundreds of them, would need to be brought in to the area to service the resort and they would need affordable housing (which doesn't currently Shandaken), education for their children, police and fire protection, social services and more -- the cost of which would most likely fall to local taxpayers. → *working poor*

What's more, the DEIS claims that the local construction sector is "not oriented" toward the needed specialties of resort construction and that "economic effects...would, to a large degree, not be localized"--this despite the projection that the eight years of construction would require 2,114 person-years of employees.

Again, where would the workers come from and would the area become a boomtown during construction? What would the cost be to the local communities in both taxes and quality of life?

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I will make the rest of my statement at tomorrow's hearing. Thank you.

Jan. 14, 2004

The Catskill Center for Conservation and Development

Talking Points for the Public Hearings: Belleayre Resort at Catskill Park

I would like to thank the DEC as lead agency for the opportunity to comment on the Belleayre Resort project. I want to thank all of the individuals and organizations who have concerns about the Belleayre Resort's impact on our communities for their hard work... pouring over the massive, 7000 page DEIS ... a complex document, and with all due respect to it's authors, not exactly best-seller material. I also would like to thank the developer of this project and Crossroads Ventures LLC, for the support and contributions they have made to the central Catskills. They have done some good work in the past contributing in a positive way to community development. They revitalized an important section of Route 28 and breathed new life into decaying buildings. Unfortunately, the Belleayre Resort at Catskill Park stands in stark contrast to those projects bearing no resemblance to the developer's previous work.

The Catskill Center is committed to balancing the protection of natural resources with economic development while working to preserve the rich cultural and historical assets of the Catskills. We will continue to provide services and leadership that facilitates the growth of our communities... growth based on sound conservation principles.

Therefore, we stand opposed to Belleayre Resort at Catskill Park as currently proposed. We are not opposed to development; our record speaks for itself in that regard. But we will remain steadfast in our opposition against any development that is irresponsible and/or ill suited to Catskill Park and the New York City watershed. This project – as presently proposed – should not go forward for the following reasons:

First, the project, at its present scale, does not belong in the Catskill Park. The Belleayre Resort is unprecedented in size, not only for the Catskills, but indeed, as stated by the developer's consultants, for the entire northeastern United States. A project of this scale is not compatible with the character or values of our local communities.

Second, from an environmental standpoint, the proposed project requires dramatic disruption in environmentally sensitive and valuable area. The site is adjacent to the single largest tract of forest preserve in the Catskills, the Big Indian and Slide Mountain wilderness areas.

Third, the project is located exactly on the divide between the Catskill and Delaware watersheds, at high elevation with particularly shallow soils. The construction of roads, buildings, parking lots and fairways not to mention extensive blasting and the importation of nearly 1 million cubic yards of soil in such a location contradicts logic and ultimately could be an important first-step towards the end of "no filtration" for the New York City water supply. It is hard to imagine that even the best engineering controls can prevent disruption on this scale from creating severe storm-water and erosion control problems. The project has two components, one to the east and the other to the west of the Belleayre Ski Center. We believe the eastern side is environmentally more problematic. Development there will occur entirely at elevations above 2,000 feet and, in places, at elevations as high as 2,700 feet and on steep terrain. Runoff from the eastern component will flow into the Esopus Creek, a stream already suffering from very serious turbidity issues.

This project also is contradictory to the vision of the signatories of the Memorandum of Agreement between NYC and coalition of watershed towns.

Soon after the signing of the MOA, a guidance document, commissioned by the CWC, was prepared by Hamilton, Rabinovitz & Alschuler Inc. This study included interviews with community leaders to determine unique assets of their communities... Among the top assets identified were the area's rural community character and scenic vistas. It should be noted that the Catskill Center has identified locations from where the project site can be seen that are not included in the DEIS including from the Hunter Mountain Fire Tower.

HR&A study further states and I quote "there is a shakedown in the hotel industry as large non competitive resorts give way to smaller niche players. The single destination, full service, high employee to guest ratio resort has been replaced with a combination of short stay niche destinations and second homes". The study continues: "the hamlets and villages are among the watershed's most important asset's from an environmental standpoint. Economic activity within these centers can make use of existing infrastructure thereby limiting the amount of land that would be cleared to accommodate new development. In exchange for new pollutant loading in the community centers, communities could undertake efforts to minimize loading outside of community centers as a trade-off". The study indicated that tourism could be revitalized through "a focus on existing destinations and a series of niche-based accommodations." This does not describe Belleayre Resort.

I will mention briefly here other concerns we have about the project but will provide further detail on many of them in our written comments:

Traffic – The DEIS presumes that the traffic impact will be increased but recommends very little in the way of mitigation. This analysis ignores Route 47, another viable route to the proposed resort, a route that is highly scenic and likely has a lesser capacity to accommodate significant additional traffic. Increased traffic as a result of the imminent expansion of the Belleayre ski Center must be taken into account in all traffic projections.

Secondary Impacts - The DEIS assumes that the approximately 800 jobs will be filled by local residents and individuals within commuting distance. There are only 200 unemployed people in both Shandaken and Middletown combined. An influx of new residents has the potential to exacerbate the traffic impact, to burden area schools, and to over-extend community services and emergency services. The new residents and additional visitors to the area may also prompt related commercial development further taxing community services and undermining community character.

Lack of Alternative - Significantly, the DEIS does not seriously analyze an alternative to the present proposal. To the extent that the DEIS engages in alternatives analysis, it does so by considering the financial feasibility of various components of the project built in various combinations. Such a "mix and match" approach to feasibility, illustrated by lopping off entire portions of the project, is self-serving; the foregone conclusion of such an analysis is that the project is only feasible as proposed. In our view, a genuine, legitimate alternatives analysis must consider a smaller-scale version of the proposed project.

Negligible Economic Benefits – Despite the project’s threat to community character and the environment, the economic benefits of the project to area residents will be negligible. The average household income in the region is \$40,000.

The DEIS projects that the resort will create about 500 full-time jobs, with an average salary of only \$27,000. The DEIS concedes that the average salary for local residents would generally be between \$20,000 to \$30,000, well below the median income for the area. Whereas residents would generally be given lower-quality jobs, the DEIS indicates that the project’s highest paying jobs – management jobs with salaries in the range of \$50,000 to \$150,000 – may be filled by non-residents.

We do not need this project to “save” us from economic despair. Quite the contrary, economic activity has been picking up along the project corridor and across the Catskills before... and particularly since 9/11. There is a boom in property values and housing sales and the CWC continues to carefully inject millions of dollars of grants and loans in appropriately scaled, environmentally sound business growth throughout the watershed.

The Belleayre Resort can have potentially serious negative impacts on the community character and the environment without promoting significant economic benefits. The Catskill are at an important “crossroads”... with the signing of the memorandum of agreement we have a unique opportunity. If we get it right, it will serve as a national model for sustainable development. But if we get it wrong, it will be a national embarrassment and we will answer to the next several generations of both upstate and downstate residents for our mistakes. Any project of this scale, at this location is dumb growth not smart growth, and takes us down the road of getting it wrong.

I have here in my hand a report from Community Consulting Services, Inc., a Brooklyn based non-profit that provides technical services to community leaders seeking sustainable development. The firm is led by Brian Ketcham, Professional Engineer, who has more than 25 years of experience in preparing and analyzing environmental and traffic impact assessments, primarily for State agencies, and developing innovative transportation strategies, as his consulting firm did for the principal prepares of the DEIS on a revitalization plan for Lake Placid, NY.

Brian's firm did a traffic study for our area in relation to the proposed resort on Belleayre. The report is quite detailed, and quite thick. It will be submitted to the panel. I won't bore you with statistics and figures that may or may not make sense to us here right now. However, I'd like to read to you a few quotes from the report:

Although the DEIS [for the proposed resort] follows standard procedure to examine the worst-case impact, it significantly underestimates factors that result in understating future conditions. . . .

The bottom line is that traffic along route 28 will grow by about 50% by 2014 without the project and by 80% with Resort traffic . . . from current volumes.

The major fallacy of the DEIS is that it does not account for the dramatic growth in skiers at Belleayre Mountain since traffic counts were taken [1999-2000 Season]. . . . For the 2002-2003 season, as of March 2, attendance was up 50% from that which occurred during the 1999-2000 ski season. This growth is not reflected in the DEIS traffic analysis nor is the growth accounted for that may occur as a result of the expansion program underway at Belleayre Mountain which would accommodate an increase in the peak day ski visits from approximately 5,000 to 8,000 (a 60% increase).

Overall, traffic volumes for both the morning and evening peak hours at Route 28 and County Road 49A were 20% above those reported on in the DEIS. Certain ski area turning movements were as much as 34% greater in 2003. . . . Counts taken at Route 28 and County Road 47 were 12 to 16% higher than reported in the DEIS. . . . The conclusion is that traffic along route 28 could be as much as 40% greater than reported in the DEIS for baseline conditions in 2000 and, by 2008, much greater than the 27% growth in volume reported in the DEIS for No Build conditions.

I'm asking the panel to please review in full detail this report. It may be that an air quality study is necessary from the developer in light of these new figures. If any of the public wishes to see the report . . .

This year the Catskill Park celebrates it's 100th birthday. The Park, because it contains within its borders both public and private lands, is a great experiment in conservation ^{AND} ~~and~~ human habitation. If this experiment is to succeed, I feel it is dire that those of us who choose to live within and around this Park need to muster up a great deal of humanity, a great sense of stewardship, and even more self-control. Is life that bad here that we need to sell out in this way? Is there no other way to stimulate economic development than to lay our mountains down, our work lives down, our homes down to be the footstool of the wealthy, another playground for the privileged? Do we really want to live in a suburb, the next Orange County? Please, lets take care of our Catskills - let's not sell out.

Respectfully Submitted,
James Krueger, Pine Hill, NY

Carolyn S. Konheim
P. O. Box 864
Margaretville, NY 12455

January 4, 2004

Mailbag
Catskill Mountain News
Arkville, NY 12406

To the Editor:

Since it is difficult for most people to get access to the voluminous draft environmental impact statement (DEIS) for Crossroads Ventures Belleayre Resort, available locally only on cumbersome computer discs at a few libraries, I request a waiver from the usual 300 word limit to share what I have learned from a close reading of the economic sections of the DEIS:

- 1) *It will take until 2025 before the full \$2 million in annual property taxes paid by the Resort to the two towns occurs.* This is primarily due to a business investment exemption that is applied to each property as it is reassessed after development, scheduled to be completed in 2014. The assessed value is reduced by 50% in the first year and increased by 5% a year over the subsequent 10 years. At that point, 22 years from now, the \$538,000 contribution by the Resort will represent 8% of the total property tax levy, assuming the current \$5.2 million tax base of the Town of Middletown grows by just 1% a year. At recent 7-8% growth rates, Resort taxes would add 2%. I have not yet obtained the total tax levy for Shandaken. Nor have I attempted to judge the effect of the Resort contribution on tax rates.
- 2) *Off-site sales in the Route 28 corridor from Bovina to Ashokan could increase as much as 10% by 2022, which is the time it is expected to take from the mid-point of construction to sell out time-share and country club memberships, the source of 78% of off-site business.* This assumes that "visitor parties" with a median income of \$71,000 spend half of \$170/day for non-Resort food and merchandise.
- 3) *Construction would have a "marginal" effect on the local economy within the Route 28 corridor "because the existing construction sector of the local economy is relatively small."*
- 4) *The 876 full time equivalent Resort-generated jobs on and off-site represent 1% of 1999 employment in the Tri-County area and somewhat less of future employment when the Resort full number of jobs occurs sometime between 2018 and 2022.*
- 5) *The Resort is expected to "compete head on" with existing lodging, leading to a "decrease in demand for existing lodging" and stimulating them to upgrade or serve those visitors who "find the cost of lodging at the Resort too expensive and choose less luxurious motels and bed & breakfasts."*
- 6) *Commercial and retail businesses in the corridor are "unlikely to experience substantial amounts of goods and services bought by the Resort as much of this would occur beyond the Route 28 corridor."*
- 7) *The impacts on the ski center are not analyzed because "while Resort guests will utilize the Ski Center on weekends, it is anticipated that the largest increase in the percentage of skiers as a result of the project will be during the week when attendance is lowest." In other parts of the DEIS, the planned ski center expansion is central to market studies that expect Belleayre to develop the features of the 25 premium destination mountain resorts that form the basis of demand forecasts. The Resort is seen as filling a shortfall that in lodging that will grow from 500 now to 1,000 with the ski center growth.*
- 8) *Thus, rather than inducing growth, the Resort is expected to "absorb demand for off-site lodging and second-home ownership and reduce the ski area's growth-inducing effects" in the corridor.*

I have not examined the underlying assumptions, such as that existing community services can accommodate the effect of the Resort, except to note that Margaretville Memorial Hospital is missing from the assessment of local facilities, which may be significant in view of the dozen ambulance and other trips made from the Ski Center on a recent day. The omission is surprising considering the recent generous grant to the Hospital from the Crossroads Foundation.

Carolyn Konheim 845-586-1506; 718-330-0550

The author is an environmental consultant, a former Regional Director of NYSDEC and has researched mountain resorts for a State revitalization plan for Lake Placid working with the firms that prepared the DEIS.



**Economic and Traffic Impacts of the Belleayre Resort at Catskill Park
Preliminary Comments on Belleayre Resort at Catskill Park DEIS
January 3, 2004**

Carolyn S. Konheim, QEP, Chair and Brian T. Ketcham, P.E., Executive Director

Qualifications of the Preparers

Community Consulting Services is a not-for-profit organization that provides technical services to community leaders seeking sustainable development. CCS has no position on the proposed Belleayre Resort. These comments are submitted in keeping with the mission of CCS to promote informed decisions on environmental and transportation issues. The Chair of CCS, Carolyn Konheim, is a former Regional Director of the NYS Department of Environmental Conservation who helped to craft State Environmental Quality Review regulations. She is certified as a Qualified Environmental Professional by the Institute of Professional Environmental Practice. Brian Ketcham is a Professional Engineer licensed by the State of New York who as a New York City environmental official initiated comprehensive traffic management and vehicle emissions controls. Each has more than 25 years experience in preparing and analyzing environmental and traffic impact assessments, primarily for State agencies, and developing innovative transportation strategies, as they did for the principal preparers of the DEIS on a revitalization plan for Lake Placid, NY. Both are part-time residents of Margaretville, NY who use Belleayre facilities year round and can be reached at 845-586-1506 or 718-330-0550 x122 or at csk@communityconsulting.org. See www.communityconsulting.org.

Board of Directors

Carolyn S. Konheim
Carol Ash
Rex Curry
David Locke, Ph D
Nathan Reiss, Ph D
Salvatore (Buddy) Scotto

Executive Director

Brian Ketcham, P E

Obligation of Draft Environmental Impact Statement (DEIS)

Under the State Environmental Quality Review Act (SEQRA), 6NYCRR, Part 617 and subsequent case law, a public agency cannot take a discretionary action that may have potential significant impacts without preparing a draft environmental impact statement (DEIS) that discloses the likelihood, importance and time-frame of the cumulative effects of the proposed action and parallel actions sufficient for decision makers to make an informed decision. Integral to this obligation is dissemination of the DEIS in an accessible format and providing sufficient context for the reported effects. The DEIS for the Belleayre Resort at Catskill Park fails to disclose this information in a forthright and accessible manner and, thus, does not provide the "hard look" required by SEQRA.

- Only a brief Executive Summary and Table of Contents of the DEIS are available on the website of the NYS Department of Environmental Conservation, whereas, the entire document should be web-accessible as DEC has done with the Hudson Power Plant EIS. To have only electronic versions at local libraries without the capacity for downloading, makes reviewing the lengthy document extremely cumbersome and violates the SEQRA intent of adequate disclosure for informed decision-making.
- The Resort DEIS defies the SEQR requirement to disclose the timing of impacts to understand their importance, e.g., that property taxes will not fully be paid until 2025.
- The time frames for various analyses are inconsistent, e.g., an 8 year construction period is reported throughout the DEIS with completion in 2014, except in the Traffic Analysis, which assumes operation of the Resort in 2008 and omits consideration of the cumulative effects of the planned expansion of the Ski Center.
- By foregoing the standard practice of describing the future without the project, the DEIS does not disclose the integral importance of the expanded Ski Center. In some sections, the existing facility is assumed without any assessment of the impact of the Resort on lift-lines, lodges and trails, parking by non-shuttle bus users and on use of Margaretville Hospital. Elsewhere, the full expansion is central to the market analysis and to the Resort filling the shortfall in lodging and absorbing growth in the corridor that the expansion would otherwise generate and reducing travel to the Ski Center.
- The DEIS does not disclose the probability of the impacts because it lacks any demographics of existing and potential Belleayre skiers and golfers to show that national market factors are valid predictors of success of a resort in the New York Metropolitan Area and this location, in particular.

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Adequacy of Analysis of Tax and Sales Benefits of the Resort (assumptions below)

- 1) It is disingenuous and misleading for the Executive Summary and the DEIS to list annual tax benefits to the Towns, down to the Fire Districts, as if they would be immediately available. It takes extraordinary diligence to ferret out that they will not be paid in full until 2025. This is because properties will be reassessed as they are developed over 8 years, beginning in 2006, bringing the last property on-line in 2014. The Towns' Assessors Offices have agreed that the Resort would be eligible for a business investment exemption, which reduces the assessed value by 50% in the first year and increases it by 5%/year over the next 10 years, achieving full payments in 2025. [DEIS, p. 3-205-206]
- 2) By not reporting background trend-based growth of property tax revenues over the 22 years before the full property taxes are paid to the Townships, the DEIS gives an inaccurate impression of the significance of the contribution from the project. Thus, what appears to be a 10% increase from the Resort of \$526,000 to Middletown in 2001 dollars to the total current tax levy of \$5,157,000 would be 8% if there were just a 1% annual growth in the Town's total tax levy over 22 years. If the tax levy grows at 3%/year, the 2025 Resort contribution will be 5%. At recent 8% growth rates, the Resort taxes would add 2%.
- 3) It is additionally misleading only to compare property taxes on Resort land rather than to total Town property tax revenues [DEIS, p. v, 3-204]. Thus, the 2022 tax benefits of the \$1,506,000 million to Shandaken should be reported in comparison to its total tax levy. Given the importance of this issue to local decision-makers, these contributions at various stages of the project should be reported vs. projections of future tax levies based on trends.
- 4) It is similarly misleading not to make clear that sales taxes to the counties and sales in the Route 28 corridor will take until 2022 to fully materialize. This is because 76% of resort user off-site sales are attributed to time share owners and country club members for which full operation and occupancy are forecast to take from 2006 to 2018 to achieve. [DEIS, p. 3-203, Table 7-3, Appendix 26, RCI, HVS, Table 6-3]
- 5) Most important is that there is no indication of the speculative nature of all the economic projections, since the assumptions are based on ski resorts with very different market characteristics than Belleayre, which are not described in any specific way in the DEIS. Sales forecasts (based on national averages) assume that time share and club "visitor parties" with a median household income of \$71,000 spend an average of \$170/day. In the New York metropolitan area, where DEIS assumes most of its visitors reside, \$71,000 leaves little disposable income for time-share purchases and for \$170/day discretionary purchases over and above the cost of the time-share. Indeed, the market analysis assumes households with annual incomes of just \$50,000 are among the potential buyers of time-shares at \$1,200/year and users of overnight lodging, although no cost is given.
- 6) The DEIS provides no justification for the "estimate for the purposes of this analysis that approximately half or 50 percent [of purchases] would occur off-site," or \$85 for each of 108,810 "visitor parties/year." In ski season, lift tickets, rentals and food for two would consume \$170/day; at other times, \$85 seems a bit high for off-site food and purchases.
- 7) Sales tax projections of \$718,000/year to Ulster County and \$238,000 to Delaware County. Sales tax predictions are based on \$28.3 million of sales/year after 22 years, of which \$19.2 million/year are off-site (\$7.4 million due to resort-generated income and \$11.8 from resort visitors). They rely largely on \$9.2 million from time share and country club members, assuming 85% occupancy 310 days/year. This seemingly high level of occupancy is derived from appended market evaluations of Crossroads which report an average 82% year round occupancy in northeastern mountain resorts even though they may have somewhat more "mud weeks" than Western resorts. [DEIS Table 7-1, p. 3-209, Appendix 27, RCI feasibility report, p. 119-153]
- 8) The Alternatives are restricted to other sites and configurations of the Belleayre multi-facility concept rather than considering meeting the reported existing and projected short-fall of 1,000 rooms during ski season in the hamlets in the Route 28 corridor consistent with adopted land use plans. The feasibility and travel impacts of such an alternative may, indeed, reinforce the clustering of future development adjacent to the Ski Center.
- 9) In sum, rather than inducing growth, the Resort will absorb high end growth. Thus, the most significant off-site economic impact of the Resort may be the concentration of growth

Economic Assumptions in DEIS

- a. Construction will generate the equivalent of 264 jobs/year over 8 years, but they will come largely from outside the Route 28 corridor. [DEIS, p. 3-196] Direct employment by the Resort of 665 full time equivalents [DEIS, Table 3-67] and indirect employment of 211 upon full operation of the Resort in 2022 represents an addition of 1% to employment in Ulster, Greene and Delaware counties in 1999 [DEIS, Table 3-43]. Resort-related off-site sales are expected to translate into the equivalent of 150-200 full time jobs. [DEIS, p. 7-8] Operations-related jobs would largely occur by 2018 assuming it requires four years after construction is completed in 2014 to achieve 90% sales of time-shares.
- b. Tabular breakdowns of Resort-generated sales show 42% of visitor spending occurs off-site of which \$3.23 million or 27% is at restaurants. Other expenditures are for gas and oil, recreational fees, occasional groceries, liquor, newspapers, magazines, souvenirs, crafts and antiques. [DEIS, p. 3-211-212, Tables 3-77, 79, 84, 85, 86]
- c. The projected \$19.2 million of off-site sales represents a 15% increase of the \$124.12 million in sales in a 15 zip code corridor from Bovina to Ashokan reported as "existing" but appears not to have been updated in the 2003 DEIS from the 2000 DEIS, representing 1999 sales. If sales grow by the same 2%/year prescribed by the State for background traffic growth between 1999 and 2022 (trends reported by the NYS Department of Taxation show much higher growth rates), sales will grow by 58% (2% compounded over 23 years), bringing the future sales to \$196 million and the resort-generated increase to 10%. [DEIS, Figure 7-1]
- d. Based on the forecast pace of time share and member sales and the above to some degree optimistic assumptions, 90% of these sales and sales tax benefits will occur by the seventh year of operation, which is 2013, assuming start-up in 2006. About half the benefits would occur in the fifth year after start-up, 2011. [DEIS, Table 7-3]
- e. The significance of the sales tax increase can be viewed in the context of total county taxable sales which were last reported for 3/99 to 2/2000 by the NYS Department of Finance and Taxation as \$393 million for Delaware County and \$1,770 million for Ulster County for a total of \$2,163 million, making the \$124.12 million in the corridor 6%. If these are escalated by 56% to reflect the growth in taxable sales in the counties in 2022 to \$3,418 million, the taxable on-site and off-site sales of \$31 million represent less than a 1% increase. [DEIS, Table 3-70].
- f. Commercial and retail businesses in the corridor are "unlikely to experience substantial amounts of goods and services bought by the Resort as much of this would occur beyond the Route 28 corridor. [DEIS, p. 7-4]
- g. Increased sales in the corridor are expected to be accommodated by existing businesses, through longer hours, additional employees, modifying product lines and nominal increases to floor area of existing structures, or alternatively through construction of a new 21,500 sq. ft. shopping center on Route 28, such as between Arkville and Margaretville. [The choice of location appears to be guided by a reported existing approval for an expanded A&P, rather than the location of sales, 62% of which are expected to occur in Shandaken, even though it has no supermarket.] [DEIS, p. 7-6]
- h. If all of the new commercial activity were to be developed within one project, the total land required would be between 5 and 10 acres, which is not considered significant. [DEIS, p. 7-9]
- i. The Resort is expected to "compete head-on" with existing lodging, leading to a "decrease in demand for existing lodging facilities." The expected effect of the competition is that existing lodging places will increase their "quality, not their quantity." [DEIS, p. 7-10] The presence of the Resort as a direct competitor to existing businesses is expected to stimulate upgrading of their facilities, as evidenced by the Alpine Inn. [DEIS, p. 7-15].
- j. It is acknowledged that "many overnight visitors would likely find the cost of lodging at the Resort too expensive and choose less luxurious motels and bed & breakfasts," suggesting this cast-off market would be the future niche of those facilities that do not invest sufficiently to compete with the Resort. [DEIS, p. 7-100]
- k. The Resort is expected to absorb demand for offsite lodging and second home ownership and reduce the ski area's growth-inducing effects. [DEIS, p. 7-13]
- l. Employees at the Resort are not expected to add to the housing demand because they will either come from the 23% of employees who now travel to jobs outside the county or will be willing to travel longer distances for better paying jobs. [DEIS, p.7-14]



KURT RIEKE
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465 Columbus Avenue, Valhalla, New York 10595-1336

January 14, 2004

Honorable Richard Wissler
Administrative Law Judge
New York State Department of Environmental Conservation
Office of Hearings and Mediation Services
625 Broadway
Albany, New York 12233

Re: Crossroads Ventures, LLC
Bellayre Resort at Catskill Park
DEC No. 3-9903-00059/00001

Oral Statement by New York City
Department of Environmental Protection

New York City DEP supplies about 1.1 billion gallons per day of exceptional quality drinking water for approximately 8 million New York City residents, 1 million residents of counties including Ulster and Orange – about ½ the population of the State of New York – and millions of daily tourists and commuters to New York City. DEP’s authority and responsibility for operating this water supply derives from the NY State Water Supply Act.

As described in the historic 1997 Memorandum of Agreement (MOA), “[i]t is the duty of the [DEP] to protect the high quality waters from which the City’s water supply is drawn and preserve it from degradation for the purpose of protecting the health and general welfare of [all the] communities” supplied by water from the system.

The parties agreed in the MOA “that the New York City water supply is an extremely valuable resource that must be protected in a comprehensive manner.” These parties also agreed that “the goals of drinking water protection and economic vitality ... are not inconsistent. ... It is the intention of the parties to ... cooperate in ... a watershed protection program that maintains and enhances the quality of New York City drinking water supply systems and the economic vitality and social character of the watershed communities.” These parties include the DEP, the State of New York, New York State DEC, New York State Department of Health, USEPA, the Towns of Middletown and Shandaken (individually, and as members of the Coalition of Watershed Towns, which is also a party), the Villages of Fleischmanns and Margaretville (~~where we will be meeting tomorrow~~); Delaware County, Ulster County, and several environmental groups. Therefore, all the parties to the MOA, without exception, have a mutual obligation to thoroughly evaluate the proposed project’s environmental, economic and social impacts on both the local area and the region before approving it’s construction and operation.

DEP’s West of Hudson water supply consists of 6 reservoirs with a combined storage capacity of about 460 billion gallons, covering about 1,000,000 acres, connected to each other and the system’s users by about 270 miles of aqueducts and tunnels. This system is solely reliant on precipitation and runoff to

supply the reservoirs. The pollutants present in the runoff directly affect the quality of the water supplied by the system.

The proposal by Crossroads Ventures is the largest development proposed in the Catskills in decades – possibly ever – and as proposed has many different potential impacts on the quality of the water flowing into the reservoirs. The ~~Ashokan~~ [Pepacton] Reservoir will receive about ~~45%~~ [55%] of the water quality impacts from the project, though about 58% of the total 573 acres of land to be disturbed are in eastern portion of the project, in the Ashokan watershed. ^{the}

DEP is an involved agency under the State Environmental Quality Review Act, because certain components of the project require DEP permits but more importantly due to our responsibility for protection of this extraordinary water supply under state law, which is shared by all Parties to the MOA. We are devoting both in-house and consultant resources to a thorough evaluation of the draft EIS that is the subject of this hearing. We will be providing comments in detail, in writing, before the close of the comment period.

While DEP is not prepared to discuss the specific content of our comments at any length here tonight, the areas of concern which we anticipate that our written comments will address include the following:

- the sufficiency of pollutant removal by the proposed wastewater treatment plant design and performance;
- the baseline data employed for design, and the efficacy of the proposed stormwater management controls in achieving required levels of pollutant control;
- the nature and severity of wetlands impacts from the modifications that will be made to topography throughout the development;
- the accuracy, sufficiency and reliability of hydrologic analyses and water balance calculations used in the design of the project;
- inaccurate depiction of baseline conditions, optimistic projections of economic benefits, insufficient identification and analysis of regional socio-economic and growth-inducing effects;
- economic, environmental and regional impacts during construction.

DEP has agreed to financially support the Town of Shandaken and is working with Middletown on providing similar support for their evaluation of local impacts of the proposed project.

Thank you for the opportunity to address this hearing on behalf of Commissioner Christopher Ward of DEP.

GOOD EVENING YOUR HONOR
I AM HANK ROPE SPEAKING ON BEHALF OF THE
ASHOKAN/PEPACTON WATERSHED CHAPTER OF
TROUT UNLIMITED

We will be submitting a more detailed written statement shortly.

Trout Unlimited is not opposed to reasonable development and in the past has worked side by side with developers, farmers, and government agencies in an effort to promote sound environmental practices.

The proposed Resort at Belleayre Mountain has failed to take into consideration the effect development will have on two intermittent streams it plans to surround with its golf course.

Section 2.2.5 of the Draft Environmental Impact Statement indicates effluent from a treatment plant will be discharged to the surface of an unnamed tributary of Emory Brook.

Section 3.2.2.1 indicates further that two streams will be crossed as many as five times by the golf course.

Lacking a plan to mitigate the effects of the project on the streams is a serious matter and calls for further investigation into the effect the project will have on the trout that spawn and raise young in these streams.

Let me also call your attention to New York Department of Environmental Conservation Division of Water and Technical Operational Guidance Series (1.3.1.b). A memorandum issued June 1, 1989 and subsequently reissued recommends a Waste Assimilative Capacity analysis when dealing with low flow streams. I find no evidence in the DEIS that such was performed, and ask the DEC to require such a study.

Thank You

Dennis Ladner
Diane Ladner

Over the past several years, the people of Shandaken have been repeatedly bullied, insulted, and manipulated by the developer of Crossroads Ventures and his spokespeople. One of the best-known insults was his labeling of our town as a "rural slum", and his most famous manipulation was his acquisition of the Pine Hill water supply.

Now he is continuing his manipulation through the DEIS. This process is inherently one-sided. Since the developer pays for all of the expert testimony that supposedly shows the resort to be environmentally benign, doesn't that put the entire DEIS under a cloud of suspicion? If people still depended on the Tobacco Industry studies to determine if cigarette smoking was dangerous, then many more people would still be smoking, happily, oblivious to the truth.

There are so many issues that the DEIS does not adequately address. There are many areas that at first glance have a beautiful rosy glow, until closer examination reveals the potential environmental, economic and social problems that will almost certainly arise if this resort is allowed to be built. ~~Many people in these hearings are speaking about the other problems~~ I will speak about a subject that my wife and I have some expertise in - people trying to raise a family on inadequate salaries.

The topic I would like to discuss tonight is his rather optimistic portrayal of the wages to be paid at the proposed resort. According to the DEIS, the majority of the workers will be earning \$6. to \$8. per hour. If a person works 35 hours per week at \$6. per hour, and is lucky enough to be fully employed for one year, that person would earn \$10,920. per year. At \$8. per hour, that person would earn \$14,560. If a husband and wife worked together at the resort they might bring home, say \$22-29,000. a year. If they had two children, they would fall well below the \$44,220. figure listed by the Albany Office of Fiscal Policy as the amount needed for a family of four to be self-sufficient in Ulster County. The U.S. Dept. of Agriculture and the Ulster County Office of Employment and Training both consider \$15.00 an hour, or roughly \$31,000. per year, as low income for an individual in Ulster County and neither the person earning \$6./hr or the one earning \$8.00/hr come close to earning enough to be self sufficient..

YET The
Avg SALARY
is LISTED
AS
27,000
per person

At the income level Mr. Gitter is offering, a family of four would have a very difficult time finding affordable housing, a reliable used car, or even paying

their monthly bills. Not to mention day-care costs or health insurance costs. What would a single parent do on such a small income? THIS IS NOT A LIVING WAGE!

The only residents of this town who could really afford to earn so little are students who still live at home with their parents. And I don't think Mr. Gitter is going to be able to staff his resort with hundreds of high school students. Who would be available to work during school hours?

He is going to somehow have to entice hundreds of people to move here to accept these low wages, and these people will not even be able to find housing. Housing costs have sky-rocketed in this area in the past few years. The agencies in Ulster County who monitor housing have declared that in reality there is a 0 vacancy rate when it comes to affordable housing. Mr. Gitter will have to build a low-rent village for them to live in, a "Gitterville", so to speak. He would also have to provide transportation for them to get to work, since they will not be able to afford cars. None of this, of course, is considered in the DEIS.

In the DEIS, the average income for an employee at the resort is listed as \$27,000. per year. But of course this includes the very high salaries of the upper management personnel who will be brought in from out of town, as stated in the DEIS. Through the science of mathematics, which even the simple people of Shandaken have been able to master, we can easily understand that \$27,000. per year is not what most employees will be earning. They are still left behind at \$11,000. - \$14,000. per year. based on a full years pay. And anyone who has worked at the lower level jobs in most hotels and restaurants is aware of the fact that temporary lay-offs or cut-backs in hours are frequent, as a result of the variations in the tourist flow.

unemployment is not the problem. unsustainable wages are

This resort is a mistake. It is not what this area needs, nor is it what we want. The resort is a very bad idea, falsely packaged to appeal to local people who want to improve their lives, but actually intended to make a lot of money for a very small group of people. If Shandaken is allowed to continue growing at a gradual pace, as it has over the past years, there will be more and more small businesses starting up, and hopefully they will be of a more manageable size and not so dependent on low-paying service jobs. Nor will they be so destructive to our environment and our community.

202 Battery Avenue
Brooklyn, NY 11209
June 26, 2002

Mr. Alexander Ciesluk
Deputy Regional Permit Director
NY DEC Region 3
21 South PUTT Corners Rd.
New Paltz NY 12561

Re: Public Water Supply Permit Modification #3-5150-00365/0001

Dear Mr. Ciesluk:

With respect to the supporting documentation accompanying the aforementioned permit modification, there are numerous discrepancies and anomalies, which should be taken into consideration in the determination process. Most significant of which are the results of the flow studies performed by Alpha Geoscience between January 2000 and December 2001.

The culmination of this study is presented as Table 1A in several supporting documents including:

- June 6, 2001 letter to Dean Palen
- February 28, 2002 Engineering Report
- Exhibit 5 – Water Supply Permit Modification

Flow estimations derived from the data in Table 1A form the crux of the permit modification application. However, the data presented in this report is highly questionable based on the following observations.

- 1 When comparing Table 1A included in the June 6 letter with Table 1A included in latter documents, there are stark conflicting values in rows A,B,C,D,H,I,L,P,Q,R,S,T,U,V, and W. A closer examination reveals that virtually all the values in these select rows were diminished by a 60% reduction factor. There does not appear to be an explanation for this disparity. Furthermore, the variables (rows H, C, and D) used in calculating the critical Bonnie View Spring flows are among the inexplicably modified data.
- 2 Line E, "Pine Hill Water Supply meter" also has questionable characteristics. "Zero flow" was recorded on 1/18/00 and 5/22/00. This of course is impossible for a town water supply under constant use. The inclusion of the number 0 as opposed to NM (not measured) suggests it is an actual recorded data point.

- 3 Also pertaining to Line E, the re-occurrence of values in consecutive samples is highly unusual, particularly when recorded to 3 significant digits. Town water consumption is an inherently *variable* parameter. The data presented in Line E does not represent normal variation expected for an entire town's water usage. The data is reprinted here to exemplify this point. This data is also inconsistent with the cited seasonal variations for monthly water use.

<u>Date</u>	<u>Q (gpm)</u>
1/18/2000	0
3/2/2000	NM
3/27/2000	118
4/20/2000	118
5/22/2000	0
6/26/2000	118
7/26/2000	114
8/29/2000	114
9/28/2000	112
10/26/2000	112
11/28/2000	113
12/27/2000	NM
1/30/2001	113
2/28/2001	113.5
3/29/2001	113.4
4/25/2001	119
5/30/2001	113.4
6/29/2001	112
8/30/2001	80
10/1/2001	102.5

Based on the preceding points, the results of Alpha's flow study and any flow estimates derived from on this data is rendered suspect. It is recommended that an explanation of the discrepancies as well as disclosure of sampling procedures and QA/QC (calibration) documentation for all recording instruments used in the collection of this data be requested from the Engineer.

There are further irregularities regarding the estimated flows of the Bonnie View Springs, even if Table 1A was assumed to be accurate. Section 3.2 of the Application indicates September 2000 as the low flow month from which a conservative average monthly flow was calculated to be 273 gpm. This flow is based on the version of Table 1A (Dean Palen letter) with the exaggerated flows. In contrast, Table 1A from the Engineers Report yields an average monthly flow for September of only 143.5 gpm using the same formula:

$$Q = 0.7(H-C+D+E+F)$$

In any case, it appears that the actual low flow during the 2-year study occurred in August 2001, not in September 2000. Section 2.1.1 in the Engineer's Report incorrectly reports the August flow as 87 gpm. By using the above formula, and the August 2001 data from Table 1A (Engineers Report), a value of 100 gpm results from the calculation. Using the criteria of 30% less this value (from Application section 3.2), the correct conservative average monthly flow should be 0.7(100 gpm) or 70 gpm, which is considerably less than the 273 gpm cited in the Application. The Application value is clearly based on overstated flows, which does not accurately represent the Bonnie View Spring production during low flow month.

With regard to the Station Road Well Pumping Test Report:

Since the wells have been shown to be hydraulically connected, a simultaneous pump test would have been more appropriate than two independent tests for the Station Rd well and Well #1 in determining the potential yield. The cone of depression from the Station Rd well clearly extends to Well #1 and beyond. Thus the piezometric surface is diminished at Well #1 even when Well #1 is not pumping. If Well #1 is pumping simultaneously, then the two respective cones of depression will intersect and could considerably affect the state of equilibrium between recharge and pumping. Individual well tests are not representative of the hydraulic conditions, which would occur if the two wells were operated simultaneously. Further support of this statement comes from Dunne and Leopold, "Water in Environmental Planning", Freeman and Co. 1978.

The cones of depression from neighboring wells will eventually intersect if withdrawals continue to exceed recharge. The largest and deepest wells will draw water from below the shallower wells, taking away their water supply.

...The cone spreads away from the well until its form is in equilibrium with the rates of recharge and pumping. Around large well fields, the cone extends for several kilometers and takes years to equilibrate, even if there is an adequate recharge.

Based on these inconsistencies associated with the documents in question, it is strongly suggested that all supporting material for this application be thoroughly scrutinized to ensure accuracy and reliability. If accuracy is not ensured, the support documents should be omitted from the review and the Application would have to be denied.

Regards,

J. Andrew Habib
Environmental Engineer
Consultant to Pine Hill Water Coalition District

As a local property owner and business owner, my concern is the raising of my taxes through the stress on local resources. All the members on the Planning Board and the Zoning Board of Appeals are volunteers. To my knowledge, none of these people has experience with large commercial buildings. Neither in reading blueprints, structural stress loads, water needs, employee housing, parking, security, fire protection, lighting, road maintenance, energy needs, etc., for buildings of this magnitude. Shandaken has no building inspector. I know that when Target was being built in Ulster it was difficult for the home owner to get an appointment to have the building inspector approve home improvement plans.

These boards will be overloaded without the resources to either approve or deny plans. How long will a person have to wait to build a simple deck? Until the developer's project is finished? Eight years? Twelve Years? Since Shandaken relies on the County Building Inspector to approve building now, who will be inspecting this massive project and inspecting local housing projects? With just one zoning officer, who will ensure that all zoning laws are upheld? How many people will Shandaken have to hire to ensure a project follows the plans? How many people will Ulster County have to hire? Where is this money suppose to come from? Certainly not from the developers with the business tax incentives they will receive. Certainly not from Shovel Ready Funds. Certainly not from HUD. This strain on our resources, isn't even considering raised school taxes from the influx of workers children. This is just town property taxes. At the expense of one man's folly? Why? There is no justification for this project on any level.

Thank you Peter D. Sclafani
5355 Rte 212, Mt Tremper 12457

Comments on Belleagre Resort Project

1. The lead agency and municipality are relying very heavily on Mr. Gitter and his development team. A flip clause is therefore an indispensable condition of his approval. It should be provided that if Mr. Gitter's development entity does not retain control of at least 51% of the project than the EIS would have to be reopened and the application reprocessed.
2. A major residential component is conspicuously absent in Mr. Gitter's grandiose resort plan. Once his project is approved and the market established, the immediate market area will be inundated with applications adding up to 1-to several thousand new residential units. So far as I know, none of the multiplier effects for these additional and foreseeable impacts have been addressed by Mr. Gitter. It is imperative that this be done.

*Barbara Silver
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February 3, 2004 Public Hearing Statement

It's good to be here. First of all, I'd like to tell you a little about myself. My name is Patrick Kelly, I'm a writer and editor who lived for many years in New York City, and recently ~~located~~^{relocated} to Mt. Tremper. Over the years I've been a frequent visitor to this area, so I feel I have one foot in each place. I care about both the Catskills and the city, and I truly believe that, while there are important differences, what's good for this community is good for New York City. After all, we share the same watershed, which is what I'd like to speak about tonight. I'm very concerned about the impact of this development on the watershed. With all due respect to those who feel otherwise, I'd like to explain why I think the Belleayre Resort is a bad idea, one likely to cause significant harm to both the Catskill region and the city downriver.

As many of you probably know, the Catskill/Delaware watershed supplies around nine million people in the New York City area with high-quality, naturally filtered water. In fact, the city's water supply is the envy of large metropolitan areas across the country—a situation likely to become more pronounced in coming decades as the planet's supply of fresh water comes under increasing strain. Since Congress ratified the Surface Water Treatment Rule, a provision of the Safe Drinking Water Act, in 1989, the EPA has required cities to filter their water. However, in 1993 and again in 2002, the New York DEP successfully applied for a waiver of the filtration requirement. The filtration waiver represents a huge financial boon to the city. As John Cronin and Robert F. Kennedy, Jr. wrote in their 1997 book *The Riverkeepers*,

Filtering the Catskill/Delaware system would cost real money—an estimated \$8 billion for construction and an additional \$300 million *per year* for operation! The liability would cause the city's bond ratings to plummet. Water rates would double. Thousands of rent-controlled housing units in the city's poorest neighborhoods would be promptly abandoned by landlords as escalating water rates devoured marginal profits. Worst of all, after these calamitous expenditures, no New Yorker would be able to look at his neighbor and say 'Our lives have improved.'

Needless to say, because tourists from New York City directly benefit the Catskill region, a blow to the quality of life in New York City would impact this community as well. Cronin and Kennedy continue:

In fact, conventional filtration would not remove many of the pollutants and organisms associated with watershed development. Pesticides, road salts, petrochemicals, and trihalomethane (a chlorination by-product that causes thousands of rectal and bladder cancer deaths annually) are

unaffected by filtration. Disease-causing organisms and viruses can often outsmart the most sophisticated filtration systems once source water becomes contaminated. In 1993, 450,000 Milwaukee residents were sickened and 100 died when that city's filtration plant allowed cryptosporidial cysts to pass through untreated. In a city the size of New York, a comparable epidemic would kill thousands and sicken millions. Most important, the requirement to filter would leave the city without the obligation, the political will, or the proper financing to protect its watershed.

On a more personal note, I remember turning on my faucet a few years back, during the height of the 2002 drought, and catching a foul chlorinated smell rising from the water. It was particularly noticeable when you turned on the shower. You certainly didn't want to drink it. The water smelled that way for several weeks. I never looked into the matter to determine exactly what was going on, but several acquaintances reported similar experiences. At the time I was living in upper Manhattan, which is not one of the city's wealthier neighborhoods, and I suspect—though I have no proof—that the drought forced the utilities to supply some neighborhoods with heavily treated, poor quality water.

My point in raising these issues is not to frighten people, only to stress how much is at stake. Building a giant resort in the heart of the city's primary watershed represents a huge gamble. Of course, the developer has stated that watershed effects will be kept to a "minimum." However, close scrutiny of the Draft Environmental Impact Statement raises a number of disturbing questions. Consider the following points, which were brought to my attention by a scientist friend:

- 1) The DEIS presents only computer modeling as proof of the safety of the use of chemicals on the golf courses. This is not acceptable proof in law. Actual studies on-site or in real, comparable settings are necessary. In fact, it appears that actual tests of the runoff and leaching of chemicals cited in the DEIS were conducted on carefully controlled grassy plots for university research. That neglects such factors as the average 28% grade of the land; the fact that over 500 acres are to be clearcut and blasted, thus eliminating the natural water filter; the unpredictable nature of the weather (consider the long and persistent rains which occurred last spring and summer); and the fact that Belleayre Mountain receives more rainfall than any local mountain. [To quote from the U.S. Golf Association's publication "Turfgrass and Environmental Research Online" (Volume 1, Number 3, April 2002) by Michael P. Kenna and James T. Snow, "It is time to move the direction of environmental research from university plot studies to full scale monitoring of individual golf courses and the watersheds in which they reside." Is Belleayre Mountain to be the testing ground to determine how these poisonous chemicals spread and are taken up by wildlife and humans?
- 2) According to Environmental Defense, which obtained its data from the EPA and other sources, all of the chemicals proposed for use in Appendix 15 of the DEIS lack at least some of the data required for assessing their safety and appropriate

concentration limits. In fact, so little is known about the ecological and medical effects of all but 11 of the chemicals mentioned that an arbitrary standard ambient level of 50 parts per billion was chosen in leaching simulations. (cf. pp. 10-12 of Appendix 15) Seven chemicals found to be "safe" showed leaching concentrations of between 26% and 76% of this arbitrary value. Moreover, for 8 of the 11 other chemicals, the quoted actual guidance level was less than 50 parts per billion. In one case, it was as low as 1.8 parts per billion! In other words, the Fertilizer and Pesticide Risk Assessment included in the DEIS contains a significant amount of guesswork. Given the dearth of reliable scientific data, is it conscionable to use Belleayre Mountain and the watershed of which it is a part as a testing ground?

A cautionary anecdote may help to illustrate some of ^{the} problems with the rosy simulations put forward in the DEIS. Mr. Gitter has referred to the DEIS as a \$4 million report that speaks for itself. Well, some of you may recall the fate of the Mars Climate Orbiter, a \$327 million unmanned probe that NASA sent to Mars in the late 1990s to study that planet's climate. As it approached Mars, the probe was lost. Engineers gave up the search after determining that the probe had crashed into the Martian surface. Subsequent investigation revealed that one group of engineers had used the U.S. system of measurement (pounds, inches, gallons), while another group had used the metric system (grams, meters, liters). This seemingly small oversight mushroomed into a catastrophic miscalculation, resulting in the loss of the entire mission. Set aside for a moment the fact that the DEIS was prepared specifically for Crossroads Ventures and that many have reported difficulties in accessing it. The lacunae and the guesswork in this document suggest that a miscalculation is a real possibility. Only here we are dealing not with an unmanned probe and an uninhabited planet, but the primary watershed of the nation's largest city.

In light of the possible ^{with} consequences, these concerns should give pause to anyone genuinely concerned ~~the~~ the future of this community and the people of New York City. At the very least, the review period of the DEIS needs to be extended so that the public may better inform itself.

As for the long-term future of Belleayre Mountain, there is an alternative. Since 1997, New York City has acquired over 50,000 acres of environmentally sensitive watershed land under its Land Acquisition Program. Just last December, Mayor Bloomberg committed an additional \$25 million for the acquisition of environmentally sensitive land in the Croton watershed. I would like to propose that the city purchase at fair market value the land on Belleayre Mountain and maintain it for prosperity as is, in its current, undeveloped state. I would also like to challenge Crossroads Ventures to invest in small-scale, local development—the kind of development that would improve the community's economic prospects without forcing it to make a spurious choice between jobs and the environment.

I'd like to leave you with a short and particularly topical passage by the poet Gary Snyder, from his essay "Coming into the Watershed"

A watershed is a marvelous thing to consider: this process of rain falling, streams flowing, and oceans evaporating causes every molecule of water on earth to make the complete trip once every two million years. The surface is carved into watersheds—a kind of familial branching, a chart of relationship, and a definition of place. . . . [We] must hold the watershed and its communities together, so our children might enjoy the clear water and fresh life of this landscape we have chosen. From the tiniest rivulet at the crest of a ridge to the main trunk of a river approaching the lowlands, the river is all one place and all one land.

Thank you.

Bird, Reptile and Amphibian Surveys

My name is Dennis Reil. I'm a resident of Mt. Tremper. My address is P O Box 197, Mt Tremper. I wish to speak today on Appendix 20 of Crossroads Venture's DEIS. As an avid hiker and amateur naturalist I am concerned about the proposed impact of the project on the native flora and fauna of Belleayre mountain and the surrounding area. Others have spoke eloquently on other concerns such as water quality, traffic, social, and economic impacts; so I needn't repeat what has been said. I don't believe that anyone has addressed the wildlife surveys of this document.

From careful reading of the document, there are three main points that need to be addressed.

First, the information given in Appendix 20 on threatened or endangered species is not sufficient. The document makes the same three points for both its bird survey and reptile/amphibian surveys. The first is a letter from Mark W Clough of the US Fish and Wildlife Service. In it he stated that "there are no known federally-listed or proposed endangered or threatened species under the jurisdiction of the USFWS in the project impact area." Yet the project area is private land; not federal property. The USFWS has no jurisdiction in the project area. Also there are differences between federal and state lists of endangered and threatened species. For example, the timber rattlesnake is not listed as protected under federal regulations but is listed as threatened by the state of New York. The Appendix clearly states that the timber rattler is a species that could be found in the project area.

The second letter is from Betty A Ketcham of the New York Natural Heritage Program. In it she indicates that "no records of known occurrences of rare or state-listed animals or plants, significant natural communities, or other significant habitats, on or in the immediate vicinity of [the project sight.]" While the New

York Natural Heritage Program is a worthy organization, it depends on all its data from volunteer sightings. Its use in environmental review is dubious at best. The words "immediate vicinity of the project site" have significance as there are reports of rare or state listed animals and plants in the surrounding areas. For example, a timber rattler was reported in Phoenicia, which is not even prime rattlesnake habitat.

These two letters which form two thirds of the documents presentation on threatened and endangered species aren't even provided in the appendix. They should be provided to avoid the danger of any statement in the letters being taken out of context.

The document's last point on threatened and endangered species is the field surveys themselves. They found no endangered or threatened species. Were they adequate and done at the proper times of the year? This will be addressed later during my third main point.

My second main point is the questionable sources cited by The DEIS to support their findings. Throughout the document they use the NYS Herp. Atlas to support their conclusions in the reptile and amphibian surveys. In fact this atlas alone was used to decide what potential species would be encountered in the project area. It was even quoted erroneously as stating that there are no rattlesnakes in the project area. The problem with using the Herp. Atlas is actually printed in the beginning of the Herp. Atlas itself. It states on its cover page: "The Maps on this page reflect the current distribution of species based on data collected for the Atlas through 1998. Data from the Atlas should be carefully considered before it is used for environmental review purposes. The data collection phase ended on December 31, 1999. The most recent data are not reflected in these interim maps." Looking at the Atlas, one finds only lists of species with little or no information on each. The maps are on such a large scale that is impossible to pinpoint where species were specifically located or seen. The 7.5 minute quadrangles on the map are merely shaded yellow to indicate that a species was seen

in the entire area. The Atlas is a work in progress as the quote cited freely admits, yet this was the primary, almost exclusive source cited for the reptile/amphibian surveys.

The document uses the NYS Natural Heritage Program to defend its claim of no threatened and endangered in the project area. Yet its database relies totally on volunteer information. Its value in an environmental review is limited.

The sources cited for the Bird Survey are all dated information. The list of species was again compiled using a single source. In this case; "The Atlas of Breeding Birds in New York State"(1988) Other books cited range in dates from 1976 to 1990. That 14 years old for the latest book. While these are fine resources they are dated.

The last main point deals with the field surveys themselves. Only general information is given on how the searches were carried out. Data recorded for each siting is not presented in the document itself (e.g. weather, temperature, time of day, behavior) and only rudimentary information was given on location. There were no maps showing locations of species when discovered so as to show concentrations of species in the project area.

The survey dates were May 5,10,11,12; June 7,8,9; and July 6. May 12th was specifically for the bird survey and July 6th for the reptile/amphibian survey. On only four of the eight survey days were there an early morning start (6am) six of the eight days were split with the bird survey in the morning and late afternoon and the reptile/amphibian survey around midday. Was adequate time given to both surveys?

Appendix 20 doesn't tell us how many people were involved in the surveys. Careful reading of the document suggests one person only. There are numerous references that mention the observer/searcher in the singular. If this is true, was one person sufficient to conduct both surveys properly in the time allotted?

I'd like to address both surveys individually; First the bird survey: As has been mentioned there were four 6am starts. On the

other three days starts were later. Yet the optimum time to record bird species is right after sunrise. Even the 6am starts are well after sunrise on those days. At what time in the morning did the surveys on May 5, 10 and June 7th start?

Also, the dates for the bird survey precluded seeing a large amount of migrant species. I repeat an Audubon Society request that independent, adequate surveys be done at the proper times of the year.

There are unfortunately many problems with the reptile/amphibian survey. First, the weather was cool and dry during the survey period as the document freely states. The text states it thus limited the searches to one nocturnal survey. It doesn't say what effect such weather had on the daytime survey. Such weather conditions are significant as most snake and reptile species would be inactive and under shelter at such a time. In fact all four snake species were found during the one day of good weather (July 6). Surely, additional days of good weather were needed to do an adequate survey.

Second, the areas of survey concentration need to be questioned. There are five areas cited. (1) In brooks flowing through upland forests, (2) Along brook borders, (3) Along old logging roads and hiking trails, (4) Around old buildings, and (5) in targeted areas off logging trails where the observer went to nearby habitats such as rock outcrops that could be potential denning areas for certain species of snakes. These areas suggest that searching was done only along water courses, trails and roads. Only the 5th area in question, were off trail searches done and then only in specific areas nearby to logging trails. It seems that little "bushwhacking" was done. This is important as it is in these rock outcrops that the most likely threatened species, the timber rattlesnake is to be found.

The Appendix states that because of bad weather, only one nocturnal survey was conducted. Here I quote: "The night-time survey took place in order to encounter migrating or foraging amphibians or snakes that would likely be encountered on

roadways, and to make chance observations of road-killed specimens. The survey was conducted by road-cruising at low speeds through the few sections of the project site that contain roads.” Are we to believe that an adequate survey can be conducted by car? If this is acceptable what does it say about the other surveys thoroughness? One look at the few sections of road in the project sight is enough to tell one that little of the project area was covered in the nocturnal survey.

The text states that no vernal pools or areas of standing water were found; (and therefore no wood frogs or spotted salamanders) This is a common habitat in the area due to the large amount of clay in the soil. All that is needed is a small depression in the forest floor. These pools tend to be seasonal and dry up in less humid weather. (Such as that encountered during the surveys)

February 1, 2004

Brief DEIS Review - Cross Roads

By Lance Hoffman

I'm a Civil and Environmental Engineer who specializes in Water, Wastewater, Hazardous Wastes, and Alternative Energies. As my Forefathers, my wife and I live in Shandaken. From my home we will be able to view the Cross Roads project. In my lifetime I have already observed the decline of fish and animals in and around the Catskill Park. Over the years, as I have piloted an airplane over the Catskill Park and surrounding areas, I have observed the ever-constant changing landscape from beautiful majestic mountains to sporadic urban sprawl. I have observed that the Fox Hollow Crick has become intermittent in several recent years, the thick spongy "carpet" of moss that used to cover the stream bed, gone forever, do primarily to development and a waning water table. This project must be appropriate for^{the} area, be of Environmental and Economic soundness, and meet all Regulatory criteria without exception. More detail must be required in this DEIS, and a "harder look" at the potentially significant environmental impacts must be demanded. An alternative such as eminent domain, as previously suggested by Professor Chase, who presented a statement about this project earlier in the review process, must be considered as an alternative that would feasible avoid the environmental impacts and take into account the social and economic circumstances.

I have performed a brief review of about 900 pages of the DEIS. It was very difficult and not user friendly. It differed from past Statements I have had the opportunity to review. For example, the description of the project was repeated in every section that I looked at; in other impact statements I have found the description in the introduction and is stated only once. The data seemed difficult for me to interoperate, and I saw no definitive conclusion at the end of each section. It leaves one searching for a conclusion as to the real impact that each section of the project would have on the environment and economy. There were aspects of the data that seemed to contradict each other, and still other data was based on an improper source for that application. Though a good effort was put into the Engineering aspects of the DEIS, it appears to me, and is of my opinion as well as other engineers, that some things may have been inadvertently overlooked. Some items in the DEIS don't seem to hold paramount the safety, health, and welfare of the public and don't appear to strive to comply with the principles of sustainable development (Defined as the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development)¹.

I discovered a study by Cornell Cooperative Extension that shows the draw from large volume wells is sufficient to begin a plume of toxic chemicals from a "Super Fund Site" and hasten their migration through our most precious and valuable commodity on earth, pure clean ground water, possibly to the very wells that the Town's of Middletown and

¹ American Society of Engineers, Standards of Professional Conduct

Shandaken residents draw their water. Imagine the immense draw on our water table if this project is permitted by the Town of Shandaken to be constructed at even one-hundredth of its design scale? Could this contamination happen in this project? What do you think would happen to our ground water if the equivalent of 800 wells were drilled on this project? What toxins would be drawn in? What is the concentration of minerals now? Will we have hard water? Will our water table re-charge from our rains? Will we have enough water during the dry season? Once it is gone or polluted, we can't bring it back. According to the EPA, "polluted runoff is the greatest source of water quality problems in the United States", will this toxic mix enter our ground water or run into our streams, endangering the health and welfare of over 9 million people and countless other living organisms, causing another great expense of a "Micro-Filtration Plant". Recently I had to perform a runoff model for a small project off of Route 28, in the same area of the Cross Roads project. NYSDOT Engineers dictated that I use a 100 year 24 hour storm event. Why does the DEIS base their study on a 10 year storm event? What assurances can be shown that a 100-year storm won't occur? What studies have been done in regards to the protection of Villages, Bridges, Roads, Schools, People, and others down stream? What if the detention ponds were to overflow/fail? I see that the U.S. Natural Resources Conservation Service (NRCS) Technical Release 20 (TR-20) was used to calculate the Runoff, but what happened to the "Sheet Flow"? This is usually shown along with the "Shallow and Channel Flow". I reference "Water Resources Engineering by Chin, Prentice Hall 2000, Chapter 6, Section 6.4, page 353. I see a high CN number used but no provisions of the severe erosion caused from the huge amount of Runoff on this barren soil. Will all the turbidity flow into the detention ponds, or will a large amount flow into the stream? Joe Habib a fellow Engineer, also has problems with some of the Data presented in the DEIS. How are they permitted to clear such large areas? There are so many Technical flaws throughout many of the sections of this DEIS I have looked at, I reason the DEIS does not hold paramount the safety, health, and welfare of the public.

Why did NYS re-build the Friendship Lake? Wasn't there a concern that if it were made larger (about one-tenth of the size of one of the proposed Cross Roads detention ponds) there would be a potential flooding problem downstream? Wasn't that to make snow? If the water table drops because of this project, did we just waste tax dollars again? Will the supply be enough for snow making 15 years from now? Should we be concerned about the size of the detention ponds? Will they accumulate toxins from runoff on the golf course? I hope we don't wind up in the dire straights of financial ruin that Vail and other sky centers are beginning to suffer.

The massive excavation will create mass dewatering. How is this addressed and de-contaminated? When the Margaretville STP was built in the late 90's such massive dewatering was performed that neighboring ponds waned to mere mud puddles. The entire water table was drawn down during this construction phase. What happens if an impervious clay layer is broken through when you are blowing up the entire mountain? Will toxic runoff flow directly into the water table? How do you plan to treat the nitrate-laden runoff? Explosives cause many environmental problems, just ask the EPA about "Super Fund Sites" and how many of our tax dollars have been spent to attempt to make these areas less toxic.

It is usual and standard construction practice to perform what Engineers call “Cut and Fill” when working on a construction site. Cut and Fill means you simply remove material from where it is high and fill in a low spot with the excess burden. It appears that allot of material is to be removed and allot of suitable material must be trucked in to this project. You don’t need me to do the math for you to figure out how many truckloads will have to be trucked off site to some unknown location. How many miles away will this need to be trucked? How will this stock piled material be protected from precipitation, causing yet another runoff problem? How much suitable material will be trucked in and from where? Will our highways withstand this extra burden of all these vehicles? Ask the State DOT Engineers what traffic loads the roads and bridges are designed for. I have to wait at 6:15 am every workday morning just to get out on to Route 28, if this project is allowed to go any further, do we then need the expense of traffic lights? What about this additional “Tire Rutting” of our highways? There are too many cars now! How many entrances go in and out of this project? Are there enough for a terrorist evacuation? Who will pay for the repair of the roads once they have been worn out and pot holed due to the unanticipated burden of heavy construction vehicles and construction personnel? Once the Mountain is destroyed, there won’t be any putting it back! The State wants to make nice trails and recreation on one side of the mountain and blow up the other side. This doesn’t make any sense.

What about the “Wetlands”? How is the Army Corps of Engineers letting this one go by? If anyone else, except Catskill Ventures or Silk or whatever you call your devastating selves tried this, they would not be granted a permit to virtually ruin the wetlands. It is said because these Wetlands are isolated? What’s with that? Maybe we should ask John Stossal?

What about the DEC decision and denial of the Golf Course in the Wittenberg State Park when that was being planned a few years ago? There is more water running in that area than at the head of the watershed where Catskill Ventures is proposed. But... What did the DEC site for the reason for not putting a Golf Course there in Wittenberg? Wasn’t it lack of adequate water supply? How many people can play golf in the less than four-month season and how many courses do we need? Isn’t there enough now?

Are the Fire Protection plans detailed enough? Who is buying the pump and ladder trucks? Ask our local Firemen, “What size of a truck will we need to reach the center of those huge stadium size buildings?”. The equipment must be in place and full crews trained before any thoughts of construction could possibly be entertained. Where do we find the time for volunteers to train? Where do we house this free equipment when Cross Roads delivers it? What happens in the winter when the detention ponds are frozen solid and the temperatures are below freezing? Will the fire hydrants be able to provide enough water? How much and how far will 5” hose be needed to supply adequate water flow on the fire? Where do the additional police and ambulance come from? NOT MY TAX DOLLARS! Tax dollars are going to be generated by this development, eventually, but, what assurances that amount of money will be enough. What about those tax breaks that Cross Roads has been offered? Assurances must be made that our taxes will not be increased, but rather decreased by this project.

I am concerned with noise pollution. What about when Gitter/ Cross Roads said they must put a fence by the Emerson Fiasco in Mt. Tremper to keep out the current noise generated by the present traffic. I don't want a fence, but I sure do agree about the huge amount of noise pollution already produced on Route 28. What will this huge fence do for the scenic beauty of the Route 28 Corridor? Who is going to pay for 60 miles or more of fence if the resort is allowed to go in at even one-hundredth of the proposed scale? We surely need protection so that as Gitter said "We may sleep".

I briefly analyzed the hydraulic loading presented in the DEIS. In Appendix 8, Section 2.1, I found the total average daily loading to be 108465MGD using the Ten State Standards of only 100 Gallons per Capita per Day. If only 2000 people use this part of the facility in one day, one could do the math and realize that .2MGD is more realistic. Reading further along the DEIS states this is based on an average population of 500. Did they did mean 5000? There is also mention of connecting to the current Pine Hill WWTP. Will that then restrict the growth of the Village, or was that the plan all along? This project will cause additional runoff that may flow into the Village. What about a Storm Water Runoff Plan for the village of Pine Hill?

What about Lights? Will anyone remember what the night sky will look like? Will our tax dollars have to pay for these streetlights in 10 years from now when all the streets and roads are turned over to the towns for maintenance? We have far too many streetlights that our tax dollars pay for now, this is supposed to be the country, use a flashlight or see by the moonlight. The snowmaking lights on Belleayre are bad enough! Shandaken Zoning regulations restrict lighting. Will we have to pay to maintain these roads once three or more houses are built on them?

Air emissions? Buildings this large must have a big boiler. Are there coolers and scrubbers on the stacks? We do not need anymore acid rain, as we already get enough. We also have enough particulate in the air. The emissions from the cars and trucks currently are terrible enough.

Perhaps we could ask Donald Trump if he sees any potential for some competition of a casino, or is he already looking at the Catskills with Catskillantic City in mind? We can't afford to gamble on the chance, especially if we don't have the money to back it up if it does inevitably fail.

Where will all the trash go? This is the size of Shandaken in population, but will probably produce a larger amount of trash. Where will this be trucked? Who will do the recycle sorting at the resort? Our landfills are getting full, as they do the price for everyone goes up. Why make the trash expense go up faster? Will this affect the current trash pick-up?

I suggest a Pilot Plan Study. All plans should be put on hold until at least a two-year study of a similar facility, though substantially smaller in size, the Hannah Country Club be undertaken. Though Hannah is not located on as steep of slope, and far less earth was displaced, this is at least, is the closest model we may observe. The results should be multiplied exponentially to accommodate the size difference, as well as a safety and growth

factor calculated in. Then, a more complete realistic model may be carefully reviewed. We would be able to study the effects of the Golf course toxins in this pilot study as well. During Hannah's construction, I observed, during an ordinary rainfall event, the high turbidity of the water that flowed down the mountain stream into the Delaware, "chocolate" colored and laced with unknown amounts of heavy metals, arsenic, silts, sands, phosphorus, nitrogen, pathogens, mercury, lead, and a multitude of toxic compounds that poured into NYCDEP Reservoir. This would surely spell disaster to safety, health, and welfare of the public should a similar situation occur on Cross Roads.

For additional information to protect our safety, health, and welfare, I will quote a news brief from "Environmental Protection Magazine", it states, "The EPA has issued a new policy that provides guidance on liability protection under the Comprehensive Environmental Response, Compensation and Liability Act (also known as Superfund) for landowners who own property that is or MAY be contaminated by a neighbor's action", "To meet the contiguous property owner liability protection requirement, a landowner must meet the statutory criteria that include but are not limited to: demonstrating that he did not cause, contribute or consent to the release of hazardous substances; is not affiliated with a liable party in any way (familial, financial, contractual); and has taken reasonable steps to stop any continuing release, and prevent or limit human and environmental exposure to the hazardous substances". This policy, is one of many that I have discovered, that Cross Roads should prove to the governing agencies that they are or would not be in violation there of, before issue of any permit. It is available on EPA's Web site at: www.epa.gov/compliance/resources/policies. Water is our most valuable resource. The American Water Works Association states less than 1% of the world's freshwater resources are actually accessible for human use. There are over one billion people, or roughly one-sixth of the world's population, lacking access to safe drinking water. By 2025, shortly after this project is predicted to be fully functioning, half of the world's population, or 3.5 billion people will face series water shortages as groundwater supplies are consumed faster than they are replenished. In conclusion, I ask that these and a multitude of other concerns be fully addressed.

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Statement to the DEC on the Proposed Belleayre Resort at Catskill Park
February 3, 2004

My name is Maureen Nagy. I have been a resident of Pine Hill for 15 years. I have an interest in history and serve on the Town of Shandaken's Bicentennial Celebration Committee. I oppose the proposed Belleayre Resort because it is too large and because I believe it will negatively impact the area's strong community character.

I'd like to take a moment to describe that character. When you come down Route 28 through Boiceville into Shandaken, you enter the pleasing, cohesive landscape of the Central Catskills. It is a harmonious composition of historic hamlets, scenic mountains, waterways, the railroad line, old roads and homesteads. The area has evolved gently over time, so that the new blends comfortably with the old. The historic fabric has survived miraculously intact. It tells a picturesque and appealing story of turn-of-the-century vacation towns and hotels, the Ulster & Delaware Railroad, and the days of quarrying and furniture making.

Though unassuming, this landscape, as it is, is powerful. It draws tourists, second-homeowners, nature lovers, artists, craftspeople, entrepreneurs, professionals, retirees, urban refugees and independent spirits. Many, many people have turned their lives inside out to be here. What has happened is that – unlike other places -- the authentic scenic and historic landscape of the Central Catskills has survived long enough to be valued.

The State recognizes historic landscapes. This is one of national importance.

Now it is endangered. The project Crossroads has conceived is at odds with existing community character and quality of life. This high-powered resort scheme seeks to introduce glitz, gloss, slick packaging, and pretension. The distressing predictability of condos and timeshares. In small doses, it wouldn't matter so much. On the scale proposed, it changes the area forever.

The iconic adjective in Belleayre Resort literature and promotion is “world class.” What others and I are pleading with you to understand is that our area is in a class by itself. Please help us keep it that way and do not allow this project to go forward.

I would like to point out the following weaknesses in the DEIS on the subject of impact on community character.

1. There is a statement on page 16 of the Executive Summary and section 3.8.2, on the topic of community character, that claims historic precedent for this project. The statement reads: The proposed project will re-introduce resort development into an area that historically supported such development locally and on a large scale. That statement is misleading. There is no historic precedent for a plan of this scope. The developer made a claim on NPR's Vox Pop that hotels such as the Grand Hotel in Highmount provide historic precedent. The Grand Hotel ^{which opened in 1881} was a single hotel on a much smaller piece of property. ^{A map from earlier than the late 1960s shows the acreage at 95 acres. That is 5% of the Belleayre Resort assemblage.} ^{when the hotel closed, which I attach} ^{not date from before 1966} ^{There is no comparison,}

But the Grand Hotel aside, the development that happened at the time was overwhelmingly small scale and hamlet based, consisting of small hotels and boarding houses. The hamlet of Pine Hill had 44 establishments in its heyday, according to ^{various histories.} ~~historian Nancy Smith's book on Pine Hill.~~ This is a very different type of development than the sprawling centralized vision now being

proposed. It is also the type of development favored in a survey conducted by the Town of Shandaken in 2000 in which 700 individuals participated.

The real historic precedent operating in this area is one very different in character from the type of resort advanced by Crossroads, an enclave for the rich. I'd like to read a paragraph from a book by historian Alf Evers entitled *In Catskill Country*:

“Before the railroad came, the northern Catskills of Greene County had been a summer resort for prosperous urban people. The U&D opened up the central Catskills as a resort for low-income people as well as for the rich and for a few millionaires who set up huge estates . . . City people responded with enthusiasm. Girls who worked in the sweatshops of New York's expanding garment industry could now afford a healthful and satisfying vacation in the mountain country, thanks to low rail and steamer fares and the proliferation of low-cost boarding houses.”

Critics of the resort plan favor democratic, modest scale development consistent with the real historic precedent of the area.

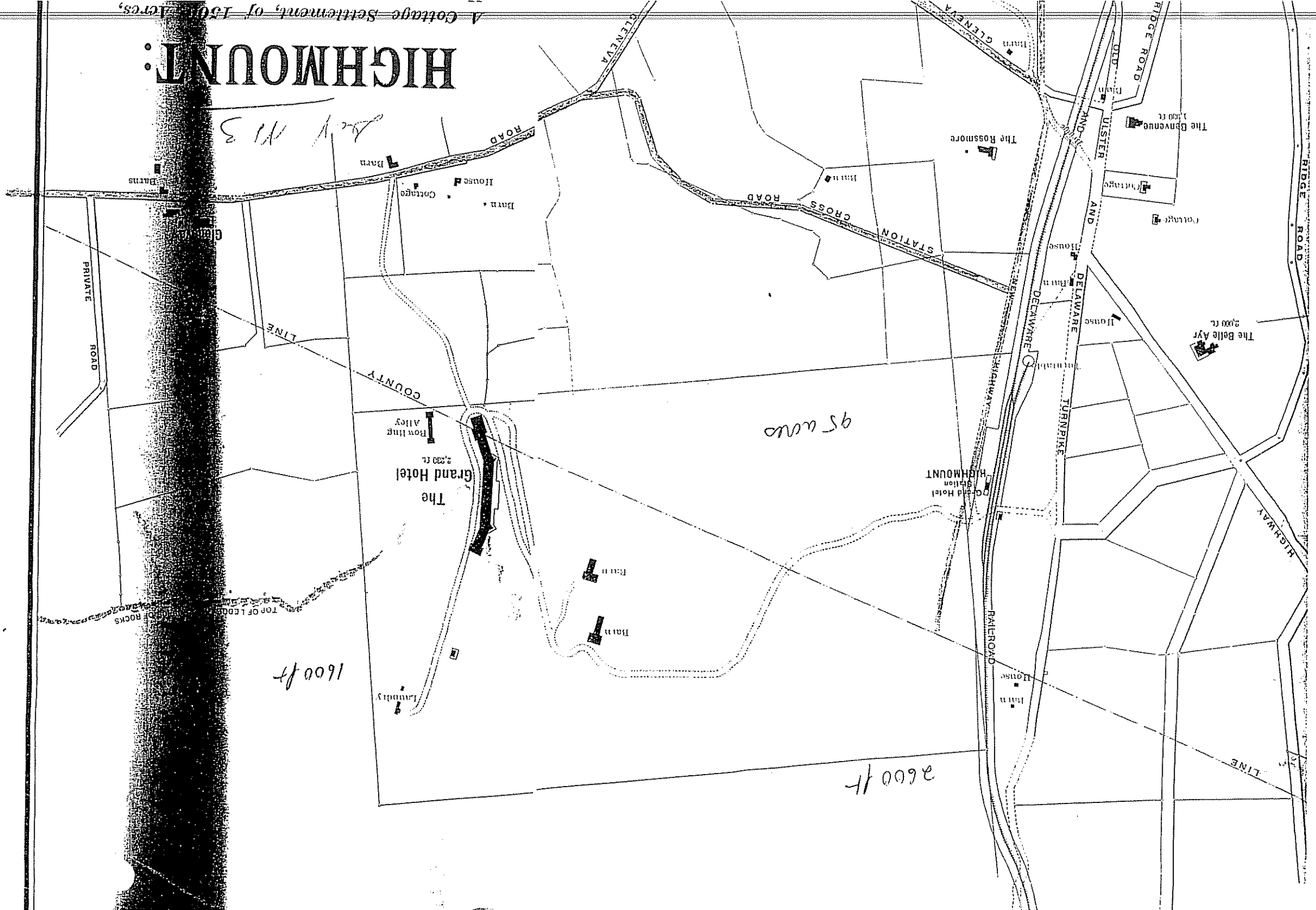
as evidenced in this description by Evers.

2. The developer claims the resort because it is self-contained will have no impact on community character. The claim is made also on page 16 of the Executive Summary and in Section 3.8.2 on community character. The statement is not credible on its face. The scale of the resort guarantees a major impact on community character.

3. I call attention to significant historic resources such as stone bridges and railroad trestles in Pine Hill sited on roads leading to the resort property that may be endangered but must be protected.

There was a gentleman who spoke at the last hearing about need for tourism and jobs, and I thought he presented the argument very well. I want to address one point he made: that resort critics want to shut the gate and keep everybody else out and that they are anti-tourism. The people who are against this resort are pro-tourism. They realize what a rare resource this area is and want to make sure it does not lose any of its unique appeal through inappropriate development.

HIGHMOUNT



Feb 3, 2004

Dear Mr. Ciesluk:

There are many errors in the DEIS as deemed complete by the DEC. A glaring error occurs in the Executive Summary. In Section L Community Services, it states that Margaretville Memorial Hospital has 221 beds. As a member of the Hospital Board, I can assure you it has 15 beds. A statistical error of 14 times magnitude, leads me to question all of the data presented in the DEIS and the ability of the DEC to adequately review it.

As you know from previous correspondence, my main concern is the total potable water supply for the project and Pine Hill. There are many discrepancies in the DEIS as finally presented. Again in the Executive Summary, it lists Rosenthal Well #2 (the primary source) as having a capacity of 118,080 gpd. However in Appendix 7 Section 5.1 it states the long term sustainable flow is 64 gpm or 92,160 gpd. This is barely above the estimated average daily demand of 91,854 gpd and well below the estimated maximum daily demand of 151,551 gpd and assumes the use of water saving devices. They state that these supply figures were during a drought period. However Paul Rubin a hydrologist retained by the Pine Hill Water Coalition has supplied data that shows the precipitation for the region for the 9 months ending Sep't 2001 was 28.45" vs a median precipitation of 28.87". This hardly constitutes a drought.

Mr. Rubin also noted the following points while commenting on the change in the 1970 WSA #5889 which had the effect of removing a water source (Crystal Spring- Silo A) from use by the hamlet of Pine Hill.

1. It is highly unusual to remove a significant portion of any town's water supply. (Crystal Spring was one of 3 springs used by Pine Hill for over 60 years)
2. That Pine Hill should retain the potential to revitalize its infrastructure to previous maximum water usage. (A 1930 DOH report estimates the summer population of Pine Hill as approximately 3,000 and indeed when the Waste water treatment plant for Pine Hill was rebuilt in the 1990's, the Ulster county health Department required it to be built for this capacity,) Indeed there is already a proposal before the Shandaken planning board for an approximately 28 unit housing development and rumors of a 100 room hotel in the planning stages. Both these projects are within the newly organized water district and could require an additional 24,000 gpd.

Other questionable data can be found throughout the DEIS. For example in Table 1A Appendix 7 Exhibit D, it shows the flow of various springs. Depot Spring for Aug 2001 flow is listed as 28 gpm. In footnote 3&4 they state this flow is calculated by taking the flow in a ditch below Depot spring and subtracting the flow from above Depot Spring and adding flow from Silo B. Anyone who has visited the sight can see that the flow from Silo B should be subtracted from the flow in ditch above Depot Spring. This means that the flow for Depot Spring in Aug 2001 was 1/2 gpm and not 28 gpm as listed in the table. Since this incorrect flow was used to support the removal of Crystal Spring (Silo A) as a source of water for Pine Hill, the issuance of a revised water permit should be revisited and Silo A should not be a recognized source for the Big Indian Plateau Project.

Finally the water in Rosenthal Wells 1 & 2 should be dye tested to see whether this water flows into the Esopus Creek at a lower elevation. Should over 200,000 gpd be pumped from these wells for potable and irrigation purposes, it could have a negative effect on Esopus stream flow.

In a related issue, 5 new wells to supply potable water have been drilled at the Belleayre Ski Center. These are all up slope from the water sources for Pine Hill. These sources have not been pump tested to determine if the sources are interconnected. As Belleayre continues to grow and expand the need for potable water grows, for this reason the supply of water to determine the adequacy of supply for the entire local.

For the above reasons I feel that the DEIS is inaccurate, false and incomplete and that a secure source of potable water for the Big Indian Plateau has not been identified,

Richard Schaedle
PO Box 551
Pine Hill NY 12465
rschaedle@earthlink.net

PJ Lorenz
32 Bell Lane
West Shokan, NY 12494

Re: Crossroads Ventures proposed Resort

February 19, 2004

To: Judge Richard Wissler:

This may not be the time to discuss our emotional love of these mountains, and their pristine beauty--- simply because there are no laws on the books which protect our rights to this beauty. A large portion of Americans think of pristine beauty as something saved for vacation packages and will consider our need for beauty as something nostalgic and irrelevant.

If we are truly opposed to this project going through, or any other projects like this, we must get to the elements that are protected by law. We must study and search out the improprieties that may have occurred, and I believe there are, and bring these to light.

We must prove in legal terms, why this project must not stand. We must speak up, write letters, to Judge Wissler, to the DEC, to our Senators, Congressman, our community leaders, and anyone who is involved in this process. And we must put into law, protections to prevent projects like this from being started in the future. We know the Catskills will see more development in the future, but we need to seriously plan that out, to avoid the destruction of this great natural resource.

My letter is in full opposition to the building of the Crossroads Ventures project as it stands, due to the harm to the sensitive environmental area, the watershed, as well as the negative effect on local economies. This project will cause harm to the tourist industry as a whole, as well as traffic problems, increase the need for infrastructure, housing and the result in an increase in the tax burden in already financially depressed areas. The effects of this project, were it to be built, will have widespread negative effects, not just in the towns local to the project, but the entire region.

Some issues to be considered are the following:

The EIS presented by Crossroads Ventures is not easily accessible, and its 3500 page bulk required more time in order for private citizens to have real access to it. Thank you for the 60 day extension granted to have further access to this cumbersome document.

Too much information has almost the same effect as too little information. Either way, it is difficult to really access the facts, especially in a short period of time. As has already

been pointed out, the online version of the EIS is difficult to access from home computers, and there are few hard copy versions available— too few to adequately satisfy the legal requirement for public access.

For a project of this size and scope, there needs to be an independent EIS.

Secondly, I must tell you that I am not really impressed with the cost of 3 million dollars for the Impact statement presented by Crossroads Ventures.

No one that I know of would be willing to pay that much money for the Impact statement to indicate that their project should not be built, due to the harm it would cause to an environmentally sensitive area, the extreme cost which will be passed on to the local tax payers, and the long term hardship to the rest of the tourist industry, when the pristine beauty of the Catskills has all but disappeared.

This Crossroads Ventures EIS simply cannot be an objective assessment. It is clear, that to really assess the viability of this project, or lack thereof, that there needs to be an independent environmental impact statement done, which is not paid for by the corporate interests.

The excessive size combined with the worst possible location are almost by design created to have the greatest negative effect

The location of this project is so completely inappropriate, and almost by design is guaranteed to create the greatest amount of harm to the environment. One document I read said that 3-4 tons of chemicals are needed per acre to maintain a golf course per year. To build two 18 hole golf courses on the top of a mountain, located between two Reservoirs, with 2 hotels with 851 rooms, several restaurants, 21 lot single family , guarantees that the severely toxic run off will find it's way into the water supply---maybe not in one year or 5 years... but eventually, what goes up, must come down.

Once you have clearcut 500 acres off the top of the mountain, there will be water runoff headed down the mountain. In the dry years that will be a trickle, but as in last year, it could have extremely harmful effects for drinking water. I doubt that Crossroads is prepared to pay for water treatment plants for both Reservoirs as well as to install the public water lines that area residents would need in order to tap into treated public water, once their own wells become toxic.

* The financial value of the current tourist industry as a whole should be considered, and how a project of this size & location will affect it, not just in the short term, but for many years to come. The hikers, the fisherman, the campers, the weekenders, cyclists, photographers & artists, all need the mountains to be left wild and unobstructed. People come to the Catskills to get away from the noise of the City, the traffic, to breathe pure air, and see the night sky unblocked by the haze of artificial lights. These are not

nostalgic longings, but rather the description of Catskill Mountain assets which attract millions of tourists every year.

What legal protections do we have?

Are there any legal grounds to protect small, financially impoverished communities from being forced out by projects which by their very presence force community bankruptcies... resulting in widespread foreclosure and rise in real estate prices and taxes?

Gentrification is fine for those who can afford the rise in costs.

Outside Organizations are agitating claim:

Mr. Gitter made comments that outside environmental groups were agitating local citizens against his project. The implication is that we are not capable of realizing for ourselves the severe environmental risks that this project imposes.

Whether we live here as our families have for generations, or whether we have only recently moved here, we have one important thing in common. We love these mountains. We know there will be development, and we want it to be planned, keeping in mind the rural character of the area, and protecting our most precious commodity, the pristine unobstructed beauty of these mountains.

Mr Gitter cannot really defend his project on its environmental safety, or on how much it's going to benefit the surrounding communities with the promise of living wage jobs, simply because on those basis, his project is without merit. His only recourse after that is to try to divide, shame and discredit the people who oppose his project.

There are so many people who oppose this project who come from such a diverse background, that it would be impossible for us to be co-opted by some outside agency. And when you consider that we are fully capable of realizing the harm this project will bring to the Catskills, it's insulting for Mr Gitter to imply that we wouldn't be opposing this all on our own. If we have called for outside support, it might be because we don't have 3 million+ dollars to oppose this project. And further, this kind of excessive consumption Resort projects is something of national interest, since the environment is under siege in many places in our country.

We don't need an outside group to tell us how much harm building a project of this magnitude will cause. We can see that for ourselves! It is we who have approached environmental organizations to help us oppose this project and not the other way round. In building two (2) Eighteen-hole golf courses, two hotels, time share condos, and several restaurants, my comment is, our mountain sir, is not your monopoly board!

I personally will be boycotting any Dean Gitter properties. I will not be having dinner at Catamount Café, or attending any nightly sponsored events, as well as the Spotted Dog, and I will not be going to the Emerson. It's important to me to be clear about this.

Judge Wissler, what you see before you is a groundswell of grassroots opposition. We are angry and scared about the possibility that this project could go through, and how this would upset our lives and our environment in the Catskills longterm.

On a more positive note, there are alternatives that can be considered:

* This land could be purchased to remain forever wild, in order to protect the watershed. It's was mentioned by someone in the last meeting that once this project is turned down, and we hope that it will be--- that this land could be purchased to remain forever wild. This option isn't as far fetched as one might think. The EPA, NY State and local communities, under the Land Acquisition Program called the 1997 Watershed Memorandum of Agreement (MOA) has purchased land and or conservation easements of land sensitive to the water shed, with the purpose being to insure there will be no development, and protect NYC yet unfiltered water supply. This program also is designed to cover the property taxes as well. The City has protected over 49,000 acres of land as of the article in Oct 2003.

* There are other Open Space land conservancies that have purchased large tracts of land to keep them open as well. Looking into how this could be brought about would be important not only for Belleayre Mountain area, but other regions of the Catskills as well.

If this project does go through, local community need to insist that they get a better deal than Mr. Getter is currently offering.

* Each local community can institute a "Resort Tax" to recoup some of it's costs for increased infrastructure, road widening, etc.

Crossroads Ventures needs the Catskills, but the Catskills don't need Crossroads. When considering the financial gains to be made by local communities, Mr. Gitter has clearly stated that he will largely not be not be hiring a significant number of local people for his Resort, not for his construction, and not for the running of his facility, with the exception of approx 200 lower paying jobs which will offer approx. \$7 dollars an hour.

Those in the local communities who think any jobs would be better than none-- need to realize they are in a much better bargaining position than they realize. They have the right to say that in order to build this here, you must hire a minimum of 50% of the employees both from local people, and provide training when needed. You have the right to require Mr Gitter to pay a living wage as part of the agreement. You can insist that he

pay no less than 9 dollars per hour, and provide medical benefits after 3 months for full time workers. A 300 million dollar project is well able to provide these things for the community.

TRUCKS FOR PROJECT PERMITTED to travel betw 8PM - 6AM only

In the 8 years needed for building, mobile classrooms can be installed to provide the necessary training for the higher skilled employees. Certainly in 8 years, local residents could become the skilled labor force needed.

Another possible requirement is that Crossroads Venture Resort function as a small town, and must provide it's own fire and police services.

Also, you have the right to require that Mr Gitter build 50- 100 affordable housing units in each of your communities. to house the additional workers that will be needed for this project. With a roster of almost 800 workers, there will be an immediate need for this type of housing, and he should provide that.

Mr Gitter has basically promised you that he will not be hiring your local people to any extent, that he won't be offering a living wage, and that his Resort will be in essence discouraging his clientele from coming to your towns. This is no way to treat your community. Don't let this happen.

And lastly, you have the right to require, that if his project goes through, and I don't believe that it will, that terms of acceptance already mentioned must remain the same regardless of how many times this property is sold.

Another important stipulation is that a casino can never be built on that piece of property, no matter how many times that property changes hands. And you have the right to insist that the remaining 1500 acres remain forever wild.

The costs of this project:

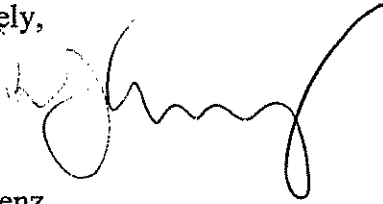
Some immediate needs this project will not meet, which will be passed on to local taxpayers:

- * • The need to protect our water supplies does not just include the two Reservoirs, which will need to eventually build a filtration plant, but all of the wells that will that are currently supporting all the people who are living here now. Local communities will be forced to put in public water supply treatment, and homeowners will be required to pay hook up fees. All of this will be paid for by local towns.
- * • The need to ensure traffic safety, road surfacing, widening, and the obvious cost to each community must be fully assessed.
- * • The need to assess the increased need for affordable housing and the necessary infrastructure, for increase in schools, police, fire and ambulance services.

- The increased tax burden and the expansion of local and County Welfare resources as well.
- The possible if not inevitable destruction of surrounding trout streams, and other fishing, as well as the loss of habitat for other wildlife and the resultant loss of eco- tourism.
- * * * • The tourism that is based on the Catskills remaining unsullied. This loss to the local communities may be difficult to assess, but very long term in its effect if not permanent

With respect, Judge Wissler, I hope you will consider what people in the community are saying about how this project could affect our communities. We are not opposed to development of the Catskills, but we realize that a project of this massive size, and it's location in a sensitive environmental area (with proximity to the Watershed), is inappropriate and should be turned down.

Sincerely,



PJ Lorenz

P.S. There is even a question of viability/sustainability of this project 10 years down the road. What happens when this hotel complex goes belly up?

STUART D. ROOT
Comments – February 19, 2004 Hearing on Crossroads

My name is Stuart D. Root. I have lived in the Catskills for over 30 years, and have spent many of those years in water quality preservation activities.

In my other incarnations I have been President of The Bowery Savings Bank when it was the second largest in New York State, with 5.5 billion dollars in assets, and prior to that counsel for the bank when it was the largest savings bank in the United States. I also was counsel for establishing the real estate programs of the Federal Home Loan Mortgage Corporation, known now as Freddie Mac, and in 1988 served as the last Executive Director of The Federal Savings and Loan Insurance Corporation where my mission was to maintain public confidence in one trillion dollars of insured deposits.

My comments today are certainly influenced by those cumulative experiences.

I believe that the development proposed by Mr. Gitter is fundamentally flawed and environmentally dangerous **for reasons not previously addressed**. These reasons have to do with the lack of information about basic financing requirements for large development activities.

Usual development is financed by institutional sources in the financial marketplace. Those sources use “other people’s money,” and institutional lenders are constrained to avoid unsafe and unsound lending practices.

One element of safety and soundness is to require “completion bonding” when embarking on a large project where lack of completion can spell ruin for the loan or development. That is to say, lenders require financial assurance from a recognized source that the lenders will not be left with a hole in the ground, raw land, concrete foundations, and skeletal frames for buildings, or worse.

In the case of Crossroads, I have read of people having substantial resources backing this project. I have looked in vain for anything of substance to support those assertions. Who has committed to provide financing? What are the conditions, limitations, exceptions and constraints on such commitments, if any commitments exist? Are they written and enforceable? If the project is allowed to commence, but then later fails because it is so at odds with other well-known failures in this area, and in indeed – if I read the

New York Times correctly -- Mr. Gitter's own experiences with other large scale developments, *who* will have the right to compel completion?

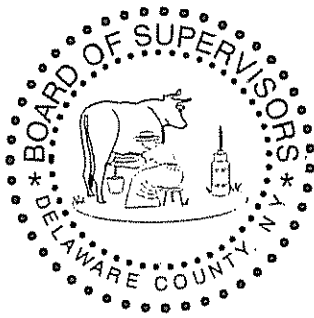
Suppose for example that Mr. Gitter obtains his approvals from the environmental authorities, but does not have assurances of *bonded* completion financing, what then? In the normal course if the project encountered difficulties we would expect him to declare bankruptcy and to seek reorganization under the protection of the bankruptcy laws. Where would that leave the people of Shandaken? For starters, it would leave them with hosts of unemployed workers who would become public charges against the Town's meager resources – and as I understand it, without any State resources for assistance.

And where would such an event, without verified “bonded completion financing” leave the rest of us? It would leave us with a scarred and torn-up mountainside, possibly with concrete foundations dotting the landscape, and a landscape itself which would bleed erosion and detritus into the watershed.

Frankly, I am completely underwhelmed by assertions that Mr. Gitter has the backing of some people of considerable means. This suggests to me that the project *lacks* the normal institutional safeguards and validation provided by the crucible of the financial marketplace. Further, in the case of the Concord Hotel reorganization about 4 years ago, the newspapers were full of stories about the Murphy group which was going to restore and rehabilitate the Concord and its golf courses. Mr. Murphy, with normal developer bravado, claimed he had the resources for his plans to benefit the economy. However, when push came to shove, in hearing after hearing in the Federal District Court in White Plains, many of which I attended, Mr. Murphy was unable to provide credible evidence that he had financing for his promises. He was long on newsprint, but short on actual commitments. In short, his plan was dismissed as not feasible – for lack of *verifiable* financing.

Who is there to assure that Mr. Gitter's plans are *feasible*? Who is to *verify* the existence of completion financing credible enough to be supported by an institutional completion bond? In other words, who is to protect the Catskills against Crossroads becoming an ill-conceived, ill-financed, and ill-managed construction project that is pregnant with environmental disasters?

Thank you.



DELAWARE COUNTY BOARD OF SUPERVISORS

Senator Charles D. Cook County Office Building
111 Main Street
Delhi, New York 13753

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James E. Eisel, Sr., Chairman
Christa M. Schafer, Clerk

Good evening ladies and gentlemen. My name is Jim Eisel. I am the current Chairman of the Delaware County Board of Supervisors. This Board and myself represent 48,000 citizens in the fourth poorest rural county in the State of New York.

To the best of my knowledge and I'll stand corrected, no where in the State of New York is there a tourism capitol project going on of this magnitude. Crossroads Venture Inc. and Dean Gitter & Co., with Mr. Gitter's financial supporters, has put together a project - a development of a sustainable four season tourism industry which will revitalize this region's hamlets and villages in Delaware & Ulster Counties.

The Draft Environmental Impact Statement (DEIS) for this project is volumes, several feet high, and at a cost of 4 million dollars. That is unbelievable! This environmental impact statement has been years in the making with a thorough study analysis to try and satisfy all the concerns of the environmental community and yet everyday environmentalists come with more concerns and what ifs. This must be a nightmare. Had all these regs been in place 50 years ago with many of these concerns there probably would not be a Cannonsville or Pepacton reservoirs - imagine that!

I hear the environmentalists - what about degradation of the water supply, increase in secondary homes and tremendous traffic jams? All bogus tactics to stop this project. I hope the lead agency, the DEC, will see through this.

It is truly a sad commentary when the largest employer is government at all levels. According to US census data, medium family income in the town of Middletown and most of

Delaware County is more than 40% less than the state wide average.

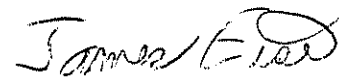
The entrepreneurs at Crossroads want to bring a tremendous economic opportunity to our area - no government - private sector financing, two hotels, two golf courses - on 1,250 acres, and their own modern sewer plant and best of all 542 permanent local jobs with a dollar spin-off that will invigorate most of the communities in that area.

This is not manufacturing, this is not smoke stack industries. This project is environmentally friendly, huge tracks of green areas. If we can't get approval for this project, no one will ever attempt to come and locate a business in this area in the future. There are people within the environmental community that want just that. They hide behind stringent regulations and paper laws that they have helped put in place with the expressed purpose of stopping everything and anything that does not conform to their anti-growth visions. There are many environmental groups that will try through every imaginable regulation to kill this project.

The MOA cannot succeed if it merely imposes the burden of compliance upon a minority without providing them with the means and financial support to obtain a decent quality of life.

I believe for all of us to exist in this beautiful Catskill Mountain area we need jobs. Our young people need opportunity and according to the HR&A report, this is exactly the type of project that is recommended - environmentally sound and promoting this area for tourists which will have a tremendous economic impact to the region. I submit to you - with all these regulations - we have to make Crossroads Venture a reality because it is the right thing to do, it will give the region an unparalleled economic boost and will give us the added ability to survive.

Dated: January 14, 2004



James E. Eisel, Sr., Chairman
Delaware County Board of Supervisors

DELAWARE COUNTY DEPARTMENT OF WATERSHED AFFAIRS

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DEAN C. FRAZIER, COMMISSIONER
THOMAS J. HILSON, ASST. TO COMMISSIONER
KELLY L. BLAKESLEE, GRANTS MANAGER
CATHERINE ARMSTRONG, ADMIN. AIDE

January 14, 2004
Margaretville School
Margaretville, New York

Legislative Hearing statement regarding The Bellayre Resort at Catskill Park.

Dean Frazier, Commissioner Delaware County Department of Watershed Affairs. Thank you for the opportunity to make comments regarding this project.

This project is consistent with the spirit of the Memorandum of Agreement, economic studies commissioned and approved by all Watershed Partners, the Economic Development plans of Delaware County and the Delaware County Action Plan (DCAP); a voluntary watershed management plan applauded by all watershed partners who have taken the time to become informed. The DCAP mission is to protect the interests of Delaware County and the New York City water supply. Our primary county interests are our local economy, communities and home rule. The rights of home rule and the needs of local economic development require premier importance and respect in this process. Local comments pertaining to community character, secondary growth, socioeconomic issues, traffic and air pollution are the only ones that merit consideration.

Viable communities are a must for water quality protection. You need jobs for that. Numerous opponents, many with no vested economic interests here, have said that there are better jobs than offered by this project. This project is abiding by the standing environmental rules and regulations to bring an environmentally friendly project to fruition which will support tourism. How then can it be said that these aren't good jobs? Any job right now is a good job. Our social service budgets are bursting at the seams and unemployment is still too high. The jobs this project offers, hold the potential to alleviate the budgetary pressure of municipalities and give some people a chance to get back to work.

Water Quality Protection.

1. Unique stormwater and water management practices.

- a. Reuse of sewer water as irrigation water for the golf course;
- b. Flocculent within the stormwater catch basins to improve treatment;

- c. Limiting construction of the golf course to an extended period of time and limiting the disturbed area to less than 25 acres in either watershed during any one period of time.
- d. Limiting the use of pesticides to a curative versus a preventative basis (i.e., only apply pesticides when there is an outbreak);
- e. Underground parking;
- f. All fill from earth work, cuts will be used within each portion of the project to avoid over the road transfer;
- g. No streams or other surface waters are being utilized for irrigation or potable water purposes;
- h. Where feasible, porous pavement has been specified

2. Total Maximum Daily Loads (TMDLs)

Everyone agrees that the Pepacton is a very high quality water body that needs protection. The Natural Resources Defense Council sued to have Phosphorus (P) TMDLs established for every NYC water body. The DEP developed the P TMDLs under an agreement with NYSDEC a process, by the way that did not receive any local input. I therefore conclude that TMDLs are critical regulatory thresholds or millions would not have been spent to get them established. The P TMDL for the Pepacton is 79,167 kg/yr. That is the load of P that the reservoir can handle and still maintain high water quality. The Existing Load is 37,327kgs/yr (*). The combined load from Crossroads project between its WWTP [(WLA)78kg/yr] and non point sources [(LA)2.3 kg/yr] is 80.3 kgs/yr. This combined load is an increase of .2% of the existing load and .1% of the TMDL. There is no threat to the P TMDL standard required by law. After reviewing the Ashokan TMDL, WLA, LA and Existing load data it would seem that there would be very little if any impact on the Ashokan phosphorus TMDL either. The annual variation in P load is very likely much greater than the anticipated load from this project.

3. Future growth.

Concerns pertaining to future water quality impacts related directly or indirectly to this project are subject to standing watershed rules and regulations and local municipal land use regulations. Delaware County communities and individuals are voluntarily adopting DCAP initiatives. Isn't that what everyone is seeking - cooperative local stewardship! This project is making every effort to comply with water quality rules and regulations.

In closing, home rule and local economic development must be respected in this process. There may be local issues that need attention, but in our view the DEIS is complete having addressed the critical issues pertaining to protection of the New York City water supply while at the same time providing an opportunity for economic benefit.

(*) The reservoir Waste Load Allocation (WLA) is at 386kg/yr, the Load Allocation (LA) is at 70,864 kg/yr.



**Economic and Traffic Impacts of the Belleayre Resort at Catskill Park
Preliminary Comments on Belleayre Resort at Catskill Park DEIS
January 3, 2004**

Carolyn S. Konheim, QEP, Chair and Brian T. Ketcham, P.E., Executive Director

Qualifications of the Preparers

Community Consulting Services is a not-for-profit organization that provides technical services to community leaders seeking sustainable development. CCS has no position on the proposed Belleayre Resort. These comments are submitted in keeping with the mission of CCS to promote informed decisions on environmental and transportation issues. The Chair of CCS, Carolyn Konheim, is a former Regional Director of the NYS Department of Environmental Conservation who helped to craft State Environmental Quality Review regulations. She is certified as a Qualified Environmental Professional by the Institute of Professional Environmental Practice. Brian Ketcham is a Professional Engineer licensed by the State of New York who as a New York City environmental official initiated comprehensive traffic management and vehicle emissions controls. Each has more than 25 years experience in preparing and analyzing environmental and traffic impact assessments, primarily for State agencies, and developing innovative transportation strategies, as they did for the principal preparers of the DEIS on a revitalization plan for Lake Placid, NY. Both are part-time residents of Margaretville, NY who use Belleayre facilities year round and can be reached at 845-586-1506 or 718-330-0550 x122 or at csk@communityconsulting.org. See www.communityconsulting.org.

Board of Directors

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Obligation of Draft Environmental Impact Statement (DEIS)

Under the State Environmental Quality Review Act (SEQRA), 6NYCRR, Part 617 and subsequent case law, a public agency cannot take a discretionary action that may have potential significant impacts without preparing a draft environmental impact statement (DEIS) that discloses the likelihood, importance and time-frame of the cumulative effects of the proposed action and parallel actions sufficient for decision makers to make an informed decision. Integral to this obligation is dissemination of the DEIS in an accessible format and providing sufficient context for the reported effects. The DEIS for the Belleayre Resort at Catskill Park fails to disclose this information in a forthright and accessible manner and, thus, does not provide the "hard look" required by SEQRA.

- Only a brief Executive Summary and Table of Contents of the DEIS are available on the website of the NYS Department of Environmental Conservation, whereas, the entire document should be web-accessible as DEC has done with the Hudson Power Plant EIS. To have only electronic versions at local libraries without the capacity for downloading, makes reviewing the lengthy document extremely cumbersome and violates the SEQRA intent of adequate disclosure for informed decision-making.
- The Resort DEIS defies the SEQR requirement to disclose the timing of impacts to understand their importance, e.g., that property taxes will not fully be paid until 2025.
- The time frames for various analyses are inconsistent, e.g., an 8 year construction period is reported throughout the DEIS with completion in 2014, except in the Traffic Analysis, which assumes operation of the Resort in 2008 and omits consideration of the cumulative effects of the planned expansion of the Ski Center.
- By foregoing the standard practice of describing the future without the project, the DEIS does not disclose the integral importance of the expanded Ski Center. In some sections, the existing facility is assumed without any assessment of the impact of the Resort on lift-lines, lodges and trails, parking by non-shuttle bus users and on use of Margaretville Hospital. Elsewhere, the full expansion is central to the market analysis and to the Resort filling the shortfall in lodging and absorbing growth in the corridor that the expansion would otherwise generate and reducing travel to the Ski Center.
- The DEIS does not disclose the probability of the impacts because it lacks any demographics of existing and potential Belleayre skiers and golfers to show that national market factors are valid predictors of success of a resort in the New York Metropolitan Area and this location, in particular.

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Adequacy of Analysis of Tax and Sales Benefits of the Resort (assumptions below)

- 1) It is disingenuous and misleading for the Executive Summary and the DEIS to list annual tax benefits to the Towns, down to the Fire Districts, as if they would be immediately available. It takes extraordinary diligence to ferret out that they will not be paid in full until 2025. This is because properties will be reassessed as they are developed over 8 years, beginning in 2006, bringing the last property on-line in 2014. The Towns' Assessors Offices have agreed that the Resort would be eligible for a business investment exemption, which reduces the assessed value by 50% in the first year and increases it by 5%/year over the next 10 years, achieving full payments in 2025. [DEIS, p. 3-205-206]
- 2) By not reporting background trend-based growth of property tax revenues over the 22 years before the full property taxes are paid to the Townships, the DEIS gives an inaccurate impression of the significance of the contribution from the project. Thus, what appears to be a 10% increase from the Resort of \$526,000 to Middletown in 2001 dollars to the total current tax levy of \$5,157,000 would be 8% if there were just a 1% annual growth in the Town's total tax levy over 22 years. If the tax levy grows at 3%/year, the 2025 Resort contribution will be 5%. At recent 8% growth rates, the Resort taxes would add 2%.
- 3) It is additionally misleading only to compare property taxes on Resort land rather than to total Town property tax revenues [DEIS, p. v, 3-204]. Thus, the 2022 tax benefits of the \$1,506,000 million to Shandaken should be reported in comparison to its total tax levy. Given the importance of this issue to local decision-makers, these contributions at various stages of the project should be reported vs. projections of future tax levies based on trends.
- 4) It is similarly misleading not to make clear that sales taxes to the counties and sales in the Route 28 corridor will take until 2022 to fully materialize. This is because 76% of resort user off-site sales are attributed to time share owners and country club members for which full operation and occupancy are forecast to take from 2006 to 2018 to achieve. [DEIS, p. 3-203, Table 7-3, Appendix 26, RCI, HVS, Table 6-3]
- 5) Most important is that there is no indication of the speculative nature of all the economic projections, since the assumptions are based on ski resorts with very different market characteristics than Belleayre, which are not described in any specific way in the DEIS. Sales forecasts (based on national averages) assume that time share and club "visitor parties" with a median household income of \$71,000 spend an average of \$170/day. In the New York metropolitan area, where DEIS assumes most of its visitors reside, \$71,000 leaves little disposable income for time-share purchases and for \$170/day discretionary purchases over and above the cost of the time-share. Indeed, the market analysis assumes households with annual incomes of just \$50,000 are among the potential buyers of time-shares at \$1,200/year and users of overnight lodging, although no cost is given.
- 6) The DEIS provides no justification for the "estimate for the purposes of this analysis that approximately half or 50 percent [of purchases] would occur off-site," or \$85 for each of 108,810 "visitor parties/year." In ski season, lift tickets, rentals and food for two would consume \$170/day; at other times, \$85 seems a bit high for off-site food and purchases.
- 7) Sales tax projections of \$718,000/year to Ulster County and \$238,000 to Delaware County. Sales tax predictions are based on \$28.3 million of sales/year after 22 years, of which \$19.2 million/year are off-site (\$7.4 million due to resort-generated income and \$11.8 from resort visitors). They rely largely on \$9.2 million from time share and country club members, assuming 85% occupancy 310 days/year. This seemingly high level of occupancy is derived from appended market evaluations of Crossroads which report an average 82% year round occupancy in northeastern mountain resorts even though they may have somewhat more "mud weeks" than Western resorts. [DEIS Table 7-1, p. 3-209, Appendix 27, RCI feasibility report, p. 119-153]
- 8) The Alternatives are restricted to other sites and configurations of the Belleayre multi-facility concept rather than considering meeting the reported existing and projected short-fall of 1,000 rooms during ski season in the hamlets in the Route 28 corridor consistent with adopted land use plans. The feasibility and travel impacts of such an alternative may, indeed, reinforce the clustering of future development adjacent to the Ski Center.
- 9) In sum, rather than inducing growth, the Resort will absorb high end growth. Thus, the most significant off-site economic impact of the Resort may be the concentration of growth

Economic Assumptions in DEIS

- a. Construction will generate the equivalent of 264 jobs/year over 8 years, but they will come largely from outside the Route 28 corridor. [DEIS, p. 3-196] Direct employment by the Resort of 665 full time equivalents [DEIS, Table 3-67] and indirect employment of 211 upon full operation of the Resort in 2022 represents an addition of 1% to employment in Ulster, Greene and Delaware counties in 1999 [DEIS, Table 3-43]. Resort-related off-site sales are expected to translate into the equivalent of 150-200 full time jobs. [DEIS, p. 7-8] Operations-related jobs would largely occur by 2018 assuming it requires four years after construction is completed in 2014 to achieve 90% sales of time-shares.
- b. Tabular breakdowns of Resort-generated sales show 42% of visitor spending occurs off-site of which \$3.23 million or 27% is at restaurants. Other expenditures are for gas and oil, recreational fees, occasional groceries, liquor, newspapers, magazines, souvenirs, crafts and antiques. [DEIS, p. 3-211-212, Tables 3-77, 79, 84, 85, 86]
- c. The projected \$19.2 million of off-site sales represents a 15% increase of the \$124.12 million in sales in a 15 zip code corridor from Bovina to Ashokan reported as "existing" but appears not to have been updated in the 2003 DEIS from the 2000 DEIS, representing 1999 sales. If sales grow by the same 2%/year prescribed by the State for background traffic growth between 1999 and 2022 (trends reported by the NYS Department of Taxation show much higher growth rates), sales will grow by 58% (2% compounded over 23 years), bringing the future sales to \$196 million and the resort-generated increase to 10%. [DEIS, Figure 7-1]
- d. Based on the forecast pace of time share and member sales and the above to some degree optimistic assumptions, 90% of these sales and sales tax benefits will occur by the seventh year of operation, which is 2013, assuming start-up in 2006. About half the benefits would occur in the fifth year after start-up, 2011. [DEIS, Table 7-3]
- e. The significance of the sales tax increase can be viewed in the context of total county taxable sales which were last reported for 3/99 to 2/2000 by the NYS Department of Finance and Taxation as \$393 million for Delaware County and \$1,770 million for Ulster County for a total of \$2,163 million, making the \$124.12 million in the corridor 6%. If these are escalated by 56% to reflect the growth in taxable sales in the counties in 2022 to \$3,418 million, the taxable on-site and off-site sales of \$31 million represent less than a 1% increase. [DEIS, Table 3-70].
- f. Commercial and retail businesses in the corridor are "unlikely to experience substantial amounts of goods and services bought by the Resort as much of this would occur beyond the Route 28 corridor. [DEIS, p. 7-4]
- g. Increased sales in the corridor are expected to be accommodated by existing businesses, through longer hours, additional employees, modifying product lines and nominal increases to floor area of existing structures, or alternatively through construction of a new 21,500 sq. ft. shopping center on Route 28, such as between Arkville and Margaretville. [The choice of location appears to be guided by a reported existing approval for an expanded A&P, rather than the location of sales, 62% of which are expected to occur in Shandaken, even though it has no supermarket.] [DEIS, p. 7-6]
- h. If all of the new commercial activity were to be developed within one project, the total land required would be between 5 and 10 acres, which is not considered significant. [DEIS, p. 7-9]
- i. The Resort is expected to "compete head-on" with existing lodging, leading to a "decrease in demand for existing lodging facilities." The expected effect of the competition is that existing lodging places will increase their "quality, not their quantity." [DEIS, p. 7-10] The presence of the Resort as a direct competitor to existing businesses is expected to stimulate upgrading of their facilities, as evidenced by the Alpine Inn. [DEIS, p. 7-15].
- j. It is acknowledged that "many overnight visitors would likely find the cost of lodging at the Resort too expensive and choose less luxurious motels and bed & breakfasts," suggesting this cast-off market would be the future niche of those facilities that do not invest sufficiently to compete with the Resort. [DEIS, p. 7-100]
- k. The Resort is expected to absorb demand for offsite lodging and second home ownership and reduce the ski area's growth-inducing effects. [DEIS, p. 7-13]
- l. Employees at the Resort are not expected to add to the housing demand because they will either come from the 23% of employees who now travel to jobs outside the county or will be willing to travel longer distances for better paying jobs. [DEIS, p.7-14]

GOOD EVENING YOUR HONOR
I AM HANK ROPE SPEAKING ON BEHALF OF THE
ASHOKAN/PEPACTON WATERSHED CHAPTER OF
TROUT UNLIMITED

We will be submitting a more detailed written statement shortly.

Trout Unlimited is not opposed to reasonable development and in the past has worked side by side with developers, farmers, and government agencies in an effort to promote sound environmental practices.

The proposed Resort at Belleayre Mountain has failed to take into consideration the effect development will have on two intermittent streams it plans to surround with its golf course.

Section 2.2.5 of the Draft Environmental Impact Statement indicates effluent from a treatment plant will be discharged to the surface of an unnamed tributary of Emory Brook.

Section 3.2.2.1 indicates further that two streams will be crossed as many as five times by the golf course.

Lacking a plan to mitigate the effects of the project on the streams is a serious matter and calls for further investigation into the effect the project will have on the trout that spawn and raise young in these streams.

Let me also call your attention to New York Department of Environmental Conservation Division of Water and Technical Operational Guidance Series (1.3.1.b). A memorandum issued June 1, 1989 and subsequently reissued recommends a Waste Assimilative Capacity analysis when dealing with low flow streams. I find no evidence in the DEIS that such was performed, and ask the DEC to require such a study.

Thank You

Patrick Kelly
P.O Box 197
Mt. Tremper, NY
12457

February 3, 2004 Public Hearing Statement

It's good to be here. First of all, I'd like to tell you a little about myself. My name is Patrick Kelly, I'm a writer and editor who lived for many years in New York City, and recently ~~located~~^{relocated} to Mt. Tremper. Over the years I've been a frequent visitor to this area, so I feel I have one foot in each place. I care about both the Catskills and the city, and I truly believe that, while there are important differences, what's good for this community is good for New York City. After all, we share the same watershed, which is what I'd like to speak about tonight. I'm very concerned about the impact of this development on the watershed. With all due respect to those who feel otherwise, I'd like to explain why I think the Belleayre Resort is a bad idea, one likely to cause significant harm to both the Catskill region and the city downriver.

As many of you probably know, the Catskill/Delaware watershed supplies around nine million people in the New York City area with high-quality, naturally filtered water. In fact, the city's water supply is the envy of large metropolitan areas across the country—a situation likely to become more pronounced in coming decades as the planet's supply of fresh water comes under increasing strain. Since Congress ratified the Surface Water Treatment Rule, a provision of the Safe Drinking Water Act, in 1989, the EPA has required cities to filter their water. However, in 1993 and again in 2002, the New York DEP successfully applied for a waiver of the filtration requirement. The filtration waiver represents a huge financial boon to the city. As John Cronin and Robert F. Kennedy, Jr. wrote in their 1997 book *The Riverkeepers*,

Filtering the Catskill/Delaware system would cost real money—an estimated \$8 billion for construction and an additional \$300 million *per year* for operation! The liability would cause the city's bond ratings to plummet. Water rates would double. Thousands of rent-controlled housing units in the city's poorest neighborhoods would be promptly abandoned by landlords as escalating water rates devoured marginal profits. Worst of all, after these calamitous expenditures, no New Yorker would be able to look at his neighbor and say 'Our lives have improved.'

Needless to say, because tourists from New York City directly benefit the Catskill region, a blow to the quality of life in New York City would impact this community as well. Cronin and Kennedy continue:

In fact, conventional filtration would not remove many of the pollutants and organisms associated with watershed development. Pesticides, road salts, petrochemicals, and trihalomethane (a chlorination by-product that causes thousands of rectal and bladder cancer deaths annually) are

unaffected by filtration. Disease-causing organisms and viruses can often outsmart the most sophisticated filtration systems once source water becomes contaminated. In 1993, 450,000 Milwaukee residents were sickened and 100 died when that city's filtration plant allowed cryptosporidial cysts to pass through untreated. In a city the size of New York, a comparable epidemic would kill thousands and sicken millions. Most important, the requirement to filter would leave the city without the obligation, the political will, or the proper financing to protect its watershed.

On a more personal note, I remember turning on my faucet a few years back, during the height of the 2002 drought, and catching a foul chlorinated smell rising from the water. It was particularly noticeable when you turned on the shower. You certainly didn't want to drink it. The water smelled that way for several weeks. I never looked into the matter to determine exactly what was going on, but several acquaintances reported similar experiences. At the time I was living in upper Manhattan, which is not one of the city's wealthier neighborhoods, and I suspect—though I have no proof—that the drought forced the utilities to supply some neighborhoods with heavily treated, poor quality water.

My point in raising these issues is not to frighten people, only to stress how much is at stake. Building a giant resort in the heart of the city's primary watershed represents a huge gamble. Of course, the developer has stated that watershed effects will be kept to a "minimum." However, close scrutiny of the Draft Environmental Impact Statement raises a number of disturbing questions. Consider the following points, which were brought to my attention by a scientist friend:

- 1) The DEIS presents only computer modeling as proof of the safety of the use of chemicals on the golf courses. This is not acceptable proof in law. Actual studies on-site or in real, comparable settings are necessary. In fact, it appears that actual tests of the runoff and leaching of chemicals cited in the DEIS were conducted on carefully controlled grassy plots for university research. That neglects such factors as the average 28% grade of the land; the fact that over 500 acres are to be clearcut and blasted, thus eliminating the natural water filter; the unpredictable nature of the weather (consider the long and persistent rains which occurred last spring and summer); and the fact that Belleayre Mountain receives more rainfall than any local mountain. [To quote from the U.S. Golf Association's publication "Turfgrass and Environmental Research Online" (Volume 1, Number 3, April 2002) by Michael P. Kenna and James T. Snow, "It is time to move the direction of environmental research from university plot studies to full scale monitoring of individual golf courses and the watersheds in which they reside." Is Belleayre Mountain to be the testing ground to determine how these poisonous chemicals spread and are taken up by wildlife and humans?
- 2) According to Environmental Defense, which obtained its data from the EPA and other sources, all of the chemicals proposed for use in Appendix 15 of the DEIS lack at least some of the data required for assessing their safety and appropriate

concentration limits. In fact, so little is known about the ecological and medical effects of all but 11 of the chemicals mentioned that an arbitrary standard ambient level of 50 parts per billion was chosen in leaching simulations. (cf. pp. 10-12 of Appendix 15) Seven chemicals found to be "safe" showed leaching concentrations of between 26% and 76% of this arbitrary value. Moreover, for 8 of the 11 other chemicals, the quoted actual guidance level was less than 50 parts per billion. In one case, it was as low as 1.8 parts per billion! In other words, the Fertilizer and Pesticide Risk Assessment included in the DEIS contains a significant amount of guesswork. Given the dearth of reliable scientific data, is it conscionable to use Belleayre Mountain and the watershed of which it is a part as a testing ground?

A cautionary anecdote may help to illustrate some of ^{the} problems with the rosy simulations put forward in the DEIS. Mr. Gitter has referred to the DEIS as a \$4 million report that speaks for itself. Well, some of you may recall the fate of the Mars Climate Orbiter, a \$327 million unmanned probe that NASA sent to Mars in the late 1990s to study that planet's climate. As it approached Mars, the probe was lost. Engineers gave up the search after determining that the probe had crashed into the Martian surface. Subsequent investigation revealed that one group of engineers had used the U.S. system of measurement (pounds, inches, gallons), while another group had used the metric system (grams, meters, liters). This seemingly small oversight mushroomed into a catastrophic miscalculation, resulting in the loss of the entire mission. Set aside for a moment the fact that the DEIS was prepared specifically for Crossroads Ventures and that many have reported difficulties in accessing it. The lacunae and the guesswork in this document suggest that a miscalculation is a real possibility. Only here we are dealing not with an unmanned probe and an uninhabited planet, but the primary watershed of the nation's largest city.

In light of the possible ^{with} consequences, these concerns should give pause to anyone genuinely concerned ~~the~~ the future of this community and the people of New York City. At the very least, the review period of the DEIS needs to be extended so that the public may better inform itself.

As for the long-term future of Belleayre Mountain, there is an alternative. Since 1997, New York City has acquired over 50,000 acres of environmentally sensitive watershed land under its Land Acquisition Program. Just last December, Mayor Bloomberg committed an additional \$25 million for the acquisition of environmentally sensitive land in the Croton watershed. I would like to propose that the city purchase at fair market value the land on Belleayre Mountain and maintain it for prosperity as is, in its current, undeveloped state. I would also like to challenge Crossroads Ventures to invest in small-scale, local development—the kind of development that would improve the community's economic prospects without forcing it to make a spurious choice between jobs and the environment.

I'd like to leave you with a short and particularly topical passage by the poet Gary Snyder, from his essay "Coming into the Watershed"

A watershed is a marvelous thing to consider: this process of rain falling, streams flowing, and oceans evaporating causes every molecule of water on earth to make the complete trip once every two million years. The surface is carved into watersheds—a kind of familial branching, a chart of relationship, and a definition of place. . . . [We] must hold the watershed and its communities together, so our children might enjoy the clear water and fresh life of this landscape we have chosen. From the tiniest rivulet at the crest of a ridge to the main trunk of a river approaching the lowlands, the river is all one place and all one land.

Thank you.

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Statement to the DEC on the Proposed Belleayre Resort at Catskill Park
February 3, 2004

My name is Maureen Nagy. I have been a resident of Pine Hill for 15 years. I have an interest in history and serve on the Town of Shandaken's Bicentennial Celebration Committee. I oppose the proposed Belleayre Resort because it is too large and because I believe it will negatively impact the area's strong community character.

I'd like to take a moment to describe that character. When you come down Route 28 through Boiceville into Shandaken, you enter the pleasing, cohesive landscape of the Central Catskills. It is a harmonious composition of historic hamlets, scenic mountains, waterways, the railroad line, old roads and homesteads. The area has evolved gently over time, so that the new blends comfortably with the old. The historic fabric has survived miraculously intact. It tells a picturesque and appealing story of turn-of-the-century vacation towns and hotels, the Ulster & Delaware Railroad, and the days of quarrying and furniture making.

Though unassuming, this landscape, as it is, is powerful. It draws tourists, second-homeowners, nature lovers, artists, craftspeople, entrepreneurs, professionals, retirees, urban refugees and independent spirits. Many, many people have turned their lives inside out to be here. What has happened is that – unlike other places -- the authentic scenic and historic landscape of the Central Catskills has survived long enough to be valued.

The State recognizes historic landscapes. This is one of national importance.

Now it is endangered. The project Crossroads has conceived is at odds with existing community character and quality of life. This high-powered resort scheme seeks to introduce glitz, gloss, slick packaging, and pretension. The distressing predictability of condos and timeshares. In small doses, it wouldn't matter so much. On the scale proposed, it changes the area forever.

The iconic adjective in Belleayre Resort literature and promotion is “world class.” What others and I are pleading with you to understand is that our area is in a class by itself. Please help us keep it that way and do not allow this project to go forward.

I would like to point out the following weaknesses in the DEIS on the subject of impact on community character.

1. There is a statement on page 16 of the Executive Summary and section 3.8.2, on the topic of community character, that claims historic precedent for this project. The statement reads: The proposed project will re-introduce resort development into an area that historically supported such development locally and on a large scale. That statement is misleading. There is no historic precedent for a plan of this scope. The developer made a claim on NPR's Vox Pop that hotels such as the Grand Hotel in Highmount provide historic precedent. The Grand Hotel ^{which opened in 1881} was a single hotel on a much smaller piece of property. ^{^ not date from before 1966} A map ^{from earlier than the late 1960s} ^{when the hotel closed, which I attach} shows the acreage at 95 acres. That is 5% of the Belleayre Resort assemblage. ^{There is no comparison,}

But the Grand Hotel aside, the development that happened at the time was overwhelmingly small scale and hamlet based, consisting of small hotels and boarding houses. The hamlet of Pine Hill had 44 establishments in its heyday, according to ^{various histories.} ~~historian Nancy Smith's book on Pine Hill.~~ This is a very different type of development than the sprawling centralized vision now being

proposed. It is also the type of development favored in a survey conducted by the Town of Shandaken in 2000 in which 700 individuals participated.

The real historic precedent operating in this area is one very different in character from the type of resort advanced by Crossroads, an enclave for the rich. I'd like to read a paragraph from a book by historian Alf Evers entitled *In Catskill Country*:

“Before the railroad came, the northern Catskills of Greene County had been a summer resort for prosperous urban people. The U&D opened up the central Catskills as a resort for low-income people as well as for the rich and for a few millionaires who set up huge estates . . . City people responded with enthusiasm. Girls who worked in the sweatshops of New York's expanding garment industry could now afford a healthful and satisfying vacation in the mountain country, thanks to low rail and steamer fares and the proliferation of low-cost boarding houses.”

Critics of the resort plan favor democratic, modest scale development consistent with the real historic precedent of the area.

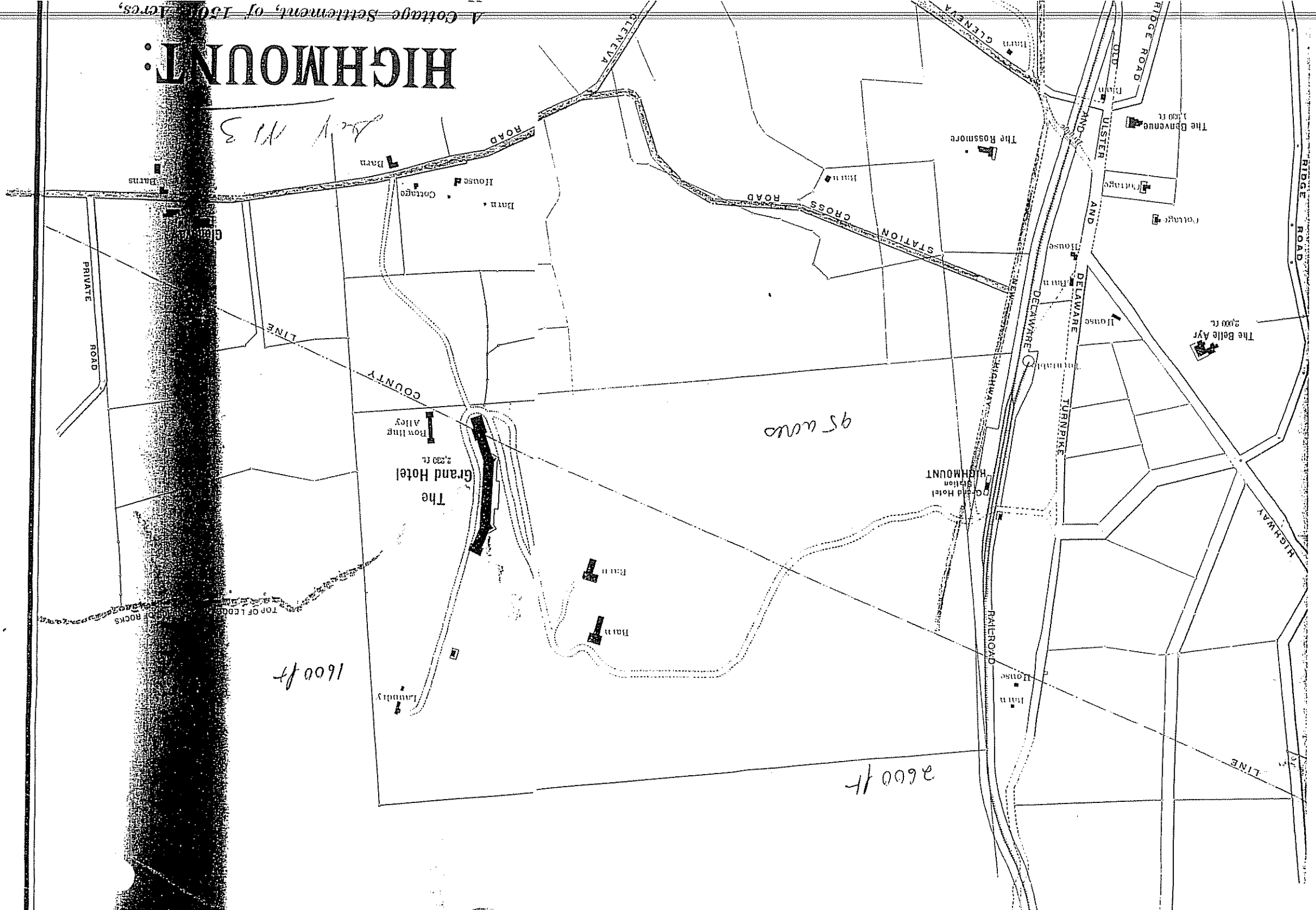
as evidenced in this description by Evers.

2. The developer claims the resort because it is self-contained will have no impact on community character. The claim is made also on page 16 of the Executive Summary and in Section 3.8.2 on community character. The statement is not credible on its face. The scale of the resort guarantees a major impact on community character.

3. I call attention to significant historic resources such as stone bridges and railroad trestles in Pine Hill sited on roads leading to the resort property that may be endangered but must be protected.

There was a gentleman who spoke at the last hearing about need for tourism and jobs, and I thought he presented the argument very well. I want to address one point he made: that resort critics want to shut the gate and keep everybody else out and that they are anti-tourism. The people who are against this resort are pro-tourism. They realize what a rare resource this area is and want to make sure it does not lose any of its unique appeal through inappropriate development.

HIGHMOUNT



Lot 113

95 acres

1600 ft

2600 ft

Dennis Ladner
Diane Ladner

Over the past several years, the people of Shandaken have been repeatedly bullied, insulted, and manipulated by the developer of Crossroads Ventures and his spokespeople. One of the best-known insults was his labeling of our town as a "rural slum", and his most famous manipulation was his acquisition of the Pine Hill water supply.

Now he is continuing his manipulation through the DEIS. This process is inherently one-sided. Since the developer pays for all of the expert testimony that supposedly shows the resort to be environmentally benign, doesn't that put the entire DEIS under a cloud of suspicion? If people still depended on the Tobacco Industry studies to determine if cigarette smoking was dangerous, then many more people would still be smoking, happily, oblivious to the truth.

There are so many issues that the DEIS does not adequately address. There are many areas that at first glance have a beautiful rosy glow, until closer examination reveals the potential environmental, economic and social problems that will almost certainly arise if this resort is allowed to be built. ~~Many people in these hearings are speaking about the other problems~~ I will speak about a subject that my wife and I have some expertise in - people trying to raise a family on inadequate salaries.

The topic I would like to discuss tonight is his rather optimistic portrayal of the wages to be paid at the proposed resort. According to the DEIS, the majority of the workers will be earning \$6. to \$8. per hour. If a person works 35 hours per week at \$6. per hour, and is lucky enough to be fully employed for one year, that person would earn \$10,920. per year. At \$8. per hour, that person would earn \$14,560. If a husband and wife worked together at the resort they might bring home, say \$22-29,000. a year. If they had two children, they would fall well below the \$44,220. figure listed by the Albany Office of Fiscal Policy as the amount needed for a family of four to be self-sufficient in Ulster County. The U.S. Dept. of Agriculture and the Ulster County Office of Employment and Training both consider \$15.00 an hour, or roughly \$31,000. per year, as low income for an individual in Ulster County and neither the person earning \$6./hr or the one earning \$8.00/hr come close to earning enough to be self sufficient..

YET The
Avg SALARY
is LISTED
AS
27,000
per person

At the income level Mr. Gitter is offering, a family of four would have a very difficult time finding affordable housing, a reliable used car, or even paying

their monthly bills. Not to mention day-care costs or health insurance costs. What would a single parent do on such a small income? THIS IS NOT A LIVING WAGE!

The only residents of this town who could really afford to earn so little are students who still live at home with their parents. And I don't think Mr. Gitter is going to be able to staff his resort with hundreds of high school students. Who would be available to work during school hours?

He is going to somehow have to entice hundreds of people to move here to accept these low wages, and these people will not even be able to find housing. Housing costs have sky-rocketed in this area in the past few years. The agencies in Ulster County who monitor housing have declared that in reality there is a 0 vacancy rate when it comes to affordable housing. Mr. Gitter will have to build a low-rent village for them to live in, a "Gitterville", so to speak. He would also have to provide transportation for them to get to work, since they will not be able to afford cars. None of this, of course, is considered in the DEIS.

In the DEIS, the average income for an employee at the resort is listed as \$27,000. per year. But of course this includes the very high salaries of the upper management personnel who will be brought in from out of town, as stated in the DEIS. Through the science of mathematics, which even the simple people of Shandaken have been able to master, we can easily understand that \$27,000. per year is not what most employees will be earning. They are still left behind at \$11,000. - \$14,000. per year. based on a full years pay. And anyone who has worked at the lower level jobs in most hotels and restaurants is aware of the fact that temporary lay-offs or cut-backs in hours are frequent, as a result of the variations in the tourist flow.

unemployment is not the problem. unsustainable wages are

This resort is a mistake. It is not what this area needs, nor is it what we want. The resort is a very bad idea, falsely packaged to appeal to local people who want to improve their lives, but actually intended to make a lot of money for a very small group of people. If Shandaken is allowed to continue growing at a gradual pace, as it has over the past years, there will be more and more small businesses starting up, and hopefully they will be of a more manageable size and not so dependent on low-paying service jobs. Nor will they be so destructive to our environment and our community.

202 Battery Avenue
Brooklyn, NY 11209
June 26, 2002

Mr. Alexander Ciesluk
Deputy Regional Permit Director
NY DEC Region 3
21 South PUTT Corners Rd.
New Paltz NY 12561

Re: Public Water Supply Permit Modification #3-5150-00365/0001

Dear Mr. Ciesluk:

With respect to the supporting documentation accompanying the aforementioned permit modification, there are numerous discrepancies and anomalies, which should be taken into consideration in the determination process. Most significant of which are the results of the flow studies performed by Alpha Geoscience between January 2000 and December 2001.

The culmination of this study is presented as Table 1A in several supporting documents including:

- June 6, 2001 letter to Dean Palen
- February 28, 2002 Engineering Report
- Exhibit 5 – Water Supply Permit Modification

Flow estimations derived from the data in Table 1A form the crux of the permit modification application. However, the data presented in this report is highly questionable based on the following observations.

- 1 When comparing Table 1A included in the June 6 letter with Table 1A included in latter documents, there are stark conflicting values in rows A,B,C,D,H,I,L,P,Q,R,S,T,U,V, and W. A closer examination reveals that virtually all the values in these select rows were diminished by a 60% reduction factor. There does not appear to be an explanation for this disparity. Furthermore, the variables (rows H, C, and D) used in calculating the critical Bonnie View Spring flows are among the inexplicably modified data.
- 2 Line E, "Pine Hill Water Supply meter" also has questionable characteristics. "Zero flow" was recorded on 1/18/00 and 5/22/00. This of course is impossible for a town water supply under constant use. The inclusion of the number 0 as opposed to NM (not measured) suggests it is an actual recorded data point.

- 3 Also pertaining to Line E, the re-occurrence of values in consecutive samples is highly unusual, particularly when recorded to 3 significant digits. Town water consumption is an inherently *variable* parameter. The data presented in Line E does not represent normal variation expected for an entire town's water usage. The data is reprinted here to exemplify this point. This data is also inconsistent with the cited seasonal variations for monthly water use.

<u>Date</u>	<u>Q (gpm)</u>
1/18/2000	0
3/2/2000	NM
3/27/2000	118
4/20/2000	118
5/22/2000	0
6/26/2000	118
7/26/2000	114
8/29/2000	114
9/28/2000	112
10/26/2000	112
11/28/2000	113
12/27/2000	NM
1/30/2001	113
2/28/2001	113.5
3/29/2001	113.4
4/25/2001	119
5/30/2001	113.4
6/29/2001	112
8/30/2001	80
10/1/2001	102.5

Based on the preceding points, the results of Alpha's flow study and any flow estimates derived from on this data is rendered suspect. It is recommended that an explanation of the discrepancies as well as disclosure of sampling procedures and QA/QC (calibration) documentation for all recording instruments used in the collection of this data be requested from the Engineer.

There are further irregularities regarding the estimated flows of the Bonnie View Springs, even if Table 1A was assumed to be accurate. Section 3.2 of the Application indicates September 2000 as the low flow month from which a conservative average monthly flow was calculated to be 273 gpm. This flow is based on the version of Table 1A (Dean Palen letter) with the exaggerated flows. In contrast, Table 1A from the Engineers Report yields an average monthly flow for September of only 143.5 gpm using the same formula:

$$Q = 0.7(H-C+D+E+F)$$

In any case, it appears that the actual low flow during the 2-year study occurred in August 2001, not in September 2000. Section 2.1.1 in the Engineer's Report incorrectly reports the August flow as 87 gpm. By using the above formula, and the August 2001 data from Table 1A (Engineers Report), a value of 100 gpm results from the calculation. Using the criteria of 30% less this value (from Application section 3.2), the correct conservative average monthly flow should be 0.7(100 gpm) or 70 gpm, which is considerably less than the 273 gpm cited in the Application. The Application value is clearly based on overstated flows, which does not accurately represent the Bonnie View Spring production during low flow month.

With regard to the Station Road Well Pumping Test Report:

Since the wells have been shown to be hydraulically connected, a simultaneous pump test would have been more appropriate than two independent tests for the Station Rd well and Well #1 in determining the potential yield. The cone of depression from the Station Rd well clearly extends to Well #1 and beyond. Thus the piezometric surface is diminished at Well #1 even when Well #1 is not pumping. If Well #1 is pumping simultaneously, then the two respective cones of depression will intersect and could considerably affect the state of equilibrium between recharge and pumping. Individual well tests are not representative of the hydraulic conditions, which would occur if the two wells were operated simultaneously. Further support of this statement comes from Dunne and Leopold, "Water in Environmental Planning", Freeman and Co. 1978.

The cones of depression from neighboring wells will eventually intersect if withdrawals continue to exceed recharge. The largest and deepest wells will draw water from below the shallower wells, taking away their water supply.

...The cone spreads away from the well until its form is in equilibrium with the rates of recharge and pumping. Around large well fields, the cone extends for several kilometers and takes years to equilibrate, even if there is an adequate recharge.

Based on these inconsistencies associated with the documents in question, it is strongly suggested that all supporting material for this application be thoroughly scrutinized to ensure accuracy and reliability. If accuracy is not ensured, the support documents should be omitted from the review and the Application would have to be denied.

Regards,

J. Andrew Habib
Environmental Engineer
Consultant to Pine Hill Water Coalition District

Jan. 14, 2004

The Catskill Center for Conservation and Development

Talking Points for the Public Hearings: Belleayre Resort at Catskill Park

I would like to thank the DEC as lead agency for the opportunity to comment on the Belleayre Resort project. I want to thank all of the individuals and organizations who have concerns about the Belleayre Resort's impact on our communities for their hard work... pouring over the massive, 7000 page DEIS ... a complex document, and with all due respect to it's authors, not exactly best-seller material. I also would like to thank the developer of this project and Crossroads Ventures LLC, for the support and contributions they have made to the central Catskills. They have done some good work in the past contributing in a positive way to community development. They revitalized an important section of Route 28 and breathed new life into decaying buildings. Unfortunately, the Belleayre Resort at Catskill Park stands in stark contrast to those projects bearing no resemblance to the developer's previous work.

The Catskill Center is committed to balancing the protection of natural resources with economic development while working to preserve the rich cultural and historical assets of the Catskills. We will continue to provide services and leadership that facilitates the growth of our communities... growth based on sound conservation principles.

Therefore, we stand opposed to Belleayre Resort at Catskill Park as currently proposed. We are not opposed to development; our record speaks for itself in that regard. But we will remain steadfast in our opposition against any development that is irresponsible and/or ill suited to Catskill Park and the New York City watershed. This project – as presently proposed – should not go forward for the following reasons:

First, the project, at its present scale, does not belong in the Catskill Park. The Belleayre Resort is unprecedented in size, not only for the Catskills, but indeed, as stated by the developer's consultants, for the entire northeastern United States. A project of this scale is not compatible with the character or values of our local communities.

Second, from an environmental standpoint, the proposed project requires dramatic disruption in environmentally sensitive and valuable area. The site is adjacent to the single largest tract of forest preserve in the Catskills, the Big Indian and Slide Mountain wilderness areas.

Third, the project is located exactly on the divide between the Catskill and Delaware watersheds, at high elevation with particularly shallow soils. The construction of roads, buildings, parking lots and fairways not to mention extensive blasting and the importation of nearly 1 million cubic yards of soil in such a location contradicts logic and ultimately could be an important first-step towards the end of "no filtration" for the New York City water supply. It is hard to imagine that even the best engineering controls can prevent disruption on this scale from creating severe storm-water and erosion control problems. The project has two components, one to the east and the other to the west of the Belleayre Ski Center. We believe the eastern side is environmentally more problematic. Development there will occur entirely at elevations above 2,000 feet and, in places, at elevations as high as 2,700 feet and on steep terrain. Runoff from the eastern component will flow into the Esopus Creek, a stream already suffering from very serious turbidity issues.

This project also is contradictory to the vision of the signatories of the Memorandum of Agreement between NYC and coalition of watershed towns.

Soon after the signing of the MOA, a guidance document, commissioned by the CWC, was prepared by Hamilton, Rabinovitz & Alschuler Inc. This study included interviews with community leaders to determine unique assets of their communities... Among the top assets identified were the area's rural community character and scenic vistas. It should be noted that the Catskill Center has identified locations from where the project site can be seen that are not included in the DEIS including from the Hunter Mountain Fire Tower.

HR&A study further states and I quote "there is a shakedown in the hotel industry as large non competitive resorts give way to smaller niche players. The single destination, full service, high employee to guest ratio resort has been replaced with a combination of short stay niche destinations and second homes". The study continues: "the hamlets and villages are among the watershed's most important asset's from an environmental standpoint. Economic activity within these centers can make use of existing infrastructure thereby limiting the amount of land that would be cleared to accommodate new development. In exchange for new pollutant loading in the community centers, communities could undertake efforts to minimize loading outside of community centers as a trade-off". The study indicated that tourism could be revitalized through "a focus on existing destinations and a series of niche-based accommodations." This does not describe Belleayre Resort.

I will mention briefly here other concerns we have about the project but will provide further detail on many of them in our written comments:

Traffic – The DEIS presumes that the traffic impact will be increased but recommends very little in the way of mitigation. This analysis ignores Route 47, another viable route to the proposed resort, a route that is highly scenic and likely has a lesser capacity to accommodate significant additional traffic. Increased traffic as a result of the imminent expansion of the Belleayre ski Center must be taken into account in all traffic projections.

Secondary Impacts - The DEIS assumes that the approximately 800 jobs will be filled by local residents and individuals within commuting distance. There are only 200 unemployed people in both Shandaken and Middletown combined. An influx of new residents has the potential to exacerbate the traffic impact, to burden area schools, and to over-extend community services and emergency services. The new residents and additional visitors to the area may also prompt related commercial development further taxing community services and undermining community character.

Lack of Alternative - Significantly, the DEIS does not seriously analyze an alternative to the present proposal. To the extent that the DEIS engages in alternatives analysis, it does so by considering the financial feasibility of various components of the project built in various combinations. Such a "mix and match" approach to feasibility, illustrated by lopping off entire portions of the project, is self-serving; the foregone conclusion of such an analysis is that the project is only feasible as proposed. In our view, a genuine, legitimate alternatives analysis must consider a smaller-scale version of the proposed project.

Negligible Economic Benefits – Despite the project’s threat to community character and the environment, the economic benefits of the project to area residents will be negligible. The average household income in the region is \$40,000.

The DEIS projects that the resort will create about 500 full-time jobs, with an average salary of only \$27,000. The DEIS concedes that the average salary for local residents would generally be between \$20,000 to \$30,000, well below the median income for the area. Whereas residents would generally be given lower-quality jobs, the DEIS indicates that the project’s highest paying jobs – management jobs with salaries in the range of \$50,000 to \$150,000 – may be filled by non-residents.

We do not need this project to “save” us from economic despair. Quite the contrary, economic activity has been picking up along the project corridor and across the Catskills before... and particularly since 9/11. There is a boom in property values and housing sales and the CWC continues to carefully inject millions of dollars of grants and loans in appropriately scaled, environmentally sound business growth throughout the watershed.

The Belleayre Resort can have potentially serious negative impacts on the community character and the environment without promoting significant economic benefits. The Catskill are at an important “crossroads”... with the signing of the memorandum of agreement we have a unique opportunity. If we get it right, it will serve as a national model for sustainable development. But if we get it wrong, it will be a national embarrassment and we will answer to the next several generations of both upstate and downstate residents for our mistakes. Any project of this scale, at this location is dumb growth not smart growth, and takes us down the road of getting it wrong.

I have here in my hand a report from Community Consulting Services, Inc., a Brooklyn based non-profit that provides technical services to community leaders seeking sustainable development. The firm is led by Brian Ketcham, Professional Engineer, who has more than 25 years of experience in preparing and analyzing environmental and traffic impact assessments, primarily for State agencies, and developing innovative transportation strategies, as his consulting firm did for the principal prepares of the DEIS on a revitalization plan for Lake Placid, NY.

Brian's firm did a traffic study for our area in relation to the proposed resort on Belleayre. The report is quite detailed, and quite thick. It will be submitted to the panel. I won't bore you with statistics and figures that may or may not make sense to us here right now. However, I'd like to read to you a few quotes from the report:

Although the DEIS [for the proposed resort] follows standard procedure to examine the worst-case impact, it significantly underestimates factors that result in understating future conditions. . . .

The bottom line is that traffic along route 28 will grow by about 50% by 2014 without the project and by 80% with Resort traffic . . . from current volumes.

The major fallacy of the DEIS is that it does not account for the dramatic growth in skiers at Belleayre Mountain since traffic counts were taken [1999-2000 Season]. . . . For the 2002-2003 season, as of March 2, attendance was up 50% from that which occurred during the 1999-2000 ski season. This growth is not reflected in the DEIS traffic analysis nor is the growth accounted for that may occur as a result of the expansion program underway at Belleayre Mountain which would accommodate an increase in the peak day ski visits from approximately 5,000 to 8,000 (a 60% increase).

Overall, traffic volumes for both the morning and evening peak hours at Route 28 and County Road 49A were 20% above those reported on in the DEIS. Certain ski area turning movements were as much as 34% greater in 2003. . . . Counts taken at Route 28 and County Road 47 were 12 to 16% higher than reported in the DEIS. . . . The conclusion is that traffic along route 28 could be as much as 40% greater than reported in the DEIS for baseline conditions in 2000 and, by 2008, much greater than the 27% growth in volume reported in the DEIS for No Build conditions.

I'm asking the panel to please review in full detail this report. It may be that an air quality study is necessary from the developer in light of these new figures. If any of the public wishes to see the report . . .

This year the Catskill Park celebrates it's 100th birthday. The Park, because it contains within its borders both public and private lands, is a great experiment in conservation ^{AND} ~~and~~ human habitation. If this experiment is to succeed, I feel it is dire that those of us who choose to live within and around this Park need to muster up a great deal of humanity, a great sense of stewardship, and even more self-control. Is life that bad here that we need to sell out in this way? Is there no other way to stimulate economic development than to lay our mountains down, our work lives down, our homes down to be the footstool of the wealthy, another playground for the privileged? Do we really want to live in a suburb, the next Orange County? Please, lets take care of our Catskills - let's not sell out.

Respectfully Submitted,
James Krueger, Pine Hill, NY

Feb 3, 2004

Dear Mr. Ciesluk:

There are many errors in the DEIS as deemed complete by the DEC. A glaring error occurs in the Executive Summary. In Section L Community Services, it states that Margaretville Memorial Hospital has 221 beds. As a member of the Hospital Board, I can assure you it has 15 beds. A statistical error of 14 times magnitude, leads me to question all of the data presented in the DEIS and the ability of the DEC to adequately review it.

As you know from previous correspondence, my main concern is the total potable water supply for the project and Pine Hill. There are many discrepancies in the DEIS as finally presented. Again in the Executive Summary, it lists Rosenthal Well #2 (the primary source) as having a capacity of 118,080 gpd. However in Appendix 7 Section 5.1 it states the long term sustainable flow is 64 gpm or 92,160 gpd. This is barely above the estimated average daily demand of 91,854 gpd and well below the estimated maximum daily demand of 151,551 gpd and assumes the use of water saving devices. They state that these supply figures were during a drought period. However Paul Rubin a hydrologist retained by the Pine Hill Water Coalition has supplied data that shows the precipitation for the region for the 9 months ending Sep't 2001 was 28.45" vs a median precipitation of 28.87". This hardly constitutes a drought.

Mr. Rubin also noted the following points while commenting on the change in the 1970 WSA #5889 which had the effect of removing a water source (Crystal Spring- Silo A) from use by the hamlet of Pine Hill.

1. It is highly unusual to remove a significant portion of any town's water supply. (Crystal Spring was one of 3 springs used by Pine Hill for over 60 years)
2. That Pine Hill should retain the potential to revitalize its infrastructure to previous maximum water usage. (A 1930 DOH report estimates the summer population of Pine Hill as approximately 3,000 and indeed when the Waste water treatment plant for Pine Hill was rebuilt in the 1990's, the Ulster county health Department required it to be built for this capacity,) Indeed there is already a proposal before the Shandaken planning board for an approximately 28 unit housing development and rumors of a 100 room hotel in the planning stages. Both these projects are within the newly organized water district and could require an additional 24,000 gpd.

Other questionable data can be found throughout the DEIS. For example in Table 1A Appendix 7 Exhibit D, it shows the flow of various springs. Depot Spring for Aug 2001 flow is listed as 28 gpm. In footnote 3&4 they state this flow is calculated by taking the flow in a ditch below Depot spring and subtracting the flow from above Depot Spring and adding flow from Silo B. Anyone who has visited the sight can see that the flow from Silo B should be subtracted from the flow in ditch above Depot Spring. This means that the flow for Depot Spring in Aug 2001 was 1/2 gpm and not 28 gpm as listed in the table. Since this incorrect flow was used to support the removal of Crystal Spring (Silo A) as a source of water for Pine Hill, the issuance of a revised water permit should be revisited and Silo A should not be a recognized source for the Big Indian Plateau Project.

Finally the water in Rosenthal Wells 1 & 2 should be dye tested to see whether this water flows into the Esopus Creek at a lower elevation. Should over 200,000 gpd be pumped from these wells for potable and irrigation purposes, it could have a negative effect on Esopus stream flow.

In a related issue, 5 new wells to supply potable water have been drilled at the Belleayre Ski Center. These are all up slope from the water sources for Pine Hill. These sources have not been pump tested to determine if the sources are interconnected. As Belleayre continues to grow and expand the need for potable water grows, for this reason the supply of water to determine the adequacy of supply for the entire local.

For the above reasons I feel that the DEIS is inaccurate, false and incomplete and that a secure source of potable water for the Big Indian Plateau has not been identified,

Richard Schaedle
PO Box 551
Pine Hill NY 12465
rschaedle@earthlink.net

PJ Lorenz
32 Bell Lane
West Shokan, NY 12494

Re: Crossroads Ventures proposed Resort

February 19, 2004

To: Judge Richard Wissler:

This may not be the time to discuss our emotional love of these mountains, and their pristine beauty--- simply because there are no laws on the books which protect our rights to this beauty. A large portion of Americans think of pristine beauty as something saved for vacation packages and will consider our need for beauty as something nostalgic and irrelevant.

If we are truly opposed to this project going through, or any other projects like this, we must get to the elements that are protected by law. We must study and search out the improprieties that may have occurred, and I believe there are, and bring these to light.

We must prove in legal terms, why this project must not stand. We must speak up, write letters, to Judge Wissler, to the DEC, to our Senators, Congressman, our community leaders, and anyone who is involved in this process. And we must put into law, protections to prevent projects like this from being started in the future. We know the Catskills will see more development in the future, but we need to seriously plan that out, to avoid the destruction of this great natural resource.

My letter is in full opposition to the building of the Crossroads Ventures project as it stands, due to the harm to the sensitive environmental area, the watershed, as well as the negative effect on local economies. This project will cause harm to the tourist industry as a whole, as well as traffic problems, increase the need for infrastructure, housing and the result in an increase in the tax burden in already financially depressed areas. The effects of this project, were it to be built, will have widespread negative effects, not just in the towns local to the project, but the entire region.

Some issues to be considered are the following:

The EIS presented by Crossroads Ventures is not easily accessible, and its 3500 page bulk required more time in order for private citizens to have real access to it. Thank you for the 60 day extension granted to have further access to this cumbersome document.

Too much information has almost the same effect as too little information. Either way, it is difficult to really access the facts, especially in a short period of time. As has already

been pointed out, the online version of the EIS is difficult to access from home computers, and there are few hard copy versions available— too few to adequately satisfy the legal requirement for public access.

For a project of this size and scope, there needs to be an independent EIS.

Secondly, I must tell you that I am not really impressed with the cost of 3 million dollars for the Impact statement presented by Crossroads Ventures.

No one that I know of would be willing to pay that much money for the Impact statement to indicate that their project should not be built, due to the harm it would cause to an environmentally sensitive area, the extreme cost which will be passed on to the local tax payers, and the long term hardship to the rest of the tourist industry, when the pristine beauty of the Catskills has all but disappeared.

This Crossroads Ventures EIS simply cannot be an objective assessment. It is clear, that to really assess the viability of this project, or lack thereof, that there needs to be an independent environmental impact statement done, which is not paid for by the corporate interests.

The excessive size combined with the worst possible location are almost by design created to have the greatest negative effect

The location of this project is so completely inappropriate, and almost by design is guaranteed to create the greatest amount of harm to the environment. One document I read said that 3-4 tons of chemicals are needed per acre to maintain a golf course per year. To build two 18 hole golf courses on the top of a mountain, located between two Reservoirs, with 2 hotels with 851 rooms, several restaurants, 21 lot single family , guarantees that the severely toxic run off will find it's way into the water supply---maybe not in one year or 5 years... but eventually, what goes up, must come down.

Once you have clearcut 500 acres off the top of the mountain, there will be water runoff headed down the mountain. In the dry years that will be a trickle, but as in last year, it could have extremely harmful effects for drinking water. I doubt that Crossroads is prepared to pay for water treatment plants for both Reservoirs as well as to install the public water lines that area residents would need in order to tap into treated public water, once their own wells become toxic.

* The financial value of the current tourist industry as a whole should be considered, and how a project of this size & location will affect it, not just in the short term, but for many years to come. The hikers, the fisherman, the campers, the weekenders, cyclists, photographers & artists, all need the mountains to be left wild and unobstructed. People come to the Catskills to get away from the noise of the City, the traffic, to breathe pure air, and see the night sky unblocked by the haze of artificial lights. These are not

nostalgic longings, but rather the description of Catskill Mountain assets which attract millions of tourists every year.

What legal protections do we have?

Are there any legal grounds to protect small, financially impoverished communities from being forced out by projects which by their very presence force community bankruptcies... resulting in widespread foreclosure and rise in real estate prices and taxes?

Gentrification is fine for those who can afford the rise in costs.

Outside Organizations are agitating claim:

Mr. Gitter made comments that outside environmental groups were agitating local citizens against his project. The implication is that we are not capable of realizing for ourselves the severe environmental risks that this project imposes.

Whether we live here as our families have for generations, or whether we have only recently moved here, we have one important thing in common. We love these mountains. We know there will be development, and we want it to be planned, keeping in mind the rural character of the area, and protecting our most precious commodity, the pristine unobstructed beauty of these mountains.

Mr Gitter cannot really defend his project on its environmental safety, or on how much it's going to benefit the surrounding communities with the promise of living wage jobs, simply because on those basis, his project is without merit. His only recourse after that is to try to divide, shame and discredit the people who oppose his project.

There are so many people who oppose this project who come from such a diverse background, that it would be impossible for us to be co-opted by some outside agency. And when you consider that we are fully capable of realizing the harm this project will bring to the Catskills, it's insulting for Mr Gitter to imply that we wouldn't be opposing this all on our own. If we have called for outside support, it might be because we don't have 3 million+ dollars to oppose this project. And further, this kind of excessive consumption Resort projects is something of national interest, since the environment is under siege in many places in our country.

We don't need an outside group to tell us how much harm building a project of this magnitude will cause. We can see that for ourselves! It is we who have approached environmental organizations to help us oppose this project and not the other way round. In building two (2) Eighteen-hole golf courses, two hotels, time share condos, and several restaurants, my comment is, our mountain sir, is not your monopoly board!

I personally will be boycotting any Dean Gitter properties. I will not be having dinner at Catamount Café, or attending any nightly sponsored events, as well as the Spotted Dog, and I will not be going to the Emerson. It's important to me to be clear about this.

Judge Wissler, what you see before you is a groundswell of grassroots opposition. We are angry and scared about the possibility that this project could go through, and how this would upset our lives and our environment in the Catskills longterm.

On a more positive note, there are alternatives that can be considered:

* This land could be purchased to remain forever wild, in order to protect the watershed. It's was mentioned by someone in the last meeting that once this project is turned down, and we hope that it will be--- that this land could be purchased to remain forever wild. This option isn't as far fetched as one might think. The EPA, NY State and local communities, under the Land Acquisition Program called the 1997 Watershed Memorandum of Agreement (MOA) has purchased land and or conservation easements of land sensitive to the water shed, with the purpose being to insure there will be no development, and protect NYC yet unfiltered water supply. This program also is designed to cover the property taxes as well. The City has protected over 49,000 acres of land as of the article in Oct 2003.

* There are other Open Space land conservancies that have purchased large tracts of land to keep them open as well. Looking into how this could be brought about would be important not only for Belleayre Mountain area, but other regions of the Catskills as well.

If this project does go through, local community need to insist that they get a better deal than Mr. Getter is currently offering.

* Each local community can institute a "Resort Tax" to recoup some of it's costs for increased infrastructure, road widening, etc.

Crossroads Ventures needs the Catskills, but the Catskills don't need Crossroads. When considering the financial gains to be made by local communities, Mr. Gitter has clearly stated that he will largely not be not be hiring a significant number of local people for his Resort, not for his construction, and not for the running of his facility, with the exception of approx 200 lower paying jobs which will offer approx. \$7 dollars an hour.

Those in the local communities who think any jobs would be better than none-- need to realize they are in a much better bargaining position than they realize. They have the right to say that in order to build this here, you must hire a minimum of 50% of the employees both from local people, and provide training when needed. You have the right to require Mr Gitter to pay a living wage as part of the agreement. You can insist that he

pay no less than 9 dollars per hour, and provide medical benefits after 3 months for full time workers. A 300 million dollar project is well able to provide these things for the community.

TRUCKS FOR PROJECT PERMITTED to travel betw 8PM - 6AM only

In the 8 years needed for building, mobile classrooms can be installed to provide the necessary training for the higher skilled employees. Certainly in 8 years, local residents could become the skilled labor force needed.

Another possible requirement is that Crossroads Venture Resort function as a small town, and must provide it's own fire and police services.

Also, you have the right to require that Mr Gitter build 50- 100 affordable housing units in each of your communities. to house the additional workers that will be needed for this project. With a roster of almost 800 workers, there will be an immediate need for this type of housing, and he should provide that.

Mr Gitter has basically promised you that he will not be hiring your local people to any extent, that he won't be offering a living wage, and that his Resort will be in essence discouraging his clientele from coming to your towns. This is no way to treat your community. Don't let this happen.

And lastly, you have the right to require, that if his project goes through, and I don't believe that it will, that terms of acceptance already mentioned must remain the same regardless of how many times this property is sold.

Another important stipulation is that a casino can never be built on that piece of property, no matter how many times that property changes hands. And you have the right to insist that the remaining 1500 acres remain forever wild.

The costs of this project:

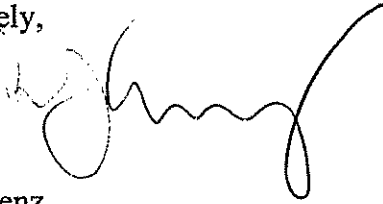
Some immediate needs this project will not meet, which will be passed on to local taxpayers:

- * • The need to protect our water supplies does not just include the two Reservoirs, which will need to eventually build a filtration plant, but all of the wells that will that are currently supporting all the people who are living here now. Local communities will be forced to put in public water supply treatment, and homeowners will be required to pay hook up fees. All of this will be paid for by local towns.
- * • The need to ensure traffic safety, road surfacing, widening, and the obvious cost to each community must be fully assessed.
- * • The need to assess the increased need for affordable housing and the necessary infrastructure, for increase in schools, police, fire and ambulance services.

- The increased tax burden and the expansion of local and County Welfare resources as well.
- The possible if not inevitable destruction of surrounding trout streams, and other fishing, as well as the loss of habitat for other wildlife and the resultant loss of eco-tourism.
- * * * • The tourism that is based on the Catskills remaining unsullied. This loss to the local communities may be difficult to assess, but very long term in its effect if not permanent

With respect, Judge Wissler, I hope you will consider what people in the community are saying about how this project could affect our communities. We are not opposed to development of the Catskills, but we realize that a project of this massive size, and it's location in a sensitive environmental area (with proximity to the Watershed), is inappropriate and should be turned down.

Sincerely,



PJ Lorenz

P.S. There is even a question of viability/sustainability of this project 10 years down the road. What happens when this hotel complex goes belly up?



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January 14, 2004

Honorable Richard Wissler
Administrative Law Judge
New York State Department of Environmental Conservation
Office of Hearings and Mediation Services
625 Broadway
Albany, New York 12233

Re: Crossroads Ventures, LLC
Bellayre Resort at Catskill Park
DEC No. 3-9903-00059/00001

Oral Statement by New York City
Department of Environmental Protection

New York City DEP supplies about 1.1 billion gallons per day of exceptional quality drinking water for approximately 8 million New York City residents, 1 million residents of counties including Ulster and Orange – about ½ the population of the State of New York – and millions of daily tourists and commuters to New York City. DEP’s authority and responsibility for operating this water supply derives from the NY State Water Supply Act.

As described in the historic 1997 Memorandum of Agreement (MOA), “[i]t is the duty of the [DEP] to protect the high quality waters from which the City’s water supply is drawn and preserve it from degradation for the purpose of protecting the health and general welfare of [all the] communities” supplied by water from the system.

The parties agreed in the MOA “that the New York City water supply is an extremely valuable resource that must be protected in a comprehensive manner.” These parties also agreed that “the goals of drinking water protection and economic vitality ... are not inconsistent. ... It is the intention of the parties to ... cooperate in ... a watershed protection program that maintains and enhances the quality of New York City drinking water supply systems and the economic vitality and social character of the watershed communities.” These parties include the DEP, the State of New York, New York State DEC, New York State Department of Health, USEPA, the Towns of Middletown and Shandaken (individually, and as members of the Coalition of Watershed Towns, which is also a party), the Villages of Fleischmanns and Margaretville (~~where we will be meeting tomorrow~~); Delaware County, Ulster County, and several environmental groups. Therefore, all the parties to the MOA, without exception, have a mutual obligation to thoroughly evaluate the proposed project’s environmental, economic and social impacts on both the local area and the region before approving it’s construction and operation.

DEP’s West of Hudson water supply consists of 6 reservoirs with a combined storage capacity of about 460 billion gallons, covering about 1,000,000 acres, connected to each other and the system’s users by about 270 miles of aqueducts and tunnels. This system is solely reliant on precipitation and runoff to

supply the reservoirs. The pollutants present in the runoff directly affect the quality of the water supplied by the system.

The proposal by Crossroads Ventures is the largest development proposed in the Catskills in decades – possibly ever – and as proposed has many different potential impacts on the quality of the water flowing into the reservoirs. The ~~Ashokan~~ [Pepacton] Reservoir will receive about ~~45%~~ [55%] of the water quality impacts from the project, though about 58% of the total 573 acres of land to be disturbed are in eastern portion of the project, in the Ashokan watershed. ^{the}

DEP is an involved agency under the State Environmental Quality Review Act, because certain components of the project require DEP permits but more importantly due to our responsibility for protection of this extraordinary water supply under state law, which is shared by all Parties to the MOA. We are devoting both in-house and consultant resources to a thorough evaluation of the draft EIS that is the subject of this hearing. We will be providing comments in detail, in writing, before the close of the comment period.

While DEP is not prepared to discuss the specific content of our comments at any length here tonight, the areas of concern which we anticipate that our written comments will address include the following:

- the sufficiency of pollutant removal by the proposed wastewater treatment plant design and performance;
- the baseline data employed for design, and the efficacy of the proposed stormwater management controls in achieving required levels of pollutant control;
- the nature and severity of wetlands impacts from the modifications that will be made to topography throughout the development;
- the accuracy, sufficiency and reliability of hydrologic analyses and water balance calculations used in the design of the project;
- inaccurate depiction of baseline conditions, optimistic projections of economic benefits, insufficient identification and analysis of regional socio-economic and growth-inducing effects;
- economic, environmental and regional impacts during construction.

DEP has agreed to financially support the Town of Shandaken and is working with Middletown on providing similar support for their evaluation of local impacts of the proposed project.

Thank you for the opportunity to address this hearing on behalf of Commissioner Christopher Ward of DEP.